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Goldies', 'Birdies' and 'Oldies': An Exploratory Analysis of Young Adults in Portuguese Prisons

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Abstract: Within the debate on the transitional age processes of youth in contemporary societies, this chapter analyses the profiles of young adults placed in Portuguese prisons. A unique portrait is drawn based on the existing statistical data from the prison services. Through cluster analysis, this population was classified into three groups. Findings emphasise different types of crime profiles in relation to the sociodemographic characteristics of the young people concerned (age, gender, educational background, nationality and place of residence). Although the Portuguese jurisdiction has established a special criminal law regime setting up distinct specialised facilities for young adults, results highlight the fact that most of them, some even at a minor age, are placed in prisons with older adults due to the lack of appropriate penitentiary establishments.

Keywords: young adults; minimum age of criminal responsibility (MACR); criminal law for young adults; criminal profiles; incarceration.

Introduction

Worldwide, the so-called young adults tend to be overrepresented in the criminal justice systems (Schmidt et al., 2020; Zeiljmans et al, 2019; Matthews et al., 2018; Scott et al., 2016; Pruin and Dünkel, 2015; Prior et al., 2011; Myers, 2003). In particular, young adults tend to be present in significant and disproportionate numbers among the prison population in many countries (Gupta-Kagan, 2018; Allen, 2016; Dünkel and Pruin, 2012). However, this does not seem to be the case of Portugal, a country with one of the lowest crime rates in the European Union and one of the highest adult incarceration rates, though not of imprisonment of young adults (Carvalho, 2020; Gersão, 2020, Gomes et al., 2018; Basto Pereira et al., 2018). The diachronic analysis of the official data on convictions in the Portuguese courts from 1993 to 2018 (Carvalho, 2020) reveals an increase in the mitigation of sentences for young adults over the years, the grounds for which are the principles of a special criminal law regime established for this generational group in the 1980s. Despite the variations in the evolution of young adult crime rates, there has been a continuous and significant decrease in the number of prison sentences applied to young adults.

Due to this singular situation, Portugal is a thought-provoking case that deserves special attention. Drawing on the age limits imposed by the Portuguese criminal law, in this text the term young adults refers to the 16- to 21-year-olds to whom a prison sentence could be applied. Portugal follows a strict approach in the conceptualisation of a young adult, considering the age at the time of the offence, as is the case in many other European countries (Pruin and Dünkel, 2015). It does not establish any provisions regarding the age at the time of the trial.

As shown in the recent study of Zeiljmans et al. (2019, and presented in chapter 5), the Portuguese jurisdiction recognises the social and personal vulnerabilities that affect the stage of transition from youth to adulthood, providing for the special mitigation of the prison sentence for 16- to 21-year-olds. As a result of the Criminal Code Reform of 1982, a special criminal law regime was established within the adult justice system setting up distinct procedures and lower sentencing guidelines that could be applied to young adults, depending on the judge's assessment. The goal is to avoid the enforcement of a prison sentence at these ages and ensure, when necessary, that it is enforced in specialised prison facilities in line with international guidelines (Carvalho, 2020; Gersão, 2020; Silva et al.,

2020; Gomes et al., 2018; Dünkel and Pruin, 2012; Rodrigues and Fonseca, 2010; Santos, 2010; Antunes, 2008; Figueroa, 2008).

However, complex issues emerge in this field requiring more in-depth discussion. A major constraint is that the specialised detention centres for young adults established in this special regime have never been built. As a result, even with lower figures of young adult incarceration, there is still a significant contradiction between law and practice, as most of these young adults serve their prison sentences in adult prisons and the system can hardly separate them from adults.

Additionally, the distinction between the age of civil majority (18 years) and the age of criminal majority (16 years) in the country raises strong concerns. 16- and 17-year-olds sentenced to a measure involving deprivation of liberty are placed in adult prisons in clear violation of international guidelines and standards, as regularly expressed by the Portuguese Ombudsman and by various United Nations Committees in their concluding observations on the national periodic reports.¹ This situation is a result of the lack of specialised prison facilities for young adults. This means that, despite the provisions of the special criminal law regime, a significant part of the 16- to 20-year-olds who are convicted have to serve their sentences in regular adult prisons. Thus, the enforcement of prison sentences applied to young adults in Portugal poses serious challenges, as literature suggests that incarceration of young adults with older adults increases their previous personal and social vulnerabilities and has a detrimental impact on their development (Goldson, 2013; Farrington and Loeber, 2012; Webster et al., 2004).

Within this framework, as part of a broader project – YO&JUST. Youth Offending in the Juvenile and Criminal Justice Systems in Portugal, funded by the Foundation for Science and Technology (FCT, Ref. SFRH/BPD/116119/2016) –, the aim of the study presented in this chapter is to contribute towards a better understanding of the sociolegal profiles of the young adults placed in the Portuguese prisons. A comprehensive analytical approach incorporating contributions from sociology, criminology, psychology and neurosciences adds intersectoral value and acts as a framework for the performance of a multivariate analysis of the available statistical data from the prison services. The data used for this analysis relate to the years of 2015, when new procedures for data processing in the justice system were introduced, and 2018, the most recent year for which data are available. The

¹ Available at: <https://www.ohchr.org/en/countries/enacaregion/pages/ptindex.aspx>. UN Committee on the Rights of the Child: Concluding observations (2019) CRC/C/PRT/CO/5-6. UN Human Rights Committee: Concluding observations (2020) CCPR/C/PRT/CO/5

goal is to analyse the composition of the young adult prison population by examining whether there is a link between the sociodemographic characteristics of young adults and the crimes they committed and their placement in differentiated types of prison. Our research questions are: i) what is the distribution of the young adult prison population by age, gender, nationality, educational background and geographical location of residence?; ii) what types of crimes are more associated with a prison sentence and how do they relate to the legal status, the sentence length and the prison establishment in which the young adult is placed?

A unique sociolegal portrait is drawn, aiming to contribute to the advancement of knowledge through the recognition of the diversity of crime profiles among the emerging generational category of adulthood. This group is approached differently in many countries, for a variety of reasons, and the knowledge about its composition is still limited. Thus, providing evidence that will contribute to a better understanding of the young adult prison population is crucial for more effective prevention policies and justice practices.

In search of an age: the reason for treating young adults differently

One of the most controversial topics in the field of criminal justice confronts the classical intricate interplay between law, age and youth at the core of modern justice systems: at what age should one be considered sufficiently capable ('mature') to be held responsible as an adult under the substantive criminal law?

Worldwide, the extension of the time span of youth is a fact (Galland, 2001). Autonomy is a distinctive developmental task of youth; however, a paradox exists at present: 'one grows earlier, but emancipates later' (Pappámikail, 2010, p. 398). In recent years, a growing body of research evidence from different scientific areas covering social sciences, humanities, health and neurosciences has supported the recognition of deep individual and social changes in the transition to adulthood in contemporary societies (Galland, 201; Arnett, 2001, 2015; Pais, 2009; Cavalli, 1997). Complex vulnerabilities and diverse specific needs have been identified in this stage of the life course, mainly associated with psychological, biological and neurological maturation and with an impact on brain development and on the acquisition of emotional and social skills, among other factors (Farrington and Loeber, 2012; Moffit et al., 2002; Arnett, 2001). All these changes influence individual development and social behaviour.

Research shows that it is no longer possible to speak of a linear transition founded on a synchronised combination of the key milestones bridging youth to adulthood – school completion, entry into the labour force and economic independence, and independent family formation, all of which come later in an individual’s life when compared to previous generations (Arnett, 2015; Galland, 2011; Massoglia and Uggen, 2010; Singly, 2005; Sousa, 2004). Aggregated in a triad of interrelated processes, youth autonomy, independence and liberty currently gain new meanings that overlap multiple layers of social action (Pappámikail 2010). There is an extension of the social condition of being young in Western societies, based on intense social, technological and economic changes (Carvalho, 2020). In Portugal, the investment in long extended education courses, mostly associated with a dependence on the family without the concomitant presence in the labour market, unlike in other countries (Ferreira, 2019; Vieira, 2016; Andrade, 2010; Pais, 2009), has implications for how young people are mainly perceived as ‘non-productive” elements’ (Cavalli, 1997). However, these are strongly socially stratified processes, as socioeconomic origin is still a key determining factor in shaping the course and extension of youth transition to adulthood (Billari et al., 2019; Salvatore, 2017).

Additionally, the latest findings in scientific fields, such as biomedicine and neuroscience, provide evidence of the extension of the brain’s development period as cognitive emotional skills continue to develop into the mid-20s, and even beyond (Steinberg, 2017; Shen, 2013). Since children and young people are not raised in a vacuum (Noble, 2017), the social context in which they live significantly works for or against their biopsychosocial development (Maroney, 2011; Perry, 2004; Moffit et al., 2002). There is now a deeper understanding of how children’s experiences of adversity alter brain development and could affect the functioning of the neurocognitive systems and their present and future relationships (Duncan et al, 2012). Evidence shows that the stress of living in deprived social conditions and impoverished linguistic environments, growing up with regular exposure to trauma and violence, are some of the key factors affecting a young person’s brain development (Steinberg, 2017; Noble et al., 2015; Brito and Noble, 2014). The long-term consequences can include a wide range of issues, from mental health and physical health problems to relational, educational and employment difficulties or even a greater probability of involvement in crime (Sweeten et al., 2013; Laub and Sampson, 2006).

This perspective has serious implications for the administration of justice, as evidence suggests that adolescence and the early years of adulthood are a crucial time as well as complex periods of growth and opportunities to intervene in criminal careers aiming at the prevention of recidivism (Silva et al., 2020; Van der Laan et al., 2019; Basto-Pereira and Maia, 2017; Farrington et al., 2017; Sweeten et al., 2013).

The distinct social category and life-course stage of young adulthood (Farrington and Loeber, 2012; Webster et al., 2004) or emerging adulthood (Arnett, 2001, 2015), which is associated with unique needs in relation to developmental tasks through youth transitions (Salvatore, 2017; Loeber et al., 2013; Massoglia and Uggen, 2010), is not consensual across the world. Its age limits and definition depend on contextual factors varying from one national jurisdiction to another.

In the field of justice, the distinction between childhood, youth and adulthood results in the construction of categories for the classification of individuals on the basis of age for criminal purposes. As age progresses and the sociolegal constructs of ‘children in conflict with the law’, ‘young adult’ and ‘adult’ are operationalised, an increasing responsibility and competence of the individual to answer before justice for his/her actions, in close relation with the appreciation of his/her rights, is drawn (Cheng and Leung, 2018; Stone, 2014). Legal ages are social constructs, regulating life in society by establishing a set of rules relating to prohibitions and rights that are accessed at a certain time in the life cycle.

Rather than referring strictly to an idea of personal maturity, which is not uniform and does not develop equally for all (Sweeten et al., 2013), what is at stake is the way in which they incorporate and reflect the historical, cultural and economic configurations that frame the processes of youth transitions and emancipation in a society at a given moment of evolution. Legal ages constitute imperatives in the exercise of formal social control in the relationship between the citizen and the State. They function as symbolic markers, which guide the biopsychosocial development processes, from which the expectations that individuals and social groups have and manage in relation to what constitutes the norm for a certain stage of life.

Criminal practices of young adults

Despite the differences in age limits across different criminal jurisdictions, literature shows that criminal offences are disproportionately committed by youth. Though young

people are not responsible for the majority of the recorded criminal offences in absolute terms, the prevalence of offending tends to increase from late childhood and reach a peak in the teenage years, from 15 to 19, declining in the early 20s as individuals mature into adulthood (Loeber and Farrington, 2014; Ulmer and Steffensmeier, 2014; Loeber, et al. 2013; Piquero et al., 2012; Moffit et al., 2002; Farrington, 1986; 1998). Among both male and female children, serious, violent and chronic delinquent behaviour is a predictor of adult criminality (Johansson and Kempf-Leonard 2009).

In many jurisdictions, young adults tend to have the highest rates of criminal offending of any age group (Pruin and Dünkel, 2015; Dünkel, 2015; T2A, 2209, 2010; Fagan and Western, 2005). The progression by age also depends on the nature of the criminal offence, but this global trend is mainly related to the specific features of the young person's development and his/her immaturity and need for social recognition (Barry, 2006). Research also shows that there is a diversity of criminal profiles and categories of young offenders (Loeber et al, 2013). Some types of offending (minor theft, motor vehicle theft, uttering threats) tend to peak in the early years of adolescence and decline faster, while others (assault, drug-related offences, criminal code traffic violations, disturbing the peace) tend to peak later in young adulthood (Allen, 2016, Dayan et al., 2010). It is a fact that most of the registered offences perpetrated by juveniles and young adults are less serious offences in comparison with those of older age groups.

For decades, young adults, whose definition varies by jurisdiction, have been a forgotten social group in sociological research on justice policies. There has been greater interest in dealing with individuals under the age of 18 than with those from 18 to 24 (Zeijlmans et al., 2019; Pruin and Dünkel, 2015). However, recent research has presented relevant evidence that should not be disregarded.

First, young adult offenders bear more similarities to juveniles than to older adults regarding offending patterns, maturation and life circumstances (Loeber et al, 2013; Laub and Sampson, 2006; Farrington, 1986). Literature shows how they are more susceptible to being involved in certain types of crimes, usually more associated with risk-taking behaviour and youth lifestyles, rather than others (Dayan et al., 2010, Petras e al., 2010; Fagan and Western, 2005).

Young adults tend to be overrepresented in drug offences and the “other” criminal code offences focused on disturbing the peace or specific crimes, such as driving while drunk (Allen, 2016). More violent or serious offending tends to occur following a period of

lower-level practices, which is more associated with late adolescence and early adulthood. Also, gun carrying has the highest persistence from adolescence into adulthood (ages 18 to 25). This is due to the specific nature of the developmental stage these young people are living, which is more impulsive and less mature.

The same conclusion was reached in the study by Bright et al. (2014) on young women in prison, which suggests that risk factors for adult female criminality are very similar to the risks identified in the literature for female juvenile delinquency. According to Cernkovich, Lanctôt and Giordano (2008), the majority of incarcerated delinquent girls continued with their criminal activity into adulthood, with poverty and victimisation as common adult experiences. In general, juvenile court-involved youth are believed to experience a more difficult transition to adulthood than others, mostly as a result of their problematic backgrounds.

Second, complex disadvantaged paths are the most common among the young adults incarcerated in adult prisons worldwide, which puts them in an extremely vulnerable situation. Lack of family support, previous experience within child protection systems, low educational qualifications and socioeconomic status, high rates of mental health issues, in many cases associated with a history of family violence, are some of the social disadvantages usually associated with young adult prison populations (Brigh et al. 2014; Matos, 2008). This is not exclusive to this generational group but acquires more relevance as young adulthood is, from a developmental perspective, a key stage to revert a potential emerging serious criminal trajectory (Farrington, 1998, 2017).

One of the social vulnerabilities is belonging to an ethnic minority. In prison populations across Western societies, foreigners, non-Western immigrants, ethnic groups and people of colour are overrepresented (Wacquant, 2000). According to Gomes (2018), foreign men and women are overrepresented in Portuguese prisons (17.0% of the total of male prisoners and 26.6% of the total of female prisoners). The intersection of different forms of power and social vulnerabilities based on class, gender, nationality and ethnicity has to be taken into account in crime and justice system studies (Potter, 2015; Fussell and Furstenberg, 2005). Although this is not unique to the situation of young adults, Loeber, Farrington and Petechuk (2013) prove that there is broad agreement on “the importance of race/ethnicity in the transition from adolescence to early adulthood. For example, studies show that African-American males show an earlier and higher peak in the age-crime curve than either African-American females or Caucasian males and females”

(p.10). Furthermore, they also show that race/ethnicity differences in offending might be explained by race/ethnicity differences in risk factors (Piquero and Brame, 2008).

Third, there is little evidence to justify the application of regulations, procedures and legislation to young adults different from those applied to a young person under 18 (Zeilmans et al., 2019; Goldson, 2013, 2019; Matthews et al., 2018; Farrington et al., 2017; Hayek, 2016; Pruin and Dünkel 2015). As a result, an increasing number of interrelated human rights standards, treaties, conventions and rules, adopted by the United Nations and European authorities, call for the development and effective implementation of more flexible sanctions and alternative justice systems to young adults (Kilkelly, 2016). Studies show that criminal sanctions applied to young adults are not as flexible as those enforced by juvenile justice and young adults are convicted to more severe sanctions and longer liberty-depriving/prison sentences (Pruin and Dünkel, 2015; Rodrigues and Fonseca, 2010; Kupchik, 2006). In countries with waiver mechanisms, young offenders/children in conflict with the law who are transferred to adult courts tend to receive more severe sentences and have higher recidivism rates than those in juvenile courts (Dünkel, 2015; Richards, 2011; Kurlychek and Johnson, 2004). Several studies show that there is a high probability of sentencing young adults to longer sentences to put them out of action during the peak crime years, when recidivism rates tend to be higher compared to those of older adults (Gupta-Kagan, 2018; Farrington et al, 2017; Steinberg, 2017; Shen, 2013; T2A, 2009; Myers, 2003).

In sum, researchers emphasise that young adults are a generational group with specific developmental needs different from those of younger and older cohorts. Compared with younger children, they are under less parental supervision and tend to be cognitively more developed and less impulsive, but more likely to commit serious offences (Pirius, 2019; Farrington et al, 2017; Steinberg, 2017; Allen, 2016). On the other hand, when compared to older adults, there is what has been called a maturity gap (Galambos et al., 2003): an inability to resist external pressures or control, such as those from peers, while being able to understand the risks involved in certain behaviours. Overall, they present an increased susceptibility to responding inappropriately to risk-taking situations, which could lead to engagement in criminal offending and subsequent involvement with the justice system (Pirius, 2019).

The incarceration of young adults in Portugal

The modern Portuguese Criminal Code, established by the 1982 Reform, defines a prison sentence as a measure of last resort, which should be focused on the social reintegration of the offender. The maximum length of such a sentence is 20 years, but its duration could be extended to 25 years for certain crimes against humanity, serious terrorist crimes or in the case of concurrence of crimes. Life sentences were abolished in the 19th century, and sentences of undetermined duration cannot be applied, except in the case of offenders with severe mental illness. The extradition to countries where the maximum punishment is higher than in Portugal is not allowed (Gomes et al., 2018).

Despite this humanistic perspective, different sources on the Portuguese prison system confirm a gradual increase in the number of prisoners from the 1980s to 2018 (Gomes et al., 2018). Statistics from the Council of Europe reveal that, in 2015, Portugal had a total prison population rate of 137.5 per 100,000 inhabitants, which placed the country as one of the most punitive in comparison to the other European countries (Aebi et al., 2016). Despite the slight decline registered from 2016 to 2018, this rate remained high, with 134 prisoners and 126 prisoners per 100,000 inhabitants, respectively (Word Prison Brief, 2018). These figures are compounded by the fact that there is a tendency towards a decrease in general and violent crime rates (RASI, 2018), which raises the need to understand the different profiles of individuals serving a prison sentence. The vast majority of the Portuguese prison population is male, over 21 years old and of Portuguese nationality.

There is also the need for better infrastructural conditions, given the overcrowding of Portuguese prisons: in 2017, they were at 107% of their capacity (12,591 beds available for 13,463 prisoners) (Gomes et al., 2018). The prison population is distributed among 49 Prison Establishments (EP), which consist of one or more units and can be male only, female only or mixed. They may also be differentiated according to various factors, such as security requirements and available programmes, among others.

The rate of entry into prisons in Portugal is relatively low when compared to the European average; but, at the same time, the country also has a very low rate of release of individuals when compared to the European average (Aebi et al., 2016). This means that, although fewer individuals enter Portuguese prisons, they tend to stay for longer periods compared to those in other European jurisdictions, as prison sentences tend to be longer than 3 years and up to 20 years: 19.3% of sentences are between 3 and 5 years, 36.4% of sentences between 5 and 10 years and 15.3% of sentences between 10 and 20 years

(Gomes et al, 2018). The higher incidence of sentences from 3 to 5 years contrasts with what is seen in most European countries, where individuals are more often sentenced to less than 3 years in prison. As a result, Portugal is the third European country with the longest prison sentence rate, three times higher than the European average (31.3 months *versus* 10.9 months in Europe) (Aebi et al., 2016).

In what concerns the legal status of prisoners at the time of entry into prison, two categories are considered. One relates to those who are in pre-trial detention and the other to those entering as convicted prisoners. It is important to highlight that, while in other European jurisdictions pre-trial prisoners are held in separate establishments for that purpose, in Portugal they are held in common prisons while awaiting trial, not always in separate wings for this purpose.

One of the most relevant features of the Portuguese system is that the evolution of the prison population aged 16 to 21 shows a different trend from the one observed for the general prison population. For this group, according to the official data, there has been a constant decrease in the number of individuals between 2000 and 2018, from 813 to 176 individuals, respectively.

The minimum age of criminal responsibility (MACR) in Portugal is 16 years (Basto-Pereira et al., 2018; Gomes et al., 2018; Rodrigues and Fonseca, 2010), which is also the minimum age for criminal majority, even though the age of civil majority is set at 18 years (Article 122 of the Civil Code)² (Carvalho, 2020, 2017; Gersão, 2020). Below the age of 16, it is not possible to sentence children in criminal terms: they can be subject only to the enforcement of protective measures or educational guardianship measures.

After turning 16, the criminal law is applied and they are regarded and tried as adults (Article 19 of the Criminal Code), despite still being considered children – as defined by the United Nations Convention on the Rights of the Child (CRC) (Article 1), ratified by Portugal in 1990. To mitigate this situation, an individual aged 16 to 21 can be subjected to the special criminal law regime for young adults (Decree-Law no. 401/82, of 23 September). This criminal law regime is based on the need to establish a criminal law approach better suited to deal with crimes at these ages. Thus, young adulthood is defined in this legal diploma as a generational category of its own, involving a stage of the life

² Introduced by Decree-Law no. 496/77, of 25 November 1977, which brought the Civil Code into line with the principles of the 1976 Constitution of the Portuguese Republic, approved after the Revolution on 25 April 1974. Until then, the age of civil majority was 21.

course corresponding to a phase of social latency that makes crime an ephemeral and transient phenomenon. The law is clear in recognising that young adults are distinct from adults, as they are more vulnerable to peer pressure and to being involved in risk-taking behaviour, seeking social recognition, and are less likely to consider the immediate and future consequences of their actions. This meets the guidelines established by a growing body of legal documents produced by the United Nations and by European entities calling for a reframing of criminal systems towards a more effective and flexible justice approach to young adults (Pruin and Dunkel, 2015).

Despite these principles, the special criminal law regime is not mandatory. Therefore, judges are required to decide whether to apply the mitigation rules to each young adult and have to justify the decision they make, including when they choose not to apply it (Pereira, 2005). This assessment is not dependent on a request from the public prosecutor or from the accused. It constitutes an inherent part of the proceedings, even in cases where there is insufficient evidence.

However, this special regime cannot be fully enforced because the necessary conditions for it have never been created (Rodrigues and Fonseca, 2010). A major constraint is that the specialised detention centres for young adults established in this special regime have never been built. Therefore, young adults serve their prison sentences in adult prisons and the system can hardly separate them from adults. There is no true distinction between their sentences and those applied to adults, since there is only one dedicated young adult prison in the whole Portuguese system, just for male offenders.

Since 1946, in Leiria, the only existing specialised prison, known as the “Prison School”, has been specifically focused on receiving male prisoners under the age of 21, who can stay there until the age of 25. Thus, many young adults are sent to a regular adult prison and potentially subjected to the criminogenic and other negative influences from older prisoners (cf. Howell et al. 2013). Another significant limitation arises from the fact that the country does not have a specific prison unit for young adult female prisoners either. As a result, all the girls convicted for offences committed within these age limits are placed in regular prisons rather than separated from older women.

Girls and women offenders represent a small minority in correctional systems worldwide (Salvatore and Markowitz, 2014; Kruttschnitt, 2013; Chesney-Lind, 1997). However, it is known that they are more involved in crime than prison statistics show (Gomes and Duarte, 2018; Piquero et al., 2005). This trend may be related to a set of structural dimensions – social, political, economic, cultural – that relegate the categories of gender

and crime to secondary status, having repercussions on the way offences perpetrated by females are detected and dealt with. Empirical studies within this scope have indicated that females end up having different paths in crime and in the justice system from those of males in the same situation, mainly because of the gendered conditions of their lives. For example, incarcerated girls and young women have much greater odds of having several mental health diagnoses (e.g. depression, self-injury, separation anxiety and disruptive disorders) and greater rates of physical, sexual and emotional abuse than boys, and they are more affected by reproductive and sexual differences, which make them more vulnerable to prostitution and early unwanted pregnancy and motherhood (Gomes and Duarte, 2018; Wong et al, 2010; Zahn et al., 2009; Belknap and Holsinger, 2006; Alder and Worrall, 2004; Holsinger, 2000). Furthermore, literature points out that males and females respond differently to the intervention and treatment programmes to which they are subjected, although many of the needs unique to females are not formally assessed or treated (Gomes and Duarte, 2018; Salisbury et al., 2009; Zahn et al., 2009; Covington and Bloom, 2006; Holsinger et al., 1999). In this way, the management of the prison systems tend to devalue the importance of providing specialised units and programmes according to gender.

According to Bright et al. (2011, 2014), much less is known about girls entering adulthood following juvenile court involvement. In the Portuguese context, with the exception of the study of Raquel Matos (Matos, 2008), research work on young women in prison is still scarce.

In sum, it becomes clear that a constraint of the Portuguese criminal jurisdiction is that the young adult population placed in regular prison with adults goes further beyond the sole group of 16- and 17-year-olds, in clear contradiction with the guidelines of the special criminal law regime and international standards, which justifies the analysis presented in this chapter.

Population

The target population under analysis is the universe of young adults, aged 16 to 20, who were held in a prison, as pre-trial detainees or serving a prison sentence after being convicted in criminal proceedings at the end of the trial stage in the Portuguese 1st instance courts, by 31st December 2015 (n=229, 53.8%) and 2018 (n=197, 46.2%).

In the total of the 426 prisoners, 413 are male (96.9%) and 13 are female (3.1%). More than half are 20 years old (51.2%) and more than a quarter are 19 years old (26.8%). The 18-year-old group represents 16.7%. Those under the age of civil majority are the least represented: 4.5% are 17 years old, and 16-year-olds have a residual value (0.9%).

One in every five young adults in prison is a foreigner, mainly from the former Portuguese colonies. Brazil (n=25, 5.9%) and the Portuguese-speaking African countries of Cape Verde (n=23, 5.4%), Guinea (n=12, 2.8%) and Angola (n=9, 2.1%) are the most represented. Among those who are Portuguese, most of them were born in one of the two metropolitan areas in the country, Lisbon and Oporto. First, in the capital, Lisbon (41.3%), followed at a large distance by the Oporto region (7.7%). The third most represented region is Setúbal (5.9%), also in the Lisbon Metropolitan Area. There is also a relevant presence of young adults born in the Atlantic archipelago of Azores (3.1%).

When comparing the place of birth with the place of residence at the time of the young adult's entry into prison, the Lisbon county increases its relevance (+10.3%), since more than half of the young adults live there (51.6%). Oporto (8.5%) and Setúbal (8.2%) remain in very distant second and third places, but also show higher values when compared to the ones associated to the place of birth (+1.4% and 2.4%, respectively). This reflects the trajectories of mobility of a part of these young people within the national territory, as they are attracted to live in the major national cities. Three counties have the same statistical representation (3.1%): Azores, with a value that matches the value of those born in Aveiro and Viseu, in the Centre region of the country (coast and inland, respectively). It is also noteworthy that 3.3% of these young adults came from abroad and do not have formal residence in Portugal.

Nearly half of this population has low educational qualifications, suggesting academic failure and school absenteeism at young ages. Moreover, it is relevant that 4.2% of these young adults are illiterate, not having even concluded primary school. Most young people had only completed ISCED level 2 (45.3%), or even lower, as 31.9% had only completed ISCED level 1. In addition, the representation of those studying in higher education is residual (0.7%). ISCED level 3 is represented among 10.1% of this population.

The three courts in the Lisbon Metropolitan Area are the most represented, corresponding to almost two thirds of the total number of proceedings concerning young adults (62.7%): Lisbon North (7.5%), Lisbon (24.2%) and Lisbon West (31.0%). The courts in the regions of the North (12.9%) and Centre (10.5%) of Portugal show almost similar values. The

courts of the Atlantic islands of Madeira and Azores represent 4.2%, while the ones in the South of Portugal are represented in 9.2% of the cases.

Concerning the legal status of the prisoners there is balance between those who are in pre-trial detention (50.2%) and those who have already been convicted to a prison sentence (49.8%). In the latter group, the most common sentence length ranges from 3 to 6 years (36.4%), followed by a group with longer sentences, between 6 and 9 years (31.8%). Lower sentences are less represented: 2.9% are up to 6 months, 2.1% from 6 months to 1 year and 18% range from 1 to 3 years. Even if their numbers are very reduced, special attention should be paid to those in relation to whom the longest sentences have been enforced: 2.5% received sentences from 12 to 15 years, 1.7% from 15 to 20 years and 0.8% from 20 to 25 years.

Crimes against patrimony are the most represented among this population (68.8%), followed at a large distance by crimes against persons (31.0%) and drug-related offences (12.2%). More than half of these young adults were involved in the two most prevalent crimes against patrimony: robbery (54.0%) and aggravated theft (19.0%). Around 6.1% are identified as being involved in the illegal use of weapons and ammunition. Other categories of crime are less represented: crimes against life in society (4.7%), road traffic crimes (4.5%) and crimes against the State (3.1%).

Four in every ten young adults are identified as being involved in more than one type of crime. About 20.4% are involved in two types of crime, 11.0% in three types, 3.1% in four types and 2.8% in five or more types. The most common association is of those involved in parallel in crimes against patrimony and crimes against persons.

Most of these young adults are placed in prisons that are not specialised for young people (60.8%). Around 43% are placed in regular high complexity establishments and 17.8% are placed in average complexity establishments across the country. Slightly more than one third (38.2%) are placed in the only existent specialised prison for young adults in Portugal (high complexity establishment), located in Leiria (Centre region). Overall, 55.4% of this population is displaced, i.e., placed in a prison outside the county of residence.

Profiles of young adults in Portuguese prisons

The main goal of this study is to analyse the composition of the young adult prison population in Portugal. To this end, given the serious limitations of the official data – only a very reduced number of variables are available, precisely the ones used in this study –, the option was to perform a cluster analysis to identify profiles of young adults according to the types and combinations of crimes they committed. Crime is a key component in determining the prison sentence that will be applied. The mitigation of sentences by the courts depends first of all on the nature of the crime, before other individual or legal issues can be considered. Therefore, the findings will provide relevant insights to support the analysis of data related to criminal proceedings to be collected and analysed in the next stage of the YO&JUST project.

As an exploratory analysis that aims to identify structures within the data and uses a more descriptive approach based on possible groups of young adults and the crimes they committed, cluster analysis seems to be the best option at this stage. In a cluster analysis, the individuals are sorted on the basis of their similarity, by maximising the dissimilarity between clusters and minimising the dissimilarity within them. Using this strategy, we can assess whether there are combined types of crimes and how these can be related to different young adult profiles, which is done by identifying homogenous groups of cases. Due to its exploratory nature, cluster analysis does not make any distinction between dependent and independent variables.

Measures and identification of profiles

The descriptive analysis of the 426 cases allowed us to have a more complete reading of the reality and to find some clues about possible factors or trends of aggregation of crimes in cases where there are multiple punishable practices by the same prisoner.

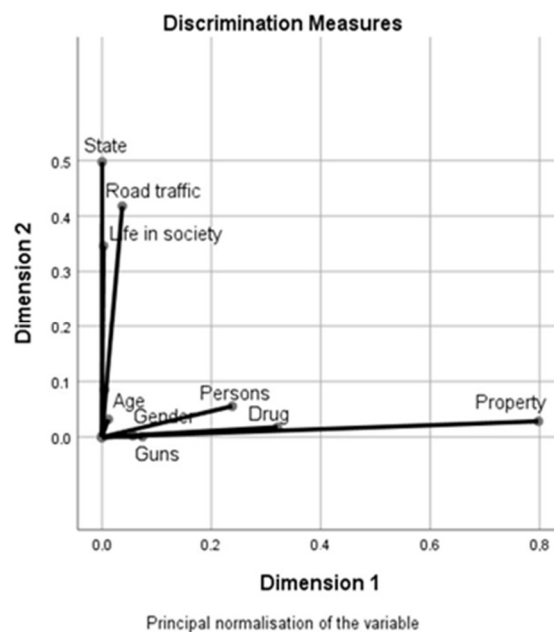
For the definition of the profiles, we considered the variables and categories presented in Figure 1.

Figure 1. Descriptive measures of the variables used

Variables	Categories	%
Crime against patrimony	Yes	68.8
	No	31.2
Crime against persons	Yes	31.0
	No	69.0
Crime against life in society	Yes	4.7
	No	95.3
Crime against the State	Yes	3.1
	No	96.9
Road traffic crime	Yes	4.5
	No	95.5
Crime related to weapons and ammunition	Yes	5.9
	No	94.1
Drug-related offences	Yes	12.2
	No	87.8

The results point to three patterns of young adult prisoners organised in two dimensions (see also Annex 1). According to the analysis, the first refers to a ‘personal dimension’, as crimes against persons, crimes against patrimony and drug-related offences are more represented. The second concerns types of crimes related to life in society, crimes against the State or violations of road traffic norms, and therefore is called an ‘institutional dimension’.

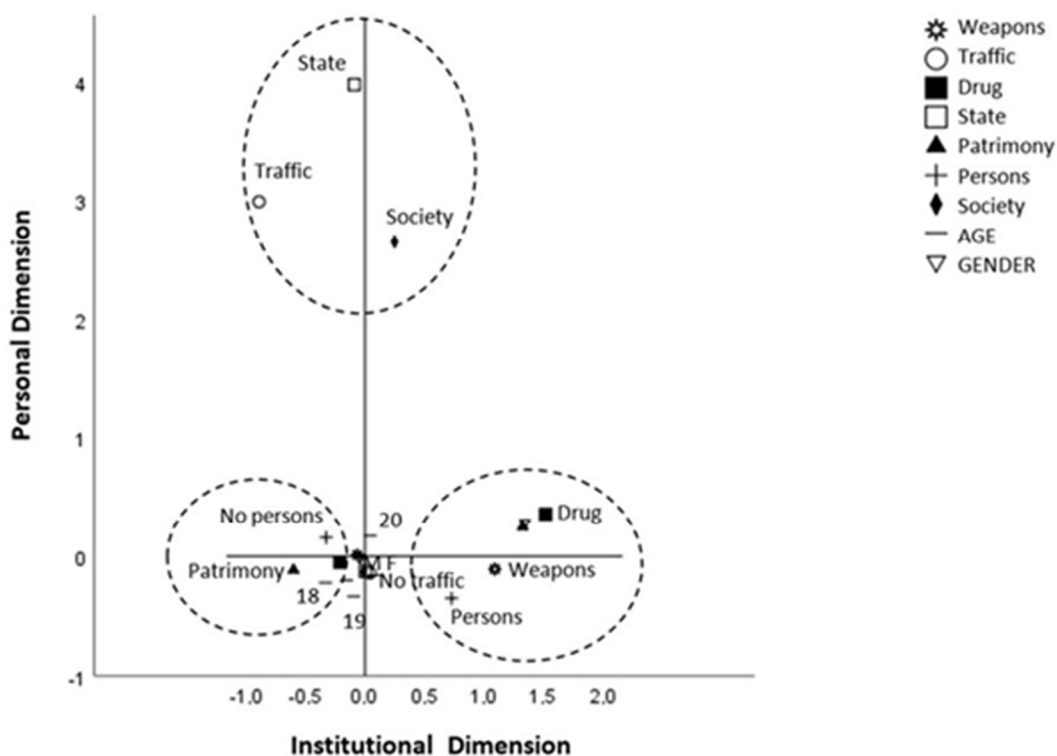
Figure 2. Discrimination measures



In Figure 3, the projection of the crime profiles of young adult prisoners shows that crimes against patrimony are opposite to crimes against persons or related to drugs in dimension 1; in the second dimension, crimes against the State, crimes against life in society or violations of the Road Traffic Code are interconnected and opposite to all other types of crime. Gender and age, as supplementary variables, have a low contribution and are placed in the centre of the plot.

The young adults were classified into three groups through a cluster analysis. Firstly, we analysed the descriptive measures of the variables that contributed to the definition of profiles by cluster (Figure 3), in order to describe and name them.

Figure 3. Projection of the crime profiles of young adult prisoners



Other variables may differentiate the profiles besides the type of crimes and sociodemographic characteristics. Using context variables, we can better explore the three

profiles: all socio-context variables except nationality are significantly related to the profiles, as are crime variables (Figure 4).

Figure 4. Descriptive measures by clusters

		Cluster 1 'Goldies' (n=131)	Cluster 2 'Birdies' (n=255)	Cluster 3 'Oldies' (n=40)
SOCIODEMOGRAPHIC CHARACTERISTICS AND CONTEXT VARIABLES				
Sex				
	Male	91.6	99.6	97.5
	Female	8.4	0.4	2.5
Age				
	16	0.8	1.2	0.0
	17	2.3	6.3	0.0
	18	13.0	20.0	7.5
	19	32.8	25.5	15.0
	20	51.1	47.1	77.5
Nationality				
	Portuguese	75.6	77.6	85.0
	Foreign	24.4	22.4	15.0
Educational qualifications				
	ISCED 0-1 (1-4)	13.1	8.0	20.0
	ISCED 1 (5-6)	29.2	32.8	40.0
	ISCED 2	40.0	50.4	3.75
	ISCED 3-5	17.7	8.8	2.5
Displaced from home region***				
	Displaced	64.1	53.3	40.0
	Not displaced	35.9	46.7	60.0
CRIME AND SENTENCING PROCEDURE				
Region / county of the court*				
	Azores	3.8	5.1	0.0
	North	13.0	12.5	15.0
	Centre	11.5	9.8	17.5
	Lisbon	35.1	19.6	17.5
	Lisbon North	4.6	8.2	12.5
	Lisbon West	22.1	36.9	22.5
	South	9.9	7.8	15.0
Type of crime				
Against Patrimony	Yes	10.7	100.0	60.0
	No	89.3	0.0	40.0
Against Persons	Yes	60.3	18.8	12.5
	No	39.7	81.2	87.5
Against Life in Society	Yes	2.3	0.0	42.5
	No	97.7	100.0	57.5
Against the State	Yes	0.0	0.0	32.5
	No	100.0	100.0	67.5
Road Traffic	Yes	0.0	0.0	47.5
	No	100.0	100.0	52.5
Weapons and Ammunition	Yes	13.7	2.4	5.0
	No	86.3	97.6	95.0
Drug-related offences	Yes	38.5	0.0	5.0
	No	61.8	100.0	95.0
Number of types of crimes ***				
	1	71.0	64.7	22.5
	2	17.6	19.2	37.5
	3 or more	11.5	16.1	40.0

Legal status*				
	Pre-trial	51.9	36.9	52.5
	Convicted	48.1	63.1	47.5
Sentence length ***				
	1 year or less	0.0	3.6	7.5
	1-3 years	5.3	12.9	7.5
	3-6 years	16.8	24.3	7.5
	More than 6 years	23.7	21,2	25.0
	Not applied	52.7	38,1	52.5
Type of prison				
	Specialised young adult prison	38.2	40.8	32.5
	High complexity prison	40.5	44.7	40.0
	Average complexity prison	21.4	14.5	27.5

***p<.001; **p<.01; *p<.05

Results

Through cluster analysis, this population was classified into three groups: ‘*Goldies*’, ‘*Birdies*’ and ‘*Oldies*’.

‘*Goldies*’: Cluster 1 is the second most represented with 30.7% of the cases. Although it includes all ages, there is a predominance of older prisoners. More than eight in ten are 20 and 19 years old. Male individuals dominate, but female young adults have here their highest representation, far distant from their values in the other two profiles.

Almost a quarter of these individuals have a foreign nationality, the highest value among the three profiles. This is also the group with the highest percentage of young adults with higher qualifications (ISCED 3-5), corresponding to almost a fifth of the cluster. Even if all the educational qualifications are present, ISCED 2 is the most prevalent, possibly as a result of trajectories marked by the leaving of academic studies after the end of compulsory school.

Regarding the criminal practices at the basis of the entry into prison, this is by far the cluster most engaged in crimes against persons, drug-related offences or possession of weapons and ammunition. It is close to cluster 2 in what concerns the number of types of crime. In both clusters, young adults have committed/are accused of illicit actions that fall under just one of the broader categories of crime.

Almost two thirds of the proceedings in this cluster are conducted in courts located in the Lisbon Metropolitan Area. The courts in the capital, Lisbon, present the highest value among the three profiles.

Similarly to cluster 3, slightly more than half of the young adults are in pre-trial detention, which is the most serious of the coercive criminal measures that can be applied in compliance with the strict requirements laid down in the Portuguese Code of Criminal Procedure.³

Long sentences of more than 6 years are the most represented among those convicted, a trend that cannot be dissociated from the types of crime most common in this profile, which is especially related to a personal dimension. There is no one convicted to prison sentences of a length lower than 1 year.

Around four in ten are placed in the specialised young adult prison, located in the Centre region of Portugal. To a certain extent, this may explain the fact that more than two thirds are displaced from the region of their hometown, which is the highest value of the three clusters. It is noteworthy that a fifth are placed in average complexity adult prisons that correspond to establishments with the lowest levels of security in the country.

‘Birdies’: Cluster 2 is the largest, corresponding to 59.9% of the cases. It is characterised by the highest predominance of males, since the presence of women is merely residual. This is the cluster where the gender gap is most felt. Concerning age, there is also a distinctive feature, as cluster 2 has a greater weight, compared to other profiles, of younger ages (16- to 18-year-olds). Nevertheless, nearly half of the young adults in this cluster are 20 years old.

Half have only attained ISCED level 2 and almost a third have attained ISCED 1 (5-6), two lower school qualifications compared with the reference age groups in the Portuguese population.

³ It can only be applied if all others are inadequate or insufficient and if there is strong evidence of an intentional criminal offence punishable by a maximum prison sentence of more than 5 years; there is strong evidence of an intentional criminal offence corresponding to violent crime; there is strong evidence of an intentional criminal offence of terrorism or corresponding to highly organised crime punishable by a maximum prison sentence of more than 3 years; there is strong evidence of an intentional crime of aggravated bodily injury, aggravated theft, aggravated damage, computer and communications fraud, receiving stolen goods, forging or counterfeiting a document, attempt on the safety of road transport, punishable by a maximum prison sentence of more than 3 years; there is strong evidence of an intentional criminal offence of possession of a prohibited weapon, possession of weapons and other devices, products or substances in prohibited places or a criminal offence with the use of a weapon, pursuant to the legal regime on weapons and their ammunition, punishable by a maximum prison sentence of more than 3 years; or in the case of a person who has entered or remains illegally in the national territory, or against whom extradition or deportation proceedings are underway.

Almost four in five are Portuguese nationals.

Although there may be other types of crime, this is a cluster strongly marked by crimes against patrimony, which, as literature suggests, tend to be the most common at these ages. All the young adults in this profile are involved in that type of crime, and most are only involved in this one type of crime. Sentences from 3 to 6 years represent almost a fifth of the cases in this cluster.

Nearly two thirds are already serving a prison sentence after being convict, which strongly differentiates cluster 2 from the other two clusters. Since the Portuguese Criminal Code only establishes measures of deprivation of liberty for patrimonial crimes in association with serious damages and especially aggressive practices, this is a group in which robbery could have a strong presence. This could justify the significant presence of these young adults in the specialised young adult establishment. Even more relevant is the fact that they have the highest presence in high complexity prisons. Most are displaced from their hometown, but the difference to those not displaced is the lower among the three clusters.

‘Oldies’: Young adults in cluster 3 are the least numerous, corresponding to 9.4% of the population under analysis. Following the trend in the prison system, the presence of females is very reduced. The gender gap is the second most wide-ranging among the three clusters.

Cluster 3 is strongly marked by the significant presence of older young adults: almost eight in ten are 20 years old. Furthermore, unlike in the other two clusters, in cluster 3 there is no one below the age of civil majority (18 years). Another distinctive feature relates to the fact that this cluster has the highest representation of young adults who are Portuguese nationals: more than eight in ten.

However, older ages do not equate to higher academic qualifications. Cluster 3 shows the lowest academic grades associated with the highest values of ISCED 1 (5-6) and ISCED 0-1 (1-4) across the three profiles. This reflects life trajectories marked by significant school dropout rates and academic failure at early ages.

As in clusters 1 and 2, most young adults in cluster 3 are Portuguese nationals. However, it is this cluster that shows the highest value in this category: more than eight in ten.

A distinctive feature of cluster 3 is the fact that the young adults are involved mainly in crimes related to life in society, crimes against the State and violation of the road traffic regulations, all of them within an area that we previously designated as the institutional dimension of crimes.

A main difference from the other clusters is the fact that, in cluster 3, young adults are more involved in three or more different types of crime and have the highest representation of those placed in prison in the pre-trial stage of the proceedings. In what concerns those who are convicted, long sentences of more than 6 years are the most represented, a trend also registered in cluster 1. In this third profile, this could be associated with the higher number of crimes of which they are accused.

Their proceedings are being carried out in courts from all over the country, except from Azores. The distribution among the Portuguese regions shows no significant differences, with the Lisbon West Court being the most represented, followed by courts in the capital (Lisbon) and in the Centre region.

It is noteworthy that most of the young adults in this profile are not displaced from their county of residence, a situation that differs from the one observed in the others two clusters. Also, cluster 3 has the highest percentage of placement in average complexity prisons, which could be related to the significant representation of young adults with pre-trial legal status. Placement in regular high complexity adult prisons all over the country is the most common, and just around one third are placed in the Leiria specialised young adult prison. This may be associated with the goal of the prison system of placing them close to home, since more than half are still awaiting trial, which will confirm or not the existing charges.

Conclusion

The use of official prison data is always limited, since it is based on a social construct restricted to a specific focus on a complex reality. However, this methodological option brings advantages that outweigh its limitations by providing a reflection of society upon itself. Despite the limitations of the data from the prison services, this study offers a unique and valuable differential profile of the young adult prisoners placed in Portuguese prisons depending on the type of crime. They are almost exclusively male, belonging to an older age group (19 to 20 years), with low educational qualifications, predominantly

living in the Lisbon Metropolitan Area and with Portuguese nationality. These are the key features of the sociodemographic portrait drawn to address the first research question.

In response to the second research question, through the cluster analysis it was possible to organise and structure the information related to the types of crimes and combine it with social characteristics. As a result, three distinct clusters were identified, providing an important contribution to an understanding of young adult prison populations that goes beyond the Portuguese justice system. By organising the information into clusters, different prevention strategies may be defined for each group and policymaking may be geared towards more effective practices.

First, age seems to explain certain differences among the clusters and, therefore, in the type of crime in which the individuals could be involved. Literature shows that the ages of 19 to 20 emerge as a critical stage of development in criminal trajectories (Loeber et al, 2013; Massoglia and Uggen, 2010). They are a period of turning points and desistance in many cases. In this study, these older age groups are the most represented in all cluster, most significantly in cluster 3 (“Oldies”). This is the cluster with lower academic qualifications, higher diversity of criminal practices and a higher engagement in crimes with an institutional dimension (road traffic crimes and crimes against life in society).

Cluster 1 (‘Goldies’) is also mostly composed of young adults aged 19 to 20, but with higher school qualification, and living in the Lisbon Metropolitan Area. They are serving longer sentences for crimes with a strong personal dimension – crimes against persons, drug-related offences or crimes related to the use of weapons.

On the other hand, cluster 2 (‘Birdies’) includes the younger individuals, almost exclusively male, involved in patrimonial crimes, with shorter sentences and a higher presence in the only specialised young adult prison in Portugal.

Second, as shown persistently in literature, the gender variable is a strong predictor of the individual involvement with the justice systems and prison sentences. In the case of the young adults placed in Portuguese prisons, this is even more significant, as females have a very reduced presence. Although all the clusters share a male predominance, the gender gap among them is not similar. Female young adult prisoners are almost four times more involved in cluster 1, marked by crimes characterised by a personal dimension, than in any other cluster. This result is in line with Matos (2008), who interviewed nearly all the women under 21 years of age who were detained in the Portuguese prison system at the

time of her research. It is also in line with the studies carried out by Cunha (1994, 2002) in the Portuguese women's prisons in different decades. In line with international studies (Young and Reviere, 2005), both demonstrate the importance of situating female participation within the drug economy (drug use, drug trafficking and daily work in the narcotics trade), which appears to emerge as an illegal opportunity structure, combined with a position of socioeconomic fragility. Although females appear mostly in cluster 1, this does not drown out the heterogeneity and diversity of the trajectories of girls and women in the juvenile and criminal justice systems (Gomes and Duarte, 2018; Duarte and Carvalho, 2017; Bright et al., 2014; Duarte, 2012; Matos 2008; Cunha, 2002).

These findings have implications for policy efforts related to the assessment of (gender) risk and equitable implementation of services. According to Hipwell and Loeber (2006), there is some evidence suggesting that interventions designed to address female delinquency can be effective for female adolescents. However, the impact of policies and services designed to improve the lives of girls and young women is largely undetermined (Duarte and Carvalho, 2017; Zahn et al., 2009).

Third, another variable deserving special attention in prison studies is nationality. A major conclusion is the confirmation of the overrepresentation of individuals with foreign nationalities among the population under study, which is in line with the trend of the universe of the adult prison system (Gomes et al., 2018). However, the difference between nationals and non-nationals is statistically insignificant in the comparison between the three profiles.

Fourth, Portugal has one of the longest periods of compulsory schooling among the OECD countries – in 2009 it was extended to 12 years, from ages 6 to 18. However, the country also has one of the highest school dropout rates (11.8% in 2018, with boys – 14.7% – dropping out of school more frequently than girls – 8.7%), above the average in Europe (PORDATA, 2021). On the other hand, the country has shown the greatest reduction in school dropout in the last two decades, with a decrease of half in a ten-year period (2006 to 2016).

In line with national and international evidence showing that prison populations tend to be related to trajectories marked by early school dropout, all clusters in this study show lower levels of academic qualifications. Nevertheless, this trend is more associated with young adults who committed crimes with an institutional dimension (against the State, against life in society or related to road traffic), while crimes strongly intersected by a

personal dimension (crimes against persons, drug-related offences or crimes related to the possession of weapons) appear to be more related to higher academic qualification.

New emerging questions defying the traditional youth transitions to adulthood, in which multiple interdependent internal and external variables interfere, have become a renewed object of attention for researchers and policymakers. It is relevant to note that the increase in the prison population in Portugal over the last two decades (Gomes et al., 2018) does not directly relate to an increase in the weight of the individuals aged 16 to 20, but rather in the weight of those over 21. This trend is not in line with the evolution of the mass incarceration of young adults registered in many countries worldwide.

Notwithstanding the European regulations, international recommendations and guidelines transposed into the Portuguese legislation reinforcing the need to establish a different treatment for young adults, especially those below the age of 18, this study confirms that Portugal still has a number of young people aged 16 and 17 in the adult prison system. This number has been progressively decreasing (Carvalho, 2020), but more work needs to be done to ensure that they are placed separately and integrated in age-appropriate programmes to promote socialisation and social reintegration and to reduce recidivism (Gomes et al, 2018). It is confirmed that they are present in extraordinarily reduced numbers, which suggest that courts tend to apply other criminal measures at these ages, to the detriment of sentences involving deprivation of liberty, as confirmed in recent studies (Carvalho, 2020, Gersão, 2019).

This apparent positive option aligned with international guidelines is not completely effective, since there is only one specialised young adult prison in the whole country. This leaves the prison system with two options: either the young adult is placed in a specialised prison establishment to potentially benefit from more age appropriate programmes but with a higher probability of being displaced from his/her hometown and family, or he/she is placed in the county of residence near his/her family and community of belonging, but in high or average complexity prisons with older adults who could have an increasingly criminogenic impact on his/her trajectory.

This is one of the main challenges faced by the Portuguese justice system regarding young adults, since the detention centres foreseen by the special criminal law regime for them have never been created. In a country with low economic resources and affected by more than one financial crisis in the last decades, now aggravated by the Covid-19 pandemic,

the apparent low number of young adults in Portuguese prisons has been used by the policymaking and State entities to justify the absence of investment focused on this population. Increasingly, the invisibility of young adults in the prison system seems to become the major threat to the implementation of effective and more qualified responses.

The overrepresentation of young adults in adult prisons is relevant for this research. It is truly a generational issue, which must be addressed by legislators and policy makers in line with the principles set out in the special criminal law regime. Findings confirm the urgent need for the creation of specialised detention centres for young adults, since more than 60% of the total population under analysis is placed in non-specialised prisons and subjected to increasing harmful impacts on their present and future trajectories.

Despite the fact that the body of international research on the developmental needs of young adults continues to grow and offer new insights, the cluster analysis confirms that further research is needed to address the complexity and diversity of the young adult prison population. International evidence suggests that young adults respond better to rehabilitative interventions than older adults (Loeber et al, 2013). If positive interventions can have a profound effect on them, negative experiences (such as harmful environments or prison conditions) carry an impact too. Therefore, in light of the distinct features of each cluster, different prevention strategies may be defined for each group and different interventions and locations may be suggested as well. Findings underscore that policy decision-making towards more effective justice policies should identify the unique needs of young adults by gathering data, identify gaps in resources and services and address the persistent impact of the high representation of young adult prisoners in pre-trial detention in Portugal. The observed significance of the large number of those in this situation calls for a deeper approach to the sentencing process – which is the next stage of the YO&JUST project – as well as to the real prison programmes and activities targeting them.

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Annex 1. Figure 5 Discrimination measures and contributions

Variables	Dimension 1: Personal		Dimension 2: Institutional	
	Discrimination	Contribution (%)	Discrimination	Contribution (%)
Crimes against persons	0.238	0.155	0.056	0.040
Crimes against patrimony	0.798	0.518	0.028	0.020
Crimes against life in society	0.003	0.002	0.346	0.247
Crimes against the State	0.000	0.000	0.497	0.355
Drug-related crimes	0.321	0.208	0.018	0.013
Road traffic crimes	0.037	0.024	0.418	0.299
Crimes related to weapons and ammunition	0.074	0.048	0.001	0.001
Age	0.012	0.008	0.032	0.023
Sex	0.057	0.037	0.003	0.002
Inertia	0.210		0.195	
% of variance	24.5%		23.7%	

Source: *Prison statistics (Directorate-General for Reintegration and Prison Services [DGRSP]); calculations by the authors.*