Criminal Justice and Inequality

What can be done to reduce reoffending?

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Contents

-	**26% of people in prison are from minority backgrounds,[1] compared with 13% of the general population.[2]**
-	**Men from minority backgrounds are more likely to come into contact with the criminal justice system (CJS) at a younger age, and they form a larger proportion of those serving a custodial sentence.[3]**
-	**Black men spend more of their original custodial sentence in prison than men from other ethnic groups.[4]**
-	**Black adults are 7% more likely to reoffend, and young black men are 15% more likely to reoffend than men and youths from other ethnicities.[5]**
-	**Asian men are 26% less likely to reoffend than White and Black men, while Asian youths are 16% less likely to reoffend. 'Other ethnicities' also have consistently lower rates of reoffending.[6,7]**
-	**White adults and youths are more likely to have a higher number of reoffences per individual than Black and Asian men and youths.[8]**
-	**Many of these inequalities are underpinned by wider structural barriers and discrimination within practices elsewhere in the CJS.[9]**
-	**Existing studies do not provide satisfactory explanations as to why this variation exists.[10,11]**

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[1] Yasin, B. and Sturge, G. (2020) *Ethnicity and the criminal justice system: What does recent data say on over-representation*. https://commonslibrary.parliament.uk/ethnicity-and-the-criminal-justice-system-what-does-recent-data-say/ [Accessed 15 March 2021]

[2] Office for National Statistics (2012) *Ethnicity and national identity in England and Wales: 2011*. https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/ethnicityandnationalidentityinenglandandwales/2012-12-11 [Accessed 15 March 2021].

[3] Ministry of Justice (2020) *Proven reoffending statistics: October to December 2018*. https://www.gov.uk/government/statistics/proven-reoffending-statistics-october-to-december-2018 [Accessed 15 March 2021]

[4] Ibid.

[5] Uhrig, N. (2016) *Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales*. London: Ministry of Justice. https://www.gov.uk/government/publications/black-asian-and-minority-ethnic-disproportionality-in-the-criminal-justice-system-in-england-and-wales [Accessed 17 March 2021]

[6] Ibid.

[7] Ministry of Justice (2020), n. 3.

[8] Ibid.

[9] Williams, P. and Durrance, P. (2018) 'Resisting effective approaches for BAME offenders: The triumph of inertia', in P. Ugwudike, P. Raynor, and J. Annison (eds.), *Evidence-based skills in criminal justice: International perspectives on effective practice*. Bristol: Policy Press.

[10] Shingler, J. and Pope, S. (2018) *The effectiveness of rehabilitative services for Black, Asian and Minority Ethnic people: A rapid evidence assessment*. London: Ministry of Justice. https://www.gov.uk/government/publications/the-effectiveness-of-rehabilitative-services-for-black-asian-and-minority-ethnic-people-a-rapid-evidence-assessment [Accessed 17 March 2021]

[11] Wright, W. and Williams, P. (2015) *Developing appropriate interventions for young Black offenders: Identifying effective practice principles from Toronto, Canada*. Manchester: Rhodes Foundation Scholarship Trust.

There is limited literature exploring minority disproportionality throughout the criminal justice system (CJS).[12] There is no evidence for the idea that people from Black, Asian, and Mixed Heritage on probation tend to have distinctively different or greater criminogenic needs than White probationers.[13,14] The existing literature does, however, identify a number of key areas that need further exploration and consideration:

- Addressing systemic bias and discrimination;
- The appropriateness of interventions and barriers to engagement;
- The role of family in providing support;
- The need for community engagement;
- The need to embed holistic support.

Within all of these approaches is a need to simultaneously focus on the needs of the individual at each stage, and the interaction between wider social, structural, and personal challenges, as exhibited in Figure 1. This 'web model' of a reintegration framework for minority communities is based on Chowdhury's[15] web model of domestic violence and abuse for the UK Muslim population. It has been adapted to reflect the work undertaken elsewhere[16] and the wider literature presented in this document. The model identifies factors at four levels for individuals from close-knit communities in the context of reintegration:

1. Individual psychosocial factors;
2. Key stakeholders;
3. Intersectionality;
4. Macro-level factors.

These factors are further explored throughout this report. While there is evidence to suggest that individual psychosocial factors have a direct impact on reintegration, the role of key stakeholders in this process is also distinct. Structures at the wider (macro) level have been found to hinder reintegration; however, these are noted to have potential to help reintegration when working in collaboration with key stakeholders. In addition, consideration of the interconnections and overlaps between apparently different factors, and the implications of these for reintegration, is exceptionally important. Such issues of intersectionality identified in this context include gender, race, and faith. While the web model presents a broad overview of a reintegration framework, it can be further adapted to reflect specific communities.

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[12] Shingler and Pope (2018), n. 10.
[13] Calverley, D., Cole, B., Kaur, G., Lewis, S., Raynor, P., Sadeghi, S., Smith, D., Vanstone, M., and Wardak, A. (2004) *Black and Asian offenders on probation*. Research Study 277. London: Home Office.
[14] Powis, B. and Walmsley, K. (2002) *Programmes for Black and Asian offenders on probation: Lessons for developing practice*. Research Study 250. London: Home Office.
[15] Chowdhury, R. (2021). *Promoting health and wellbeing through alleviating domestic violence: Addressing domestic violence and abuse in the UK Muslim population*. PhD thesis (in preparation). Brunel University, London.
[16] Terrill, D. J. and Chowdhury, R. (2020) Empowerment in action: A psychological wellbeing strategy for male Muslim former prisoners. Capacity-building document. *Forensic Mental Health Conference*. Brunel University, London.
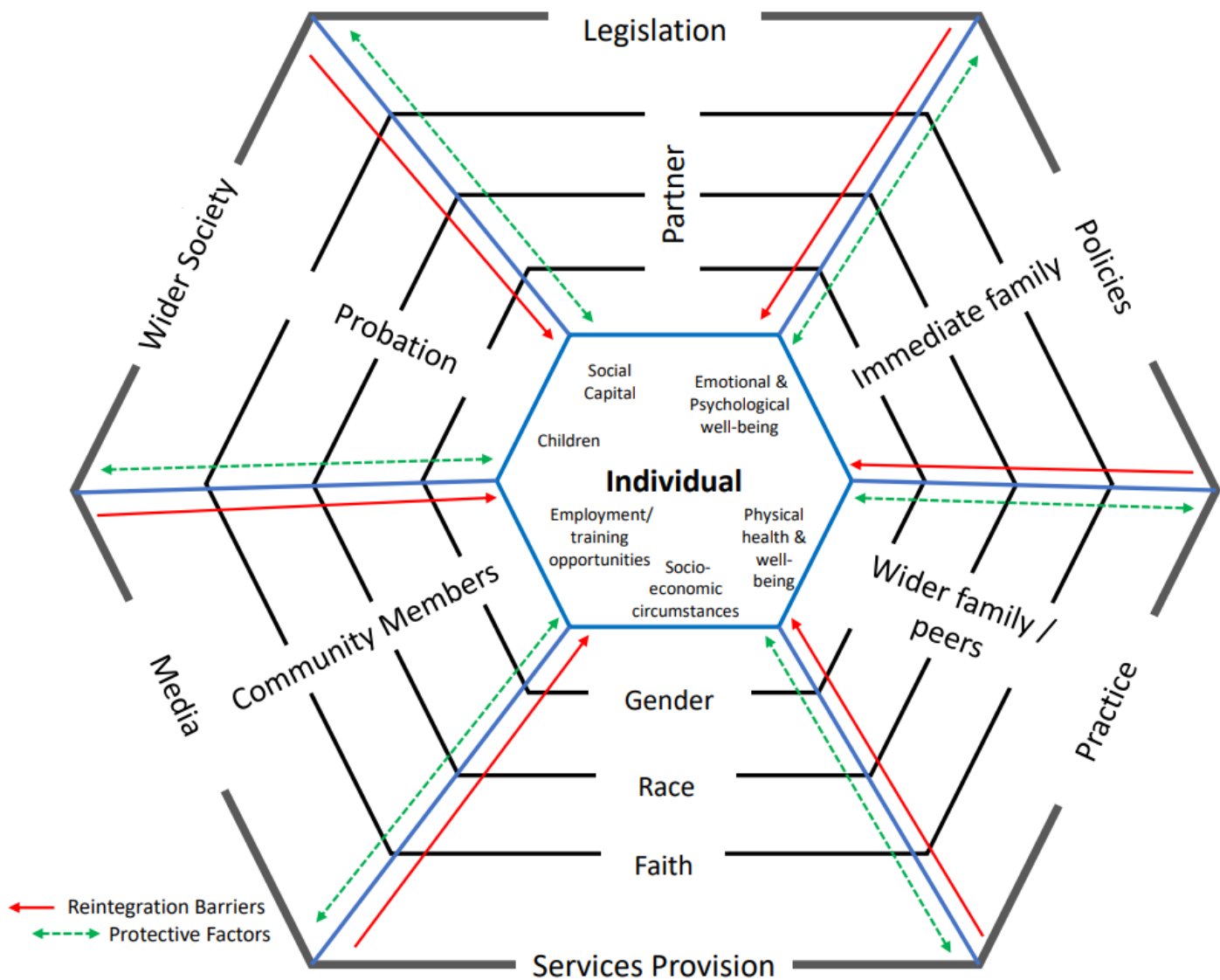
Figure 1: Web model of Reintegration Framework for minority communities (Chowdhury 2021). Adapted from Web Model of DVA (© R. Chowdhury, 2021).

1. Introduction

There are significant differences in outcomes among different ethnic groups who have come into contact with the CJS. Men from minority ethnic backgrounds tend to come into contact with the CJS at a younger age, form a larger proportion of those serving custodial sentences and, in the case of Black men, spend more of their original sentence in prison compared with men from other ethnic groups.[17] The Lammy Review[18] recommended that criminal justice organisations should be able to explain variations in outcomes and experiences across different ethnicities, or to reform CJS practices to achieve more equitable outcomes. At present, it is not possible to fully explain the variations in experiences in minority groups, particularly when they are released from prison.

There is no evidence for the idea that people from Black, Asian, or Mixed Heritage backgrounds tend to have distinctively different or greater criminogenic needs than white probationers.[19,20] Previous reviews, summarised in a rapid evidence assessment of interventions targeted at minority populations,[21] have explored prison and probation settings and point towards a lack of concrete data. The field remains underexplored, particularly in the UK. A number of golden threads emerge however, and these are explored throughout this report.

The publication of this report coincides with the release of the HM Inspectorate of Probation's *Report into Race Equality in Probation*.[22] There are a significant number of cross-cutting themes throughout the two independently produced reports, with many of the recommendations identified here also being identified in the HMIP report. This reinforces the pressing need to better address the experiences and needs of minority service users within the CJS.

This report provides an overview of the key issues pertaining to the experience of people from minority communities that need to be considered when supporting them as part of the process of leaving prison and reintegrating back into communities. Recommendations are included at each stage based on evidence emerging from the literature, and these are summarised again at the end of the report. Due to the previously noted lack of evidence within the UK context, we also draw on evidence from overseas, particularly the US. We acknowledge that there are different challenges and barriers in these contexts, but where areas of good practice are identified elsewhere, these should be considered to explore what lessons can be learned and applied to assist us in better supporting the desistance journeys of people within the UK.

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[17] Ministry of Justice (2020), n. 3.
[18] Lammy, D (2017) *The Lammy review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the criminal justice system*. London: Gov.uk. https://www.gov.uk/government/publications/lammy-review-final-report [Accessed 17 March 2021]
[19] Calverley et al. (2004), n. 13.
[20] Powis and Walmsley (2002), n. 14.
[21] Shingler and Pope (2018), n. 10.
[22] HM Inspectorate of Probation (2021) *Race equality in probation: The experiences of Black, Asian and Minority Ethnic probation service users and staff*. Manchester: Her Majesty's Inspectorate of Probation.

2. Addressing systemic bias and discrimination

There are considerable challenges that need to be overcome in working to address reoffending and reintegration across ethnically and culturally diverse populations. Two key areas of focus are the use of language, and discriminatory practices elsewhere in the CJS that can impact on trajectories through the CJS and beyond.

Language is a key element that can reproduce inequalities and social hierarchies,[23] and it is therefore an important discriminatory factor that needs to be addressed. Within this context, it is important to consider the language used to describe and engage with people from minority communities within the UK. The term 'BAME' is reductionist and homogenising, as it fails to consider the diversity of experiences, backgrounds, identities, and communities that it encompasses. Where data explores variations in experiences according to ethnicity, headline figures have a tendency to focus on reporting of White, Black, Asian, and 'Other' ethnicities. While this allows for greater depth of understanding than the aggregated category of BAME, the homogenisation of a diverse range of cultural and social backgrounds (for example Black Caribbean, Black African, Indian, Pakistani, Bangladeshi, and Dual Heritage, among others) remains. Further work is needed to better explore these differences as part of the need to embed greater cultural sensitivity into the delivery of interventions. For this reason, we have focused on using the term 'minorities' and 'minority communities' throughout our work. We recognise that this does not identify specific minority communities, and we therefore encourage further specification of the demographics in question. We hope that this will draw attention to the fact that one overarching label is inadequate to represent the expanse of UK minority communities, and we regard this as one step towards greater specificity. We actively encourage others to do the same and embed inclusive, culturally sensitive language and practices through justice-focused policies and practices and in daily life.

Trajectories through the CJS, including after someone leaves prison, cannot be divorced from wider social and structural challenges and inequalities facing some parts of the population or the pipelines into the CJS. An Equality and Human Rights Commission (EHRC) report documented that children from minority communities are twice as likely to live in poverty as White people, while Black and White/Black Caribbean mixed-race children are most likely to be excluded from school.[24] The same EHRC report notes that Black communities in particular are more likely to experience greater levels of long-term unemployment and a lack of opportunities to break out of the poverty cycle.

People from minority backgrounds are consistently overrepresented across the CJS. This is despite the previously noted lack of evidence for the idea that people from Black, Asian, and

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[23] Morgan, K. and Bjökert, S. T. (2006) 'I'd rather you'd lay me on the floor and start kicking me': Understanding symbolic violence in everyday life. *Women's Studies International Forum*, *29*(5), 441–452. https://doi.org/10.1016/j.wsif.2006.07.002

[24] Equality and Human Rights Commission (2016) *Race report: Healing a divided Britain*. London: EHRC. https://www.equalityhumanrights.com/en/race-report-healing-divided-britain [Accessed 15 March 2021]

Mixed Heritage have distinctively different or greater criminogenic needs.[25–27] It has been argued that factors within the CJS may be key contributors to this disproportionality, including the targeting of resources towards the policing of minority populations, particularly regarding violent and gang-related crime.[28] The differential treatment of minority groups throughout the CJS has a significant impact and includes the increased use of stop and search, court sentencing outcomes, and the reduced quality of pre-sentence reports for people from minority communities, all of which point towards an increased likelihood of more punitive sentencing.[29] Despite this, it has been found that there are no officially accredited programmes designed to tackle the needs of people from minority groups who encounter the CJS.[30]

Wright and Williams[31] have suggested that any interventions should be underpinned by five principles:

- Acknowledging institutionalised racism, differential treatment, and racial disproportionality;
- Embedding empowerment of the individual throughout policy and practice;
- Focusing on the needs of, rather than the risks posed by, individuals;
- Introducing 'pay to change' programmes to reduce poverty and encourage the development of pro-social attitudes and practices;
- Engaging culturally aware non-statutory organisations and charities to encourage buy-in from communities.

These points, however, pay little attention to the need for statutory agencies and organisations to take a more proactive role in creating changes within their policies, practices, and staff training. It is therefore important that these challenges are addressed while also building mutually beneficial relationships with community organisations who can share experience and knowledge that can in turn inform the development of culturally sensitive interventions. These themes are developed further in the remainder of this report.

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[25] Calverley et al. (2004), n. 13.
[26] Powis and Walmsley (2002), n. 14.
[27] Raynor, P. and Lewis, S. (2011). Risk–need assessment, sentencing and minority ethnic offenders in Britain. *The British Journal of Social Work*, *41*(7), 1357–1371. https://doi.org/10.1093/bjsw/bcr111
[28] Williams and Durrance (2018), n. 9.
[29] Wright and Williams (2015), n. 11.
[30] Williams, P. (2020) *Community empowerment approaches: The key to overcoming institutionalised racism in work with black, Asian and minority ethnic (BAME) people in contact with the criminal justice system*. London: CLINKS. https://www.clinks.org/sites/default/files/2020-09/clinks_EL_institutionalised-racism-dr-patrick-williams_V4.pdf [Accessed 17 March 2021]
[31] Wright and Williams (2015), n. 11.

Key Recommendations

- Embed culturally appropriate and inclusive language throughout policy and practice;
- Address concerns surrounding institutionalised racism, differential treatment, and racial disproportionality;
- Embed empowerment of the individual throughout policy and practice;
- Focus on the needs of, rather than the risks posed by, individuals;
- Engage culturally aware non-statutory organisations and charities to encourage buy-in from communities.

3. The appropriateness of interventions and barriers to engagement

'Standard', non-culturally adjusted, correctional interventions can benefit individuals from minority communities in prison and on probation.[32,33] However, despite being overrepresented in prison, minority prisoners are underrepresented among those engaging with treatment programmes and other interventions.[34] A number of barriers to effective engagement and treatment among minority prisoners may interfere with them starting, completing, or engaging with services. Some of the barriers identified include experiences or fear of judgement, alienation, and a sense of hopelessness,[35] racism or discrimination,[36] and the perception (and possible reality) that the intervention will not be culturally relevant.[37,38] Further evidence for this can be found in the perception that 'treatment and therapy' are White concepts that do not translate into other cultures.[39] Work is being undertaken elsewhere, including among people convicted of sexual offences, to move away from treatment-focused terminology, thereby providing a model to follow.[40] Other studies have indicated that prisoners from minority communities can feel isolated and misunderstood in standard correctional programmes, particularly when they are the only person in the group from their background. For instance, it was noted that people in one therapeutic community did not feel that they had space to maintain an authentic cultural identity.[41]

It is important, therefore, to address the appropriateness of interventions and any barriers to engagement if people from minority communities are to be engaged effectively. Doing so will break down barriers and provide greater opportunities to support the development of holistic, desistance-led narratives and trajectories. Some recommendations to facilitate this are detailed below.

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[32] Calverley et al. (2004), n. 13.

[33] Usher, A. M. and Stewart, L. A. (2014) Effectiveness of correctional programs with ethnically diverse offenders: A meta-analytic study. *International Journal of Offender Therapy and Comparative Criminology*, *58*(2), 209–230. https://doi.org/10.1177/0306624X12469507

[34] Hunter, S., Craig, E., and Shaw, J. (2019) 'Give it a Try': Experiences of Black, Asian and Minority Ethnic young men in a prison-based offender personality disorder service. *Journal of Forensic Practice*, *21*(1), 14–26. https://doi.org/10.1108/JFP-07-2018-0026

[35] Ibid.

[36] Mason, P., Hughes, N., Hek, R., Spalek, B., and Ward, N. (2009) *Access to justice: A review of existing evidence of the experiences of minority groups based on ethnicity, identity and sexuality*. Ministry of Justice Research Series 7/09. London: Ministry of Justice.

[37] Ibid.

[38] Calverley et al. (2004), n. 13.

[39] Shingler and Pope (2018), n. 10.

[40] Ramsay, L., Carter, A. J., and Walton, J. S. (2020) 'Contemporary programs designed for the tertiary prevention of recidivism among people convicted of a sexual offense', in J. Proulx, F. Cortoni, L. A. Craig, and E. J. Letourneau (eds.), *The Wiley handbook of what works with sexual offenders: Contemporary perspectives in theory, assessment, treatment, and prevention*. London: Wiley.

[41] Brookes, M., Glynn, M., and Wilson, D. (2012) Black men, therapeutic communities and HMP Grendon. *Therapeutic Communities: The International Journal of Therapeutic Communities*, *33*(1), 16–26. https://doi.org/10.1108/09641861211286294

Key Recommendations

To improve engagement and maximise benefits, it is important to ensure that programmes:

- Are culturally aware, sensitive, and inclusive;

- Are relevant to the service user and enable them to recognize themselves and people like them within the programme, including through the use of peer mentoring;

- Are developed and delivered by culturally aware and culturally sensitive staff;

- Are delivered by staff from similar ethnic backgrounds to the service users where appropriate;

- Are able to provide a sense of choice and control over the speed of delivery and the nature of the content being covered;

- Do not rely on overly complex, diagnostic, or treatment-focused terminology.

4. The role of family in providing support

There is an important role for families in supporting the desistance journey.[42–46] According to one US study, this support needs to be seen in the context of not just connections but also of being able to support and provide for the family and significant others – developing and reinstating one's role in the household as key to reintegration into wider society.[47] Other studies have found that family is important not just as a source of support, but for providing informal links to help secure employment.[48,49] Another study exploring the reintegration of African American men in the US found that it is important when seeking to engage families in the reintegration process that family contact is maintained *during* periods of incarceration and not just towards the end of a sentence.[50] A failure to do so can lead to strain and tensions within the family, including relationship breakdown and subsequent challenges to successful reintegration after release from prison.

A review of the UK-based Kirkham Family Connectors Prison Programme, which draws on the Asset-Based Community Development (ABCD) model to assist in the development of 'resettlement capital' by identifying prisoner strengths and skills and drawing on familial support, found highly positive feedback from probation, prisoners, and family members alike.[51] They reported recognition of the strengths-based approach, which focused on the skills, attributes, and abilities of the service user, and its benefits within the programme. This generated good relationship-building capacities, and it increased cohesion and shared objectives. It also generated a sense of hope and possibility for the future. However, while this

[42] Chapski, A. M. (2019) *Family contact in prison and post-release family social support: Does gender affect the relationship?* Master's thesis. Bowling Green State University, Ohio, USA.
http://rave.ohiolink.edu/etdc/view?acc_num=bgsu1566313186304724
[43] Hall, L. J., Best, D., Ogden-Webb, C., Dixon, J., and Heslop, R. (2018) Building bridges to the community: the Kirkham Family Connectors (KFC) Prison Programme. *Howard Journal of Crime and Justice*, *57*(4), 518–536. https://doi.org/10.1111/hojo.12289
[44] Farmer, M. (2017) Importance of strengthening prisoners' family ties to prevent reoffending and reduce intergenerational crime. London: Ministry of Justice. https://www.gov.uk/government/publications/importance-of-strengthening-prisoners-family-ties-to-prevent-reoffending-and-reduce-intergenerational-crime [Accessed 17 March 2021]
[45] Farmer, M. (2019) *Importance of strengthening female offenders' family and other relationships to prevent reoffending and reduce intergenerational crime*. London: Ministry of Justice. https://www.gov.uk/government/publications/farmer-review-for-women [Accessed 17 March 2021]
[46] Strickland, J. (2016) Building social capital for stable employment: The postprison experiences of Black male exprisoners. *Journal of Offender Rehabilitation*, *55*(3), 129–147. https://doi.org/10.1080/10509674.2015.1128506
[47] Palmer, C. and Christian, J. (2019) Work matters: Formerly incarcerated men's resiliency in reentry. *Equality, Diversity and Inclusion: An International Journal*, *38*(5), 583–598. https://doi.org/10.1108/EDI-10-2018-0177
[48] Strickland (2016), n. 46.
[49] Cherney, A. and Fitzgerald, R. (2016) Finding and keeping a job: The value and meaning of employment for parolees. *International Journal of Offender Therapy and Comparative Criminology*, *60*(1), 21–37. https://doi.org/10.1177/0306624X14548858
[50] Cooke, C. L. (2005) Going home: Formerly incarcerated African American men return to families and communities. *Journal of Family Nursing*, *11*(4), 388–404. https://doi.org/10.1177/1074840705281753
[51] Hall et al. (2018), n. 43.

is an important source of support for the individual, families (usually women) also need to be supported; they should not be left to shoulder all the responsibilities of the state.[52,53]

Further research is needed to explore the role of, and challenges faced by, families in supporting the reintegration of prison leavers back into the home and community. However, we can see here that there are existing examples of good practice that build on the recommendations from Lord Farmer's reviews into the role of family in supporting the reintegration of people leaving prison into the community generally. A further example is explored later in this document, where we will consider the need for holistic, person-centred support.

Key Recommendations

To facilitate the role of family and significant others, programmes should seek to:

- Actively engage family and significant others in providing support while the individual is in prison;

- Assist families in supporting prison leavers as they reintegrate back into the community;

- Work to address the stigmatization of families who are supporting someone that is in, or has left, prison;

- Ensure that family needs are considered and that they are supported throughout the process.

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[52] Codd, H. (2007) Prisoners' families and resettlement: A critical analysis. *The Howard Journal*, *46*(3), 255–263. https://doi.org/10.1111/j.1468-2311.2007.00472.x

[53] Comfort, M. (2016) 'A twenty-hour-a-day job': The impact of frequent low-level criminal justice involvement on family life. *The Annals of the American Academy of Political and Social Science*, *665*(1), 63–79. https://doi.org/10.1177/0002716215625038

5. Community engagement

Active engagement with communities has been found to be a strong predictor of desistance.[54,55] The community is essential to desistance by virtue of being the location where our interactions with others are shaped and experienced.[56] Given that minority communities are more likely to experience greater levels of deprivation and disadvantage,[57] support is needed to assist them in aiding the individual to maintain desistance and avoid subsequent recidivism. This support should be focused through culturally aware organisations already embedded in communities to ensure that cultural norms and values are understood and addressed as part of any intervention.[58] In some communities, the stigma associated with a criminal conviction affects not just the perpetrator of the offence but also their family,[59] making it harder for the individual to successfully reintegrate. Work should be undertaken with communities to help develop social capital and support families experiencing the stigma associated with a conviction.[60,61]

There has been growing interest in the potential role of social prescribing in helping people to reintegrate back into the community. This is, at least in part, based on the success of the Parkrun programme, which has been introduced to over 20 UK prisons.[62] Over and above the health benefits of social prescribing, its wider benefits include the learning of new skills,[63] the development of positive and optimistic life views, and active engagement and integration with the local community.[64] To this end, it may provide a useful approach to explore by fostering new networks and bonds between the prison leaver and the wider community.

It is important, however, to consider the nature of the approaches being explored. A one-size-fits-all approach will not work, and the responses must be culturally sensitive and accessible to the populations and communities being targeted; prescribing attendance at a Parkrun to someone where there are no accessible events within the vicinity is unlikely to be of any

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[54] Farrall, S., Hunter, B., Sharpe, G., and Calverley, A. (2014) *Criminal careers in transition the social context of desistance from crime*. Oxford: Oxford University Press.
[55] McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012) *How and why people stop offending: Discovering desistance*. Glasgow: Institute for Research and Innovation in Social Services. https://www.iriss.org.uk/sites/default/files/iriss-insight-15.pdf [Accessed 17 March 2021]
[56] Calverley, A. (2012) *Cultures of desistance, rehabilitation, reintegration and ethnic minorities*. London: Routledge.
[57] Williams and Durrance (2018), n. 9.
[58] Young, L. (2014) *The Young review: Improving outcomes for young black and/or Muslim men in the Criminal Justice System*. London: The Barrow Cadbury Trust. https://www.equalcjs.org.uk/sites/default/files/articles/clinks_young-review_report_dec2014.pdf [Accessed 17 March 2021]
[59] SCCJR (2015) *Impact of punishment: Families of people in prison*. Glasgow: The Scottish Centre for Crime and Justice Research. https://www.sccjr.ac.uk/wp-content/uploads/2015/10/SCCJR-Impact-of-crime-prisoners-families.pdf [Accessed 18 March 2021]
[60] Hall et al. (2018), n. 43.
[61] Young (2014), n. 58.
[62] Inside Time (2020, 8 January) Parkrun extends to more than 20 prisons. https://insidetime.org/parkrun-extends-to-more-than-20-prisons/ [Accessed 17 March 2021]
[63] Chatterjee, H., Polley, M. J. and Clayton, G. (2018) *Social prescribing: community-based referral in public health*. *Perspectives in Public Health*, *138*(1), 18–19. https://doi.org/10.1177/1757913917736661
[64] Woodall, J., Trigwell, J., Bunyan, A. M. et al. (2018) Understanding the effectiveness and mechanisms of a social prescribing service: A mixed method analysis. *BMC Health Services Research*, *18*, 604. https://doi.org/10.1186/s12913-018-3437-7

significant benefit. As previously noted, it is therefore important to work with local organisations already embedded within a community.

With this in mind, there is a need to engage communities in the reintegration and desistance process. People live their lives within their communities, and as such, if they are not accepted into those communities, then barriers to their ability to progress on their desistance journey will continue to emerge.

Key Recommendations

To better engage communities in the reintegration and desistance processes, support should be targeted through:

- Investing in minority and other disadvantaged communities to alleviate deprivation and ensure that they are equipped to support the reintegration process;
- Incorporating ABCD strategies by supporting culturally aware organisations already embedded in the local community to facilitate reintegration;
- Supporting communities and families to develop social capital aimed at addressing the stigma associated with a criminal conviction;
- Use social-prescribing opportunities to facilitate the reintegration of people back into communities;
- Ensure that social-prescribing approaches are led by local, culturally aware groups and organisations.

6. The need to embed holistic support

Assuming that criminogenic needs can be identified through looking at personal characteristics, experience, and needs based solely around ethnicity is a form of ethnic stereotyping.[65] It is important to avoid assuming that ethnicity is a defining characteristic when exploring reoffending rates and criminogenic need and instead to consider it as an interactive factor that can influence desistance.[66] By developing more culturally sensitive resources and interventions, greater support can be offered to groups and individuals beyond those within specific ethnic groupings. It is suggested that there is a need to develop more holistic support for minority individuals on probation. It is likely that this will also be the case for those in, and leaving, prison. With more holistic support, there becomes greater room for personalisation, which has been found to support the development of positive, pro-social internal narratives – something often essential for desistance.[67]

There is also a need to focus on addressing the needs of, rather than the risks posed by, those within the CJS[68] as part of this process, so that each individual's strengths can be supported. Despite this, at present, there are a very limited number of culturally appropriate and holistic interventions in either prisons or probation. Over and above the Kirkham Family Connectors model, holistic approaches focused on developing the strengths and positive attributes of an individual have been explored in work examining the experiences of Muslim men by Terrill and Chowdhury.[69] This may provide a template for working with other culturally diverse groups, as outlined below.

Terrill and Chowdhury's recommendations place the former prisoner at the centre of the development of a holistic support network. Their proposals draw upon collaborations between former prisoners, their families, community-based grassroots organisations, faith-based practitioners, criminal justice professionals, and academic specialists to promote long-term well-being and develop the skills, relationships, and capacity to reintegrate back into the community and promote desistance from crime.

Copied here with permission, Figure 2 outlines their project recommendations, which are structured around Maslow's Hierarchy of Needs. This approach facilitates the identification of incremental needs, from basic physiological well-being to higher states of well-being, contributing to increased reintegration and improved outcomes for individuals leaving prison. Within this approach, parallel support for their families is noted as critical.

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[65] Calverley et al. (2004), n. 13.
[66] Calverley (2012), n. 56.
[67] Fox, C., Fox, A., and Marsh, C. (2014) *Personalisation in the criminal justice system: What is the potential?* Policy briefing. London: Criminal Justice Alliance. http://criminaljusticealliance.org/wp-content/uploads/2015/02/Personalisation_in_the_CJS.pdf [Accessed 17 March 2021]
[68] Wright and Williams (2015), n. 11.
[69] Terrill and Chowdhury (2020), n. 16.

Key Recommendations

- Embed the development and implementation of holistic support programmes that place the individual at the heart of the process;
- Focus on developing needs-based, rather than risk-based, interventions and support programmes;
- Explore and consider embedding existing models including the Kirkham ABCD model and Terrill and Chowdhury's collaborative model of holistic support within policy and practice.
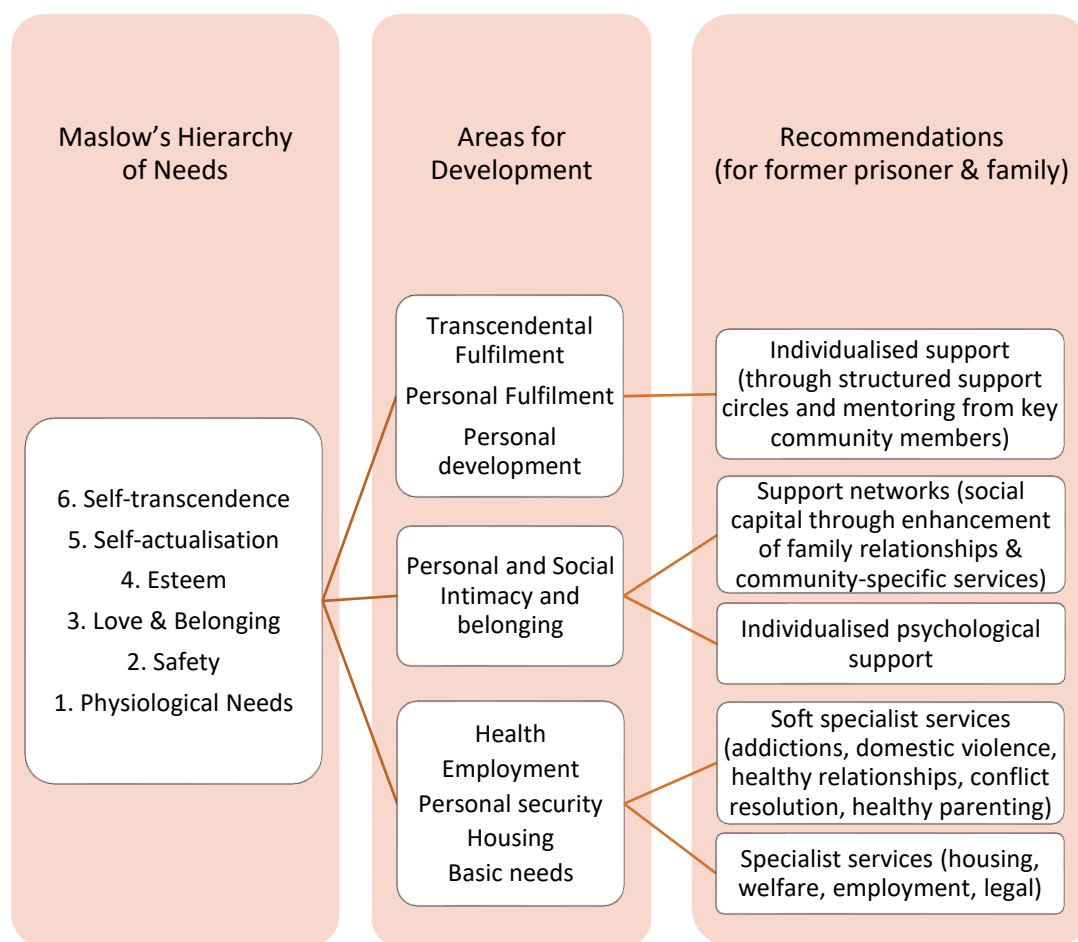

Figure 2: Terrill and Chowdhury's (2020) collaborative model of holistic support within policy and practice.

7. Conclusions and next steps

The lack of an established evidence base makes it difficult to draw firm conclusions as to what can or should be done to reduce the variations in outcomes among prison leavers from different ethnic groups. While the body of literature is growing, there is a pressing need for further research into the experiences of people from minority communities and the impact of their experiences of the CJS on them and their ability to reintegrate effectively back into the wider community. Much of the evidence that does exist comes from the US, which is a different context, yet there remains a greater degree of disproportionality in prisons in England and Wales than in the US.[70] That aside, there appear to be a range of interventions that can better support the reintegration of people from minority communities:

1) Identify how social and systemic bias and discrimination can lead to the overrepresentation of people from minority communities and act as barriers to reintegration upon their release;

2) Ensure that programmes and interventions are more culturally appropriate for the populations that they are being targeted at;

3) Improve cultural sensitivity and diversity among staff, particularly those delivering programmes and interventions;

4) Actively involve family and community in the reintegration process;

5) Ensure that support is in place for people's families and the community in this process, without expecting them to shoulder the burdens of the state;

6) Place the former prisoner at the centre of holistic support programmes focused on developing their strengths and positive aspects of their identity.

While some standard interventions can work, the evidence suggests that there needs to be a much greater degree of cultural sensitivity, along with more culturally aware staff and content within treatment programmes and interventions. The literature also identifies a key role for families and communities in supporting reintegration and resettlement, but it draws attention to the needs of families and partners in this process; it is not enough for the state to step back and rely solely on familial or community support. Support from families and significant others is seen as particularly helpful in providing informal networks and developing social capital. It is not, however, a panacea, and people leaving prison and their families still face challenges when confronted with the stigma associated with the offending behaviours that led to conviction. To that end, it is important that the programmes and interventions that are devised

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[70] Young (2014), n. 58.

and enacted focus on the needs and strengths of the individual. This will allow them to develop both the skills and attitudes needed to promote their successful reintegration into the community.

There remain some other significant challenges that need to be overcome in the work to address reoffending and reintegration across ethnically and culturally diverse populations. Language is one important factor that needs to be considered; we have already made reference to the need to address the language surrounding 'treatment'. Beyond this, 'BAME' – and even its expanded form of Black, Asian, and Minority Ethnic – is a reductionist term that fails to consider the diversity of experiences, backgrounds, identities, and communities that are encompassed within it. As noted elsewhere in this report, we actively encourage others to embed culturally sensitive language and practices throughout justice-focused policies and practices, as well as in their everyday lives.

Finally, trajectories through the CJS, including after someone leaves prison, cannot be divorced from the wider social and structural challenges and inequalities facing some parts of the population or the pipelines into the CJS. Systemic bias and discrimination remain significant barriers to addressing overall levels of minority disproportionality within the CJS, and this needs to be addressed as a matter of urgency. As noted previously, there is a need to support communities in providing space and scope to enable people leaving prison to reintegrate and successfully develop a desistant lifestyle. Any strategies devised and deployed should ensure that they consider this context and seek to influence wider social, structural, and criminal justice reform to address these inequalities. Within this, there is a need to stop focusing the resources of the state on the over-policing of minority communities and instead target funding to the community organisations that are already embedded there and are best placed to support social change and reintegration.

It is telling that numerous cross-cutting themes have been identified both here and in the recently published HMIP report[71] into race equality in probation. The recurring nature of such findings speaks to the pressing need to address minority service users' experiences across HMPPS but, as we have explored here, there is also a wider need to address attitudes, discrimination and responses towards minority groups in the CJS throughout communities and society.

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[71] HMIP (2021) n. 22

8. Summary of recommendations

What follows below is a quick-access summary of the key recommendations identified in this report. They are not exhaustive, but rather intended to act as a guide that can be used to aid discussions in the Families and Community Connectors workstream and beyond. It is important to note once more that while the focus of this report has been on reducing disproportionality within reoffending figures, there is no evidence that different groups have different criminogenic needs. For this reason, many of this report's recommendations need not apply solely to people from minority communities. In particular, those that focus upon familial, community, and holistic support can be applied to all prison leavers.

> **Addressing systemic bias and discrimination**
>
> There are considerable challenges that need to be overcome in working to address reoffending and reintegration across ethnically and culturally diverse populations. Two key areas of focus are the use of language, and discriminatory practices elsewhere which can impact on trajectories through the CJS and beyond. To begin to address this, we should:
>
> - Embed culturally appropriate and inclusive language throughout policy and practice;
> - Address concerns surrounding institutionalised racism, differential treatment, and racial disproportionality;
> - Embed empowerment of the individual into policy and practice;
> - Focus on the needs of, rather than the risks posed by, individuals;
> - Engage culturally aware non-statutory organisations and charities to encourage buy-in from communities.

The appropriateness of interventions and barriers to engagement

The appropriateness, accessibility, and cultural sensitivity of existing programmes and interventions has repeatedly been raised across existing literature. This literature makes numerous recommendations aimed at overcoming some of these challenges by developing programmes that:

- Are culturally aware, sensitive, and inclusive;

- Are relevant to the service user and enable them to recognize themselves and people like them within the programme, including through the use of peer mentoring;

- Are developed and delivered by culturally aware and culturally sensitive staff;

- Are delivered by staff from similar ethnic backgrounds to the service users where appropriate;

- Are able to provide a sense of choice and control over the speed of delivery and the nature of the content being covered;

- Do not rely on overly complex, diagnostic, or treatment-focused terminology.

The role of family in providing support

A growing body of evidence, including from Lord Farmer's 2017 and 2019 reviews, draws attention to the important role of family and significant others for people leaving prison. Wherever possible, programmes should seek to:

- Actively engage family and significant others in providing support while the individual is in prison;

- Assist families in supporting prison leavers as they reintegrate back into the community;

- Work to address the stigmatization of families who are supporting someone that is in, or has left, prison;

- Ensure that family needs are considered and that they are supported throughout the process.

Community engagement

It is vital to support the reintegration of prison leavers back into the community, regardless of their ethnicity. The community can therefore play a pivotal role in whether or not someone is able to successfully reintegrate and progress on their desistance journey. To assist with this, support should be focused on:

- Investing in minority and other disadvantaged communities to alleviate deprivation and ensure that they are equipped to support the reintegration process;
- Incorporating ABCD strategies by supporting culturally aware organisations already embedded in the local community to facilitate reintegration;
- Supporting communities and families to develop social capital, aiming to address the stigma associated with a criminal conviction;
- Using social-prescribing opportunities to help with the reintegration of people back into communities;
- Ensuring that social-prescribing approaches are led by local, culturally aware groups and organisations.

The need to embed holistic support

There is a growing body of evidence that explores the role and benefits of holistic support packages that place the prison leaver at the heart of any programme. These interventions should build on the existing strengths of the individual, aiming to:

- Embed the development and implementation of holistic support programmes that place the individual at the heart of the process;
- Focus on developing needs-based, rather than risk-based, interventions and support programmes;
- Explore and consider embedding existing models, including the Kirkham ABCD model and Terrill and Chowdhury's collaborative model of holistic support, within policy and practice.

Acknowledgements

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