Improving outcomes for Black and minority ethnic users of London Probation

IARS - London Probation conference 15th November 2012

Prof. Dr. Theo Gavrielides, Founder & Director IARS
Starting from the end

*The criminal justice system – including its agencies – is a reflection of society.*

All recent reviews (e.g. Equalities Review 2007, EHRC Human Rights Inquiry 2009, EHRC Human Rights Review 2012), Public Inquiries (e.g. St. Lawrence Inquiry, Scarman Inquiry) and Government Surveys (e.g. British Crime Survey, NOMS stats) conclude that there are persistent inequalities within society and hence the CJS. Race always comes first as a driving factor.
Starting from the end

If we are honest about our intentions to tackle persistent race inequalities within the criminal justice system and beyond, then we have to accept the evidence, and focus on improving public services.

This project is about reviewing current practice within London probation, and the building of an evidence base that will help the Trust achieve better and measurable outcomes for its BME service users.
A quick snapshot

- Population in England & Wales: 54,809,100. BME groups account for 6,620,200 i.e. **12.07%** (ONS 2009).

- Prison population in England & Wales: 85,002. BME groups account for 23,801 i.e. **28%** (MoJ, 2012). (**36%** of young people in custody were BME).

- London’s population: 7,753,600. BME groups account for 2,347,600 i.e. **30.28%** (Office for national statistics, mid 2009).

- In London, **49.1%** of prisoners are BME (MoJ, 2012).

- In London Probation, **43%** are BME users (MoJ, 2012).

- **90%** of prisoners have one or more mental health issue (Bradley Report, 2009). The 2007 ‘Count me in’ survey showed **40%** of BME groups access mental healthcare through CJS.
Probation Commencements Ethnic Profile

- White: 47%
- Black: 23%
- Not Stated: 10%
- Mixed: 6%
- Chinese or other ethnic group: 5%
- Asian: 9%
Improving service provision: Developing an understanding

Are there any government studies on the matter?

Are there any academic publications?

What has been the role of the community sector?

*Do we know enough to start tackling the issue?*
“Working Bibliography”


Criminal Justice Act 2003, Sections 156, 158 and 159 AC (Pre-sentence reports)


“Working Bibliography”

Nacro (2007). Black Communities, Mental Health and the Criminal Justice System, London: Nacro. RC (Mental health)
NOMS Alcohol Interventions Guidance including revised guidance on Managing the Alcohol Treatment Requirement (ATR) - Update of Annex B to Probation Circular 57/2005 P.188 RC (Alcohol, drugs, mental health issues amongst BME offenders / Staff sensitivities towards BME service users).
“Working Bibliography”


Smith, E., I. Haslewood-Pócisk, and J. Spencer (2006). Barriers to the employment of BME ex-offenders, Manchester: University of Manchester. SB (Resettlement)


Youth Justice Board (2010). Exploring the needs of young Black and Minority Ethnic offender and the provision of targeted interventions, London: YJB.

Case Studies
http://www.airfootball.co.uk/case-studies/michael-18 - RC Air Football (reducing reoffending)
http://www.wdp-drugs.org.uk/pages/criminal-justice-services.html - RC (community based criminal justice services)
http://www.victimsupport.org/About-us/Policy-and-research/~/media/F...%20reports/Listening%20and%20learning%20-%20Northumbria%20v2 – RC (support for BME victims)
http://www.victimsupport.org.uk/~/media/Files/Publications/ResearchReports/investigating-practical-needs.ashx - RC (reluctance amongst BME victims to seek support)
Time for “doing” - but, why now?

1. Living in a competitive world! The need for a “business case” for probation services.
   • Are services fit for purpose?
   • Are services responding to users’ needs and circumstances?
   • How do they compare to other services?
   • Do services give value for money?

2. Communities are speaking up! They have to be heard.

3. Economic and social benefits that are to be gained for: London Probation – the criminal justice system – society.

4. The system can no longer cope. In particular:
   • Full & stretched capacity (e.g. see prison population)
   • Effectiveness (e.g. see re-offending rates)
   • Costs (e.g. see average cost of one prisoner per year).
Time for “doing” - but, why now?

5. Changes in legislation & policy. The need to comply, e.g.
   - Ministry of Justice (2012). *Punishment and Reform: Effective Probation Services (consultation paper)*
   - Ministry of Justice (2012). *Punishment and Reform: Effective Community Sentences (consultation paper)*
   - NOMS Commissioning Intentions document 2012.
   - Equality Act 2010
   - Payment by results

6. Moving away from process driven practices to outcome focused monitoring, e.g. see Race Relations (Amendment) Act vs. Equality Act 2010

7. The “Locality Agenda” and the “Big Society”
The IARS project in brief!

Phase 1: Review of the literature (academia, policy, legislation, voluntary sector, think-tanks, national & international)

Phase 2: Talking to you! 15th November event.

Phase 3: Reviewing best practice case studies

Phase 4: Analysis – advice

Phase 5: Publication & Public Event (February 2013)

Project Objective

To review existing practice and create an evidence-base that will allow London Probation to achieve better outcomes for its BME service users
Who is IARS and why us?

IARS is a community born, independent think tank with a charitable mission to give everyone a chance to forge a safer, fairer and more inclusive society.

We believe in evidence based approaches that are community led, moving the individual from the margins into the heart of problem solving.
The IARS project team

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Sophia Blake, IARS Research & Policy Analyst
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Offender pathways & the role of probation

Flowchart:
- Police Station
  - Charge
  - Court
    - Magistrates or Crown
      - NG = Sentencing
      - G = Trial Sentencing
    - Pre-sentence Report
      - (Accelerated or Normal)
    - Sentencing
      - Custodial Sentence
        - Prison
          - Release on licence
            - Rehabilitative Services
    - Suspended Sentence Order
    - Community Order
      - Rehabilitation & Reform
        - Programme
        - Specified Activity
        - Alcohol Treatment
        - Drug Treatment
        - Supervision
        - Mental Health Treatment
      - Punishment
        - Unpaid Work
        - Attendance Centre
      - Public Protection
        - Curfew
        - Prohibited Activity
        - Exclusion Order
        - Residential
Emerging themes/ indicators from the review

1. The need for individualised and culturally specific services.
   - Small, locally-based specialist services
   - Multiple identities
   - Language barriers & confidence.

2. The role of communities:
   - Informal support services – reconciling with the issue of commissioning and “usual suspects”
   - The voluntary & community sector.

3. The role of the BME and faith sectors.

4. User focused services – the case of user empowerment:
   - Dealing with offenders’ feeling of community isolation
   - Encouraging responsibility-taking.
Emerging themes/indicators from the review

5. Mainstreaming restorative justice as a community-led response to harm and the restoration of victims and communities:
   • The role of victims and existing safeguards
   • Keeping restorative justice community-led
   • Empowering professionals.

6. Workforce and diversity within.

7. The role of offenders and victims’ families and friends.
   • Resettlement: Housing and support
   • Family engagement
   • “Not one size fits all”: BME family structures
   • Faith in the system and probation
   • The issue of foreign nationals offenders
   • Considering motherhood and fatherhood.
Emerging themes/ indicators from the review

7. The issue of mental health:
   • Issues of treatment and therapy
   • Issues of bias, cultural understanding and difference
   • Training of professionals.

8. Matters of compliance and legal action:
   • Equality Act 2010
   • Offender Management Act 2007
   • Human Rights Act 1998
   • LPT Business Plan, Vision & Mission, code of practice.

9. The role of human rights
   • Building the right culture within probation
   • Away from “compensation culture” and towards HR principles
Measurable outcomes

1. Customer (service user) satisfaction
2. User involvement
3. Community proofed practice (community standard)
4. Legal compliance
5. Procurement & service agreements
6. Workforce development & employee satisfaction
7. Value for money & competition
8. Changes in public confidence
9. Human rights indicators – a corporate approach
10. Celebrate & Reward (beacon practice)
Questions & Contact details

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