



# **HOW TO IMPROVE OUTCOMES FOR BAME OFFENDERS**

**A Guide for Commissioners and Providers**

**2013**

## 1. ABOUT THIS GUIDE

This is a guide to improving outcomes for Black, Asian and minority ethnic (BAME) offenders. The guide is intended for commissioners and providers within the Criminal Justice System. The guide presents key actions that commissioners and providers should take to help achieve the overall goal of reducing offending and reoffending among this key population.

The guide has been produced by the Black Training and Enterprise Group (BTEG), a national charity working to end racial inequality.

This guide is presented under key headings from the National Offender Management Service (NOMS) Commissioning Intentions for 2013-14 discussion document.<sup>1</sup> Commissioners and providers can see at a glance that the actions they should take to improve outcomes for BAME offenders fit readily with the core principles that underpin the NOMS Commissioning Intentions. We hope that this will encourage commissioners and providers to see improving outcomes for BAME offenders as central to their work.

## 2. WHY DO OUTCOMES FOR BAME OFFENDERS NEED IMPROVING?

Because BAME people are over-represented in the offender population...

More than one quarter (26%) of the prison population in England and Wales is BAME, compared with 14 per cent of the general population. Black people make up over half of all BAME prisoners (51%) and represent 13 per cent of the total prison population, despite making up only 3 per cent of the general population.<sup>2</sup> Of the 235,000 people under the care of the Probation Service in 2011, up to 22 per cent were BAME.<sup>3</sup>

Because BAME people report poorer experiences within the prison system...

BAME offenders report poorer experiences within the prison system, including being more likely to have spent time in the segregation or care and separation unit in the last six months; feeling less well respected by staff; being under-represented in those granted release on temporary licence; and generally perceiving their treatment more negatively.<sup>4</sup>

Because BAME offenders have poorer rehabilitative outcomes...

Black offenders have the highest reoffending rates of all ethnic groups. In the 12 months ending March 2011, 27.5 per cent of Black adult offenders re-offended (compared with 25.4% of all adult offenders). In the same period 42.5 per cent of

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<sup>1</sup> Ministry of Justice (2012) NOMS Commissioning Intentions for 2013-14 Discussion Document

<sup>2</sup> Ministry of Justice, Offender Management Statistics Quarterly, December 2012. Census 2011.

<sup>3</sup> Ministry of Justice (2010) Race and the Criminal Justice System Statistics

<sup>4</sup> HM Chief Inspector of Prisons for England and Wales, Annual Report 2010-11

Black juvenile offenders re-offended (compared with 35.8% of all juvenile offenders).<sup>5</sup>

Because BAME people are under-represented within the Criminal Justice System workforce...

Of 19,183 staff in Youth Offender Teams in 2009, 15 per cent were BAME. At senior manager level, 13 per cent were BAME. Of 22,555 Probation Service staff in 2010, 14 per cent were BAME. At senior manager level, 8 per cent were BAME. Of 45,965 NOMS Her Majesty's Prison Service staff in March 2011, 6 per cent were BAME. At senior manager level, 6 per cent were BAME. Of 3,694 members of the Judiciary in April 2011, 4 per cent were BAME. Of 26,966 Magistrates in March 2011, 8 per cent were BAME.<sup>6</sup>

## **4. WHAT COMMISSIONERS AND PROVIDERS SHOULD DO**

### **Segment the offender population**

BAME people should be viewed as distinct groups within the offender population, and appropriate strategies and interventions should be adopted to deal effectively with this population.

Commissioners should....

- Recognise BAME offenders as distinct groups.
- Recognise that within approaches that do not segment the BAME population, outcomes for BAME offenders have been poorer than average.
- Ensure that commissioning strategies include a specific approach for BAME offenders.
- Include specific targets for BAME offender outcomes within contracts.

### **Evidence based commissioning**

More detailed evidence is needed to understand why BAME people, particularly Black people, are over-represented in the offender population and achieve poorer outcomes from mainstream interventions to reduce reoffending. An evidence-based approach must include routine data collection on ethnicity so that a robust body of evidence about what works to improve outcomes for BAME offenders can be established.

Commissioners and providers should....

- Carry out ethnicity monitoring within all areas of data collection.

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<sup>5</sup> Ministry of Justice, Proving Reoffending Quarterly

<sup>6</sup> Ministry of Justice (2010) Race and the Criminal Justice System Statistics

- Make ethnicity data publicly available.
- Routinely analyse the data to identify whether policies and programmes are impacting differently across different ethnic groups.

### **A whole system approach**

A whole system approach should be one within which BAME offenders and their families trust that the system is fair and does not discriminate against them, and where they can expect to achieve the same rehabilitative outcomes as all other offenders.

Commissioners should ....

- Take a strong leadership role in promoting race equality and tackling race discrimination.
- Demonstrate their compliance with the duties of the Equality Act 2010.
- Make race equality central to performance review and evaluation.

Providers should.....

- Have robust race equality policies in place.
- Demonstrate what outcomes they are achieving for BAME offenders.

## **CASE STUDY**

### **Commissioning services to tackle race inequalities**

*Commissioned by Hounslow Youth Offending Service and the Metropolitan Police, the I-CAN project supports BAME young men aged 14 to 17 who are serving Youth Rehabilitation Orders. The programme is delivered by **Foundation 4 Life**, a social enterprise with a strong track record of support for BAME offenders and ex-offenders through mentoring, counselling, positive activities and therapeutic approaches.*

*I-CAN is a 12 week programme involving 12 x two-hour workshops. A key part of the programme is the personal testimonies of the facilitators and guest speakers who draw on their own real life experience to explore the risks and consequences of a criminal life style.*

*The programme is being fully evaluated and is expected to achieve a significant reduction in re-offending amongst participants. The focus on BAME young men helps to deliver a more responsive programme that should help to reduce the over-representation of BAME young people among re-offenders.*

## Outcomes focused performance

Outcomes focused performance and payment by results offer a mechanism to deliver better outcomes for groups, like BAME offenders, that have historically experienced poorer outcomes. No intervention should be considered effective if it is producing poorer outcomes for BAME offenders.

Commissioners should....

- Ensure that all evaluations and research studies consider the outcomes of interventions across different ethnic groups.
- Ensure that improving BAME offender outcomes is a priority for ALL providers, not just a few specialists.
- Engage with BAME community groups to learn more about what works in improving outcomes for BAME offenders.

Providers should....

- Monitor and evaluate the impacts of their interventions across different ethnic groups.
- Engage with BAME offenders to inform service design and delivery.
- Recognise the business case for race equality. When payment is based on results, and BAME offenders make up one quarter of the clients, the business case for improving BAME offender outcomes is quite clear.
- Ensure that improving BAME offender outcomes is incorporated within performance review processes.

## CASE STUDY

### Improving outcomes for BAME offenders

**CRI** (Crime Reduction Initiative) is a health and social care charity working with individuals, families and communities across England and Wales that are affected by drugs, alcohol, crime, homelessness, domestic abuse and antisocial behaviour. CRI runs the REACH Day Programme in Southwark, using a range of interventions to support people to address substance misuse and offending behaviour. The programme has a very high success rate, particularly with BAME people. One example of a BAME service user who was recently supported by REACH is Client X.

Client X was referred to the programme by his Probation Officer for support around his drug use. He had been arrested for various offences previously, including possession of drugs. Client X disclosed a long history of substance misuse that started when he was 12 years old and he reported using cannabis and cocaine on a daily basis. He started to attend the REACH Day Programme, advising staff that he was motivated to make changes so that he could have better relationships and more regular contact with his children. The personalised 'pick and mix' nature of the REACH Programme appealed to Client X as he was able to choose to attend the groups he felt were most relevant to him; Self Esteem & Your Environment, Understanding Drugs and Self Control & Managing Relapse. Alongside attending these groups he engaged with his keyworker for one to one sessions where he requested support to look at his emotions and emotional management, as he reported that experiencing anger or upset were his primary triggers to using drugs. His treatment with REACH is now complete and he has not committed any offences since he started at REACH in mid-2012. Client X recently started training as a peer mentor to support others with their recovery journeys.

### Responsivity and diversity

The under-representation of BAME people in the CJS workforce, particularly at senior levels, means that there may be poor responsivity to the backgrounds and experiences of BAME offenders. BAME offenders can lack positive role models as they progress through the system.

Commissioners should....

- Consider the staff profile of providers as a key factor in awarding contracts. The aim should be to ensure that providers reflect the ethnic diversity of the offender population, at every level of the organisation.
- Identify BAME providers and encourage their involvement in the supply chain.

Providers should.....

- Ensure their workforce reflects the ethnic diversity of the client group, at every level of the organisation.

- Collaborate with and support specialist BAME providers, helping them to scale up their services.

## CASE STUDY

### Reflecting ethnic diversity in the workforce

*St Giles Trust is a national charity which aims to help break the cycle of prison, crime and disadvantage and create safer communities by supporting people to change their lives.*

*Over one third of the St Giles Trust employees are BAME and 42 per cent of the total staff group (including volunteers) is made up of people from BAME groups. Almost half of the St Giles Trust staff group are ex-offenders. The organisation provides good outcomes for BAME offenders in terms of a professional workplace to develop, gain experience and professional skills, and in many cases paid employment. St Giles Trust provides a professional development programme for volunteers and ex-offender staff which includes mentoring, courses and time off for prison leavers to deal with personal issues such as housing.*

*St Giles Trust believes that having a workforce that matches the ethnic diversity of the prison population and the local population helps them to understand and more effectively meet the needs of offenders from BAME groups. St Giles Trust's success as an employer is confirmed by its appearance in the Sunday Times 100 Best Companies lists for each of the last five years, and in the top 10 for three of those years.*

## CASE STUDY

### Responsivity and diversity: testimonial from a young Black offender

*I have been working at Ipswich and Suffolk Council for Racial Equality (ISCRE) for the past few weeks and I have really enjoyed it. I find it a good experience in terms of allowing me to apply skills in a proper and functional way. A member of ISCRE's staff, Keiran, has been regularly visiting my establishment, HMYOI Warren Hill, for about a year. He had been working closely with the Equalities team at Warren Hill and I am sure he has made a 100% beneficial difference. There are many reasons for this but one key one is that as a young black man himself, I feel many other BME's can turn to him and entrust him as they feel they can relate to him in ways an officer or Governor couldn't. Another is that I feel due to the fact that he operates out of the jail YPs are seeing him as someone with us as opposed to against us. The relationship between Warren Hill and ISCRE has been good, simply because, for a lot of BME YPs, being in a jail where 99.9% of the staff are white can be frustrating especially when acts of racism and discrimination arise. So the fact that we are able to work with ISCRE will only lead to good things.*

## **5. FOR MORE INFORMATION & ADVICE**

1. The Black Training and Enterprise Group (BTEG) is a national charity working to achieve race equality and improve outcomes for Black Asian and Minority Ethnic (BAME) people in education, employment and enterprise. For more information about BTEG visit [www.bteg.co.uk](http://www.bteg.co.uk).

2. For more information about BTEG's BAME Criminal Justice System Network contact Mark Blake, Development Officer, BTEG, mark@bteg.co.uk, 020 832 5807.

3. BTEG address: 200a Pentonville Road, London N1 9JP. Registered charity No: 1056043

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