

The Sociological Landscape of Youth Confinement

ABSTRACT

This article examines key sociological questions that are raised by the confinement of children and young people. Globally, there are approximately one million children held in confinement, and there is an emerging body of qualitative sociological research in this area. This article examines the role that social constructions of childhood innocence and evil play in shaping the processes of protection and removal, and how these constructions play a role in mediating state strategies of punishment and rehabilitation. The article also draws from an emerging body of qualitative sociological research to examine the role of youth confinement institutions in socializing vulnerable young people.

Introduction

When a child is arrested and placed in confinement, their life is irrevocably changed; they are not only separated from their homes, families and friends, but they are also often exposed to harsh, degrading, and demanding conditions of confinement. The confinement of young people is also set into motion by social processes and forces that young people have very little control over. Poverty, social exclusion and political neglect expose them to criminalization – and they have very little ability to change or even effect change over these conditions (Phoenix, 2015, p. 135).

There were an estimated 1.5 million children under the age of 18 incarcerated in justice-related matters globally in 2018 (Nowak, 2019). Compared to over 10 million adults behind bars globally, this is a small number (Walmsley, 2018). The smaller number of young people in confinement, as compared to adults, has arguably resulted in less attention on the role of confinement in their lives, from both a research and an advocacy perspective. However, children are no less likely to be subjected to violence at the hands of staff, prolonged solitary confinement, deprivation of food and health care, and isolation from their families than adults in prison are (Nowak, 2019, Willow, 2015). The disproportionate imprisonment of racial and ethnic minority, socially marginalized, disabled, and impoverished children also reveals the enduring roles of racism, ethnocentrism, and social exclusion in their lives, and the ways that confinement becomes a tool to embed those forms of exclusion (Nowak, 2019, The Sentencing Project, 2017, Mallett, 2018, Lammy, 2017). As “citizens in waiting” (Kennelly, 2011), young people’s experiences of the blunt hand of the state through punishment often reflects the ways that the state more broadly aims to socialize them.

Much attention has been focused on the phenomenon of the mass imprisonment of adults, particularly in the United States (Alexander, 2010, Hinton, 2016). There has been much less research about the contemporary youth confinement system than that of adults (although see Cox and Abrams, 2021). In the country’s youth justice system, there has been a significant decarceration process that has occurred over the last ten years, and the rates of imprisonment are historically low (Sawyer, 2019). This decline in the imprisonment of children has also occurred in

a number of other jurisdictions across the world, following reforms aimed at diverting young people from confinement to the community and historically low youth offending rates (Clear, 2021, Cunneen et al., 2017, Youth Justice Board 2019/20, 2021). However, young people continue to be confined in privately-operated group homes, immigration and military detention, mental health facilities, and care homes, and are subjected to broad forms of surveillance and monitoring (Cate, 2016, Nowak, 2019, Shalhoub-Kevorkian, 2019).

While imprisonment may have declined, young people continue to be confined as a form of protection and incapacitation. This trend has also raised questions about whether there is a form of *transcarceration* that is occurring, whereby children are shifted from closed, locked institutions to more open, but no less carceral, institutions in their communities (Story, 2016). This form of transcarceration raises important research questions about how children experience social control, even if they are not in explicitly prison-like spaces. For example, in the United States, a model developed in Missouri, which promotes smaller, 'home like' facilities for young people, closer to their home communities, have sprung up in places like Michigan and New York City, and are said to represent a shift away from the harsh conditions of large prison-like facilities (Mendel, 2010, Center for Children's Law and Policy, 2018). However, it may be that children continue to experience these spaces as punitive and repressive.

Despite these reforms, the prison-like structure endures, particularly for those young people deemed to be violent or beyond reform. For example, despite reforms in New York which resulted in the development of home-like facilities in New York City, the state continues to incarcerate young people charged as adults and charged with serious forms of violence in large, locked facilities which resemble prisons. Young people around the world also continue to be sentenced to lengthy terms of imprisonment in adult facilities. In the context of rising rates of gun and knife violence in the United States and the United Kingdom, particularly in the aftermath of COVID-19 (Hamilton, 2021, Children's Defense Fund, 2020), some critics have been concerned that tough-on-crime measures against young people will be re-introduced, including the expansion of adult transfer mechanisms. Despite recent and progressive United States Supreme Court jurisprudence that has highlighted the need to treat young people differently than adults in the context of the death penalty and life without parole, a 2021 decision, *Jones v. Mississippi* upholding life without parole for a young person charged with a crime at the age of 15 allows states to uphold such sentences without making separate determinations about incorrigibility. With 12,000 people serving life without parole or indeterminate life sentences for crimes they committed as teenagers in the United States (Canlione and Abrams, 2021), and 73 states around the world allowing the life imprisonment of people sentenced under the age of 18 (Child Rights International Network, 2015), the issues facing young people in adult prisons remain deeply relevant and in need of exploration (see, e.g. Crewe et al., 2020).

The sociological questions that are raised by the confinement of young people in institutions are particularly important for us to consider in light of several contemporary issues on the horizon: the expansion of surveillance and monitoring systems, particularly in the context of the global pandemic (Emmer et al., 2020), which arguably disproportionately affect children (Taylor and Rooney, 2017, Gray and Smith, 2019); the transnational displacement and movement of young people in the context of climate change and global conflict (Hanna and Oliva, 2016); and the increasingly central focus across the globe in improving conditions of confinement for

children, as part of the so-called 'Havana rules' for the protection of juveniles deprived of their liberty (United Nations, 1990).

The other enduring feature of imprisonment in many settings is its historical legacy as a place of violence against young people, highlighted by the recent discovery of hundreds of unmarked graves of indigenous children who were placed in church-run residential schools across Canada (Austen, 2021). The legacies of abuse and death and the intergenerational trauma they arguably produced is also an important part of the study of confinement and its effects.

This article begins by examining the contributions of sociologists of childhood to our knowledge about the forces that shape the criminalization and confinement of children, and then moves on to consider the contributions of qualitative researchers on youth confinement to our knowledge of the shape, structure, and experiences of imprisonment for young people, and the socializing role that confinement plays in young people's lives.

The Logics of Removal

Our ideas about childhood are historically and socially constructed and contingent (Ariés, 1962, James et al., 1998, Jenks, 2005). The construction of childhood innocence and deviance contribute to the idea of a young person in need of *removal* from their homes and their families (Cox, 2015, Fergusson, 2007). This removal is not restricted to young people who are constructed as deviant alone; it also operates as a form of protection for those who are deemed to be innocent (Meiners, 2016). Historians who have studied the origins of juvenile justice institutions in the United Kingdom and the United States in the 19th century have pointed to the ways that the 'invention' of delinquency was motivated by the desire to exercise social control over impoverished and working class children (Magarey, 1978, Platt, 1969/1977).

Children who are deemed to be 'innocent' in the Western context are often said to be those who are free of the economic and emotional responsibilities of the adult world, including caretaking and other forms of work, as well as protection from exposure to adult-level emotional challenges and needs (James and Prout, 2015, Kitzinger, 2015, Jenkins, 1998). In this construction, children are expected to engage fully in school and play, and they should be insulated from the burdens of adulthood. Yet this construction of 'innocence' also arguably extends to ideas about children's behavior, from their engagement in the schoolyard to their style of dress. And if young people are deemed to transgress these ideas about innocence, they can face various forms of social control, from minor disciplinary offenses in schools, to removal from them (Meiners, 2016, Pasko, 2010).

Children can also face forms of social control in the *name of* the protection of their innocence and the prevention of exposure to harm, which distinguishes them from adults; these forms of protection have also historically been gendered, raced, and classed (O'Neill, 2005, Phoenix, 2003, Bernstein, 2011). Globally, child protection laws facilitate removal of children from their homes and families into institutions in order to prevent harm to them. However, these child protection and removal processes are arguably shaped by the intersectional dynamics of racism, classism and sexism, with disproportionate numbers of racialized and impoverished children removed from their families in child welfare proceedings across the globe (Middel et al., 2020, Bywaters, 2015). It is more often Black families in the United States, for example, who are

deemed to be placing their children in harm's way, than white families (Roberts, 2002, Cénat et al., 2021).

The complex dynamics of child protectionism have also shaped the policing of children who engage in sex work (Phoenix, 2003, Musto, 2016). Although many forms of child prostitution have been decriminalized in Western contexts in recent years, they have been reclassified as child trafficking (Musto, 2016). However, this has not made children who have engaged in sex work any less subject to removal from their communities through confinement of various forms, from placement in secure juvenile facilities to psychiatric care. Although there has arguably been a shift of young people charged with prostitution and held in youth justice facilities towards more protectionist approaches, there has not necessarily been a reduction in their enmeshment in systems of control. Indeed, the protectionist rhetoric has arguably played a role in creating a broader net of control over young people.

The social construction of childhood deviance has a long and enduring history in notions of childhood 'evil' (Garlen, 2018, Muncie, 2009). The ideas about childhood 'evil' have their roots in mythical figures like a changeling who transgress the boundaries of childhood, and who represent a metaphorical state of evil (Renner, 2016). However, these notions of transgression have also arguably shaped our understanding of children when they commit crimes that are understood to be aberrational in the context of childhood. These ideas are not simply limited to extreme acts of violence, because the very notion of deviance is also socially constructed and continuously evolving.

One category of young people's offending that offers a unique glimpse into the social construction of deviance is that of 'status offenses,' which are offenses that are unique to the condition of childhood. For example, truancy from school is a status offense which, in some contexts, can open the door for a young person's confinement (Henriksen et al., 2020). The young person's lack of engagement in school, which is arguably shaped by broader social, interpersonal, and economic processes, is *individualized* as an offense committed by a young person, which can result in a referral to court, and subsequent confinement. A young person's engagement in 'antisocial behavior,' which could include the playing of loud music, or joy riding, which often reflects risks which are developmentally normal, can subject them to policing and confinement (Simester and von Hirsch, 2006, Bengtsson and Ravn, 2018).

When young people engage in more serious crimes of violence, their transgressions can be policed in ways that have grave consequences for their liberty, but which also expose them to forms of public censure and condemnation which facilitate and justify their long-term confinement, and even life imprisonment and exposure to the death penalty (Bazon, 2009, Crewe et al., 2020, Kitenge and Kamangila, 2021). That is, when their behavior is deemed to resemble that of 'adults,' they are given adult-level penalties and sentenced to adult prisons. These processes of 'adultification' or 'adulteration' are not just limited to penalties themselves, but also *attributions of behavior*, and this can be structured by racialized assumptions about behavior (Muncie, 2005). For example, young Black boys' and girls' behavior in the United States and the United Kingdom is often deemed to be more threatening than young white children's behavior, which arguably results in an amplification of penalties against them (Elon Dancy, 2014, Crenshaw et al., 2015). In another part of the world, Palestinian children are often held in Israeli military adult detention facilities for their behaviors which might often be considered low-level offending, such as the throwing of rocks at soldiers (Stein, 2017).

The institutional confinement of young people is also important to understand in terms of the legal justifications for its use. 'Child protection' and the 'best interests' doctrine have long guided interventions into children's lives, and have also played a role in shaping approaches to Western ideas about children's rights: ideas about the 'best interests' of children are embedded throughout the United Nations Convention on the Rights of the Child (United Nations, 1989). The confinement of children, in contrast to that of adults, has often uniquely been approached through the logic of paternalism and the 'best interests' of the child and for their protection, rather than their punishment or their incapacitation (Kupchik, 2004, Godsoe, 2015). While this has not precluded the use of punitive rationales in the incarceration and confinement of children, this idea about protection and best interests has arguably been dominant, particularly in Western approaches to confinement (Platt, 1969/1977).

However, the ideas behind 'best interests' are often shaped by adult assumptions and norms, which often obscure or repress children's voices and needs (James and James, 2004, Alderson, 2012). Approaches to the 'best interests' of the child, for example, can open the door for forms of repression and control. They also tend to obscure some of the ways that children can actively play a role in shaping their existence, and contribute to decisions about their own lives. The removal of children in the name of their best interests is often also done in ways that reflects assumptions about normative lives and families, particularly those shaped by white middle-class norms.

Who is in Custody?

Across the globe, confinement is disproportionately reserved for impoverished, ethnic and racial minority children, indigenous and First Nations children, children who are internally displaced or stateless, and children who have failed to meet the expectations of contemporary statehood. Custody is also used disproportionately against children who have failed to meet the expectations of *normative childhood*; thus, in many contexts, LGBTQ children are incarcerated in numbers disproportionate to their numbers in the population (Wilson et al., 2017).

Outside of the traditional juvenile justice contexts, children in mental health facilities, care facilities, immigration detention and military custody follow similar patterns as above. Like with adults, poverty becomes a pathway to confinement. Yet this pathway is also deeply shaped by the intersecting dynamics of patriarchy, classism, forced migration, and military conflict, and is thus an intersectional one.

In recent years, the numbers of young people in custody in contexts like the US and UK have declined significantly, in part in response to government-led efforts to promote diversion from custody (Youth Justice Board 2019/20, 2021, Sawyer, 2019). But unfortunately, the aftereffect has been a subsequent *rise* in the racial disproportionality of youth entering custody (Lammy, 2017, Rovner, 2021). Thus, the children who are enmeshed in institutions of confinement across the globe are often the most vulnerable and marginalized in society; the processes of socialization that they face in these institutions arguably reflect and embed these social positions.

The Socializing Role of Institutions in Children's Lives

Institutions of confinement play a role in structuring children's lives and futures (Henriksen et al., 2020). Children are removed from their homes and families, which play a role in the socialization processes, and are sometimes placed in large-scale congregate care institutions where their socialization occurs in groups, and through and by adults who are often tasked with their behavioral change. These institutional forms of socialization arguably play a role in structuring young people's pathways to adulthood by limiting their acquisition of social, human and cultural capital, embedding their social isolation and marginalization, and separating them from the informal systems of social control and support that they may find in their communities (Lambie and Randell, 2013, O'Neill, 2018, Abrams and Anderson-Nathe, 2013, Altshuler and Brash, 2004).

The sociologist Erving Goffman, in his classic book *Asylums*, studied three core institutions: boarding schools, the military, and prisons (1961). A total institution is one that is closed to the outside world, has its own codes and norms, and is one that shapes and regulates behavior. He pointed to the links and similarities between these institutions.

The removal of indigenous children in North America and Australia in the 19th century by white settlers was realized through the use of the boarding school, which was presented by reformers as a place that had the capacity to socialize indigenous children toward white European behavioral norms. This *removal*, in other words, became a powerful site of assimilation and ethnic cleansing, as well as a vehicle for broader projects of settler colonialism. (Adams, 1995, Jacobs, 2009). There is thus a propinquity in the processes of enclosure that have shaped the lives of young and marginalized people over the course of history, regardless of whether the institutions are called 'prisons' or even schools.

The total institution is a strong metaphor for the ways that confinement encapsulates and encloses, although scholars have recently examined the ways that the institution is also "porous" (Ellis, 2021), with staff, volunteers, and prisoners moving in and out of them. Institutions of confinement for young people are sometimes more physically 'porous' in that they are sometimes more open than adult prisons, have less significant 'hardware' and security structures in place to physically constrain the young people inside. They are also expansive, with incarceration 'wrapping around' young people's lives after custody in ways that penetrate deep into their everyday lives, both in school and in their families (Fader, 2013, Flores, 2016).

These institutions thus act as socializing agents for vulnerable and marginalized young people, shaping and constraining their life opportunities. In the sections below, I will examine the key processes through which these forms of socialization occur.

Socialization Through Behavioral Control and Management

One of the most common features of Western approaches to the confinement of young people in juvenile justice contexts, which has also been exported globally, is the focus of the facilities on the structured regime of behavioral control, socialization and management of young people. Although the facilities take on different shapes and forms, and the psychological and behavioral theories which inform such approaches are varied, there is a near-universal focus on behavioral change in young people that dominates the daily life in facilities (Sankofa et al., 2017, Gradin Franzén, 2014, Zoettl, 2018, Henriksen and Prieur, 2019, Halsey, 2007b).

The early behavioral theories which informed approaches to children and young people in the juvenile justice systems in Western contexts were often shaped by social Darwinist perspectives and ideas about degeneration, particularly racial degeneration, informed by the eugenics movement (Chávez-García, 2012, Burton, 2019, Ward, 2012, Agyepong, 2018). The juvenile justice system became the site in which the so called 'dangerous classes' could be controlled in places like the UK and the US (Burton, 2019). Chávez-García's study of the history of California reformatories revealed the use of intelligence testing to determine the causes of delinquency; the children of color who scored low on these tests were removed to institutions, including state hospitals, who sterilized them (Chávez-García, 2007, Chavez-Garcia, 2007). In the early reformatory systems of England and Western Europe, the focus on behavioral management and change was leveraged through a focus on work and thrift, with the emphasis in reformatories and Industrial schools on apprenticeships and trainings (Schlossman, 1977). The legacies of these approaches to the social control of young people, infused with racialized logics of control, arguably persist in present-day systems. In particular, the often-paradoxical notion that rehabilitation by the state is possible amongst so-called deviant children, but also a deep pessimism about the possibilities for change amongst children who are considered to have inherently criminogenic features is one that arguably endures.

A shift in approaches to behavioral control arguably occurred in the post War years when European psychoanalytic traditions, carried by Anna Freud, August Aichhorn and others, influenced the framing of the 'deviant child' as formed by a set of maladaptations and experiences of parenting that had fundamentally shaped their engagement in delinquency (Aichhorn, 1925/1955, Luger, 1969, Deutsch, 1950). The approach to the child in custody varied, but was arguably broadly shaped by an interventionist approach that sought to re-frame the child's maladaptive world view, and re-socialize them toward normative behavior, providing them with a sense of deference and self-control—thus, largely focused on behavioral change (Cox, 2016, Kivett and Warren, 2002, Polsky, 1962, Giallombardo, 1981). These efforts at resocialization were held together by a system of consequences or punishments, varying from the extreme and violent to the more informal.

The legacies of the post-war approach can be seen in contemporary juvenile justice institutions in the United States, which are largely dominated by a token economy system that employs rewards and consequences for young people's behavior, as well as a wide range of behavioral intervention programs (Sankofa et al., 2017). Contemporary systems in Australia, the U.S., UK, and Scandinavian countries largely employ cognitive behavioral change curricula which are organized around improving the executive functioning of young adults in custody via direct and targeted interventions, such as in their 'thinking errors,' or minimization strategies (Halsey, 2007a, Gradin Franzén, 2014, Sankofa et al., 2017, Myers et al., 2020). These programs emerged in response to the prevailing sentiment that the psychoanalytic and group treatment strategies of the post-War era were not sufficiently leading to improved outcomes in prisons, and were time-consuming and costly (Duguid, 2000, Morash, 1981). They also emerged as part of a broader movement focused on the expansion of evidence-based practices in confinement, drawing on social science evidence about 'what works' (Lipsey and Wilson, 1998, Trupin, 2007) The shift towards short-term interventions that could be delivered by non-specialist staff via cognitive behavioral curricula was thus a popular one.

In addition to psychologically-informed approaches, another dominant form of behavior management in juvenile facilities across the world is the use of physical restraints by staff against young people (Goldson, 2006, Government Accountability Office, 2009, Nunno et al., 2006, Nowak, 2019). Although physical restraints are also used in adult custody, they are more commonly used in children's custody, often as a way of maintaining control and order, even though the legal trigger for the use of restraints may simply be to 'protect' a child who is in harm's way. The use of restraints, which are conducted by staff members against children, is varied: they can involve a child lying prone on the ground, they can take place when they are supine, or they can involve physical instruments (straps) or medical interventions or 'chemical' restraints (The Residential Child Care Project, 2010). The primary aim of the restraint is to prevent the movement of the young person and to constrain and control them in place. The use of restraints as a tool for the control of children who are deemed to be out of control arguably reflects broader and negative constructions of children in custody as unruly, incorrigible, and unmanageable. It also reflects historically significant constructions of young people as chaotic, and in need of adults to facilitate their development towards rational and self-controlled individuals (Cox, 2018).

Juvenile facilities are often described as chaotic, violent, and dominated by gang violence. Rates of violence in some facilities are high, often involving staff committing violence against young people, but sometimes involving violence between young people (Egozy and Cox, 2017, Nowak, 2019). The use of physical and medical restraints is one approach that is used to control and constrain young people. Although the overt physical abuse and corporal punishment of children in facilities still happens in some places in the world, it is largely outlawed in most Western contexts. However, the legal authority to physically restrain children remains, and is a powerful tool in shaping their lives in confinement.

The sociological significance of these forms of behavioral control and management of young people in confinement lies in how these approaches construct young people in custody as in control of their individual lives and circumstances, minimizing the role of the state in producing the harms that have existed in their lives. The cognitive behavioral interventions that are frequently used in custodial contexts reflect the assumption that young people who offend have a range of executive functioning issues that have contributed to their offending, and which can be remedied through psychological interventions. The use of and reliance on these strategies therefore constructs the young person who offends as a psychologically dysfunctional individual, often at the costs of the broader range of social and environmental challenges that they may have faced, as well as the processes of criminalization, that may have ushered them in to the justice system.

As Fader (2013) has demonstrated in her research, youth in confinement are often socialized with contradictory messages; they are told that they can change if they engage in the hard work required to undergo change, but that they will likely fail in this process. She argues that this process is highly racialized as it is often predominantly white staff members working with youth of color. Cox (2018) points to the processes of *responsibilization* that take place inside of juvenile facilities whereby young people are encouraged to believe that their engagement in offending solely originates from themselves. They are encouraged to embrace a 'bootstrap' ethos, working hard to address some of the 'thinking errors' which may have led them to continue to offend, and discouraging them from examining the socio-structural conditions that may have made their law-breaking more likely. Michaela Soyer (2016) has demonstrated in her research that youth in

confinement are taught that they cannot be trusted to stay out of trouble after they leave custody, so they embrace further restrictions on their freedom, such as ankle monitors.

The research about young people's responses to behavioral interventions in custody reveals some strikingly similar patterns: young people often engage in strategies of 'faking it to make it,' performing their way through treatment in order to lift the burdens of the forms of control that the behavioral change programs impose on them (Abrams and Hyun, 2009, Inderbitzin, 2006, Abrams, 2006). Other scholars have focused on the ways that the behavioral demands of the programs inside of juvenile facilities produce expectations of subservience and docility (Reich, 2010). While 'faking it' is not unique to the juvenile imprisonment landscape, I have argued elsewhere that the demands on young people to perform in treatment are particularly punishing in the context of the barriers that incarcerated young people in particular face to social mobility (Cox, 2011).

In recent years, juvenile justice systems in the US and the UK have increasingly begun to adopt what have been termed 'trauma-informed' approaches to treatment, which focus on and respond to the trauma histories and pathways that young people have faced before confinement (Bloom, 2005, Branson et al., 2017) The sociological significance of trauma-informed approaches conveys an evolving construction of young people and the staff that work with them. While continuing to embed individualized assumptions about the psychological harms and pathways to offending and confinement, the trauma-informed approach also arguably reflects a deficits-based approach to young people's lives which reflects both the realities of youth confinement—that a disproportionate number of children in confinement have experienced abuse and neglect—but also arguably obscures young people's strengths and capacities (Cox, 2019).

The Competing Logics of Care and Control

The responsabilizing logics of juvenile facilities are often within a legal and institutional context that attempts to twin the competing logics of care and control. The tensions that exist between care and control, or rehabilitation and punishment, arguably impose additional and complex constraints on young people's socialization processes in confinement. A number of researchers of youth confinement have explored the ways that staff members in juvenile facilities navigate these tensions between care and control; the sociologist Michelle Inderbitzin, for example, writes about the demands on facility staff to navigate multiple roles—as guardians, caretakers, counselors, and guards, and the ways that this produces role conflicts amongst the staff (Inderbitzin, 2006, see also Galardi and Settersten, 2018). The tensions between treatment and behavioral change and punishment arguably dominate institutional life in juvenile facilities in a way that places deep and negative demands on young people (Abrams and Anderson-Nathe, 2013).

Institutional administrators assume the role of legal guardianship over young people in their care, who are often under the age of 18, the age of majority in a vast majority of nations which operate institutions of confinement. This raises concerns about the relative autonomy of young people in institutions, the role and relationship of their families in institutional life, and the role of state institutions in providing guardianship and 'care' towards young people. The legal structures that shape confinement also mean that young people are frequently placed in custody for indeterminate periods of confinement, with the ability of jurisdictions to extend those periods

of confinement frequently, often in the name of the ‘best interests’ of the child (Henriksen and Refsgaard, 2020).

Gresham Sykes, in his seminal work on the pains of imprisonment (1958/2007), identified the constraints on autonomy as one of the unique features of imprisonment. Children’s imprisonment offers another layer of complexity to this story about autonomy. When a young person is sentenced to confinement, the state often assumes responsibility for decision-making about them in care; although in some contexts, parental approval or permission is required for key decisions about young people’s health and education in custody, members of the institution itself not only enact those decisions, but become the third party guardian over that decision. The principle of *parens patriae*, or the power of the state to act as legal guardian for those who are unable to, and in the child’s best interests, which governs a number of juvenile justice systems across the globe, mediates children’s access to agency and autonomy (Sclater and Piper, 2001, Feld, 1999).

Children have limited access to rights in custody, particularly participation rights. Although there have been recent efforts in some countries, in keeping with the principles of participation embraced in the UNCRC, to promote youth ‘voice’ and participation via the use of student and resident councils, young people’s ability to contribute to and participate in decisions about their own care and custody are arguably severely limited (Henriksen et al., 2020, Kallioma-Puha et al., 2020). Therefore, although many juvenile facilities are dominated by behavioral change and educational programs, those programs are largely shaped and led by adults. Thus, a young person’s opportunity to grow and develop through the exercise of agency and autonomy is severely constrained in custody. Yet, youth-driven movements that have challenged the uses and shape of custody have arguably played a role in constructing new and important ideas about confinement.

These issues relating to youth voice and participation are particularly germane to discussions about the COVID-19 pandemic, where we have witnessed disproportionate numbers of people in custody, both adults and children, facing solitary confinement as a form of disease prevention and control, and limited access to vaccine supplies, despite living in congregate care institutions where diseases can spread rapidly (Howard League for Penal Reform, 2020, UN news, 2021, Green, 2020). Key decisions about public health have been laid in the hands of prison and juvenile facility administrators, and those decisions, often to rely on solitary confinement, have had severe consequences for the mental and physical health of people in custody (Gagnon, 2020, Johnson et al., 2021). These decisions also reflect the constraints on young people’s autonomy in making health-related decision in custody, particularly *because* they are a population that has limited access to scientifically-tested vaccines and may be disproportionately likely to spread the virus to staff in the facilities and their family members.

Socialization through Education

Another unique aspect of youth confinement is the dominant role that education plays in facility life in a number of contexts. Because the vast majority of children and young people who are incarcerated remain under the statutory requirements of school age requirements, institutions are often statutorily required to provide schooling to young people in their care. One overlooked feature of studies of youth confinement is the dominance of these activities in the everyday life of

the facilities, as well as the role of school staff in the lives of young people, and in particular the socializing functions of education in facility life.

The quality of educational provision varies widely in juvenile facilities, and many children and young people face serious obstacles in receiving specialized support services and education. American researchers have found that disproportionate numbers of young people in custody have learning disabilities, and yet their disability-related needs are often unmet (Quinn et al., 2005). Children and young people in custody have also often been excluded from school, and have large gaps in their educational histories (Barker et al., 2010, Advancement Project, 2010). When they arrive at juvenile facilities, therefore, they have a range of complex and unmet needs in their education; the pathways to custody are often shaped by years of informal and formal exclusion and isolation from education systems. Because the lengths of stay vary, from days to years in custody, it is often difficult to engage young people in educational programming in a sustained and structured way.

Schools that exist within juvenile facilities are key microsociological sites in which to study the dynamics of social control, socialization, and the transmission of norms and expectations. They are also sites of severe resource deprivation: facilities often have limited educational supplies and resources, a lack of special education supports, and deep challenges for teachers in separating their pedagogical work from the practices of incarceration (Flores and Barahona-Lopez, 2020, Peterson, 2017, Kamrath and Gregg, 2018, McCluskey, 2017). In her ethnography of juvenile detention schools in the US, Sabina Vaught (2017) found that the schools promoted the docility of students through the repetition of curriculum and through systems of discipline and reward; she points to the racialized dimensions of these forms of control (see also Vélez Young-Alfaro, 2017).

The intersection of education and punishment also creates a unique and challenging work environment for students, where they often sit in classrooms where their behavior is regulated by teachers and guards alike (Cox, 2018). The dynamics of exclusion that they may have faced in the world outside of confinement may be turned inward in institutions of confinement, where their behavior is regulated within the social structure of the institution and its punitive norms. So while they may not be externally excluded, they may be internally excluded within the institution, facing solitary or room confinement for their misbehavior in the classroom, or other forms of regulation and control.

The educational environments of juvenile facilities have also been known to be disproportionately focused on the provision of vocational opportunities for young people (Flores and Barahona-Lopez, 2020), and subtle forms of 'push out' from traditional education, through the encouragement of young people to receive their GEDs and high school equivalencies, rather than to finish traditional schooling. These often reflect the low expectations of the young people in custody that are often shaped by gender, class norms and expectations; young people are often taught to 'learn to labor' (Willis, 1977/1988) rather than move towards broader educational goals and aspirations beyond custody, and the provision and shape of traditional and vocational education may be shaped by gendered assumptions (Boakye and Akoensi, 2021). This is consonant with broader approaches to working class children, who are often presented with a set of offerings that reflect an assumption about low educational achievement.

Conclusions

In this review, I have focused on some of the unique ways that confinement shapes the lives of children and young people and play a role as a socializing agent in the lives of vulnerable young people in particular. The approaches to confinement that are used are arguably shaped by broader sets of cultural and social assumptions about young people's developmental immaturity, and political projects aimed at shaping the lives of those young people who most frequently face arrest and subsequent incarceration—children and young people who are social excluded and marginalized.

It is clear that incarceration doesn't 'work' to change the lives of young people by changing their behavior or improving the conditions of their lives (Henriksen et al., 2020, Gatti et al., 2009, Lambie and Randell, 2013). Young people face enormous challenges when they leave confinement in their efforts to desist from offending which are often shaped by their social and political place as 'citizens in waiting' (Soyer, 2016, Abrams and Terry, 2017, Panuccio et al., 2012, Halsey, 2008, Chui and Cheng, 2014). While a number of researchers have focused on the efficacy of behavioral change programs and the vocational and educational programs that are executed behind bars (Lipsey and Wilson, 1998, Bogestad et al., 2010), we know less about the social, political and spatial contours of confinement for young people. As one of the leading sociologists of imprisonment has argued, prisons play an important social role through their unique power to punish, and they are places where issues of power, inequality, order, conflict and socialization have great potency (Crewe, 2016, p. 123).

We have a great deal more to learn about the confinement of children. Access to juvenile facilities to conduct qualitative research can be challenging (Myers, 2014). The Western model that twins punishment and rehabilitation is dominant globally, in part through the exportation of the British borstal model (Boakye and Akoensi, 2021, Matsuura, 2011, Liévano-Karim and Ritterbusch, 2021), but is often shaped and filtered through local and indigenous value systems (Zhao et al., 2019). The contours of confinement in less-frequently studied locations, particularly in the Global South and Eastern Europe, will help to contribute to ways of understanding the uses and role of confinement beyond the Western models of control. For example, work by scholars in Ghana have helped to shape our understandings of how indigenous models of justice, which prioritize a young person's embeddedness in their communities, often act in parallel with colonial models of justice (Boakye and Akoensi, 2021).

We also have more to learn about the experiences of young people in adult prisons. While there has been important new work in this area (Crewe et al., 2020), and some personal accounts, and articles and studies by journalists and NGOs about the experiences of individuals who have spent time in prison from a young age (Betts, 2010, ACLU, 2016, Anonymous, 2017), there are few qualitative examinations of the sociological landscape of the punishment of children and young adults in adult prison contexts. This work could help to shed comparative light on the strategies of punishment and behavioral control used with young adults in more overtly punitive contexts, as well as the ways that young people manage these forms of punishment.

Finally, as juvenile justice systems continue in their process of decarceration, the study of group homes and other smaller facilities where young people are being placed are critical sites of analysis. Often, there is an implied social 'good' in removing young people from large-scale, locked facilities into smaller, community-based care, which has arguably resulted in a lack of scrutiny of the ways that these forms of custody shape children's lives.

Globally, there have been calls to abolish youth prisons entirely, in recognition of the harm that they do to children and young people's lives (Nowak, 2019). These calls are a critical intervention and have received increasing traction through organizations like the Youth First Initiative in the United States and Article 39 in the United Kingdom. As the phenomenon of youth incarceration and confinement gets increasingly on the map, it is also critical for sociologists of imprisonment to contribute to these conversations so that juvenile justice systems do not 'cycle' between systems of community-based care and confinement, as has been so frequently the case in the past (Bernard and Kurlychek, 2010). The shape, structure and processes of youth confinement are critical sites of study as they often reflect broader assumptions about children and young people's engagement in offending and the attendant social and political demands to remove particular kinds of children and place them in secure settings. Young people themselves are also increasingly at the forefront of these demands, calling attention to the ways that our ideas about confinement should and will not always be shaped by adults.

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