Evening Seminar

Overcoming the barriers to change for Black, Asian and Minority Ethnic young offenders

Jeremy Crook OBE
Race – External Liaison and Learning Lead │ HM Prison and Probation Service and Chief Executive │ Black Training and Enterprise Group
and
Adrian Stretch
Head of Quality and Continuous Improvement
HM Prison and Probation Service | Youth Custody Service

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Academy Overview

• The Academy for Social Justice is a networked community of people focussed on inspiring change to improve public services, civil society and help people thrive

• The Academy was created in 2007 and now has close to 5000 cross sector members

• The Academy hosts free nationwide events offering learning and networking opportunities and social justice themed learning groups
Jeremy Crook OBE
Chief Executive of BTEG &
Race - External Liaison and Learning Lead (HMPPS)

Overcoming the barriers to change for Black, Asian and Minority Ethnic young offenders
What are the barriers to change?

- Poverty, opportunities deficit and racism
- The proportion of cautions or sentences given to black children and young people is increasing (12%) and is now three times that of the general 10-17 population (4%)
- **49% of under 18s in custody are BAME**
- 51% of young people in Youth Offending Institutions are BAME
- Race equality sector was underwhelmed with Timpson Review of school exclusions
- School exclusion, stop and search, reoffending and unemployment rates are far too high for BAME young people and especially black young people
- Policing of BAME young people (biased and discriminatory databases)
- BAME providers should play a greater role in supporting BAME young offenders and reducing reoffending both in custody and the community.
- Interventions and commissioning must be more responsive to the needs of BAME young offenders?
- HMPPS Youth Custody Service has a key role to play in rehabilitating BAME children and young people?
Percentage of Juvenile offenders who reoffend by ethnicity

All: 43.1%
Asian: 37.8%
Black: 50.6%
White: 42.3%
Other: 39.3%

Source: Ethnicity Facts and Figures 2016
HM Chief Inspectors Survey Report

- **51%** of boys in YOIs were BAME
- In STCs **11%** were GRT (CF to 0.01% of pop)
- In YOIs **39%** of boys had experienced LA care
- **23%** identified as Muslim in YOIs
- Treated with respect by staff: **87%** in STCs and **64%** in YOIs
- Continued high levels of violence across the estate
HMIP cont’d

YOIs:

• **1 in 5** young people reported being enrolled in offending behaviour courses

• Of these **54%** believed it would help them on release

• Overall **65%** who had been involved in education felt that it would help them on release

• Of those involved in vocational or skills training and/or prison jobs **46%** and **47%** respectively thought that these activities would benefit them post-release

• Overall **47%** of boys reported they would have a problem getting a job on release

• Only **36%** knew who to contact for help with this

• Only **52%** felt that they had done something in custody that would make them less likely to offend in the future

• BME boys were significantly less likely to report that they had emotional or mental health problems (**23%** CF **42%**)


HMIP cont’d

• BME boys were significantly less likely than white boys to report that received help with any drug problems while at the establishment (15% CF with 29%)

• Only 46% of BME boys said that they had association every day (CF with 67% of white boys)
College of Policing Key Findings 2019

- **Tailored approaches** are most likely to be effective in tackling specific problems.

- **Early preventative work** aimed at ‘at risk’ individuals are likely to be effective.

- Most effective approaches tend to be **multi-agency** and multi-faceted, requiring collaboration from different fields in ‘diagnosing the problem...underlying causes,...what works and developing solutions’.
College of Policy cont’d

- Ethnicity - recent analysis of data collected in the UK that there is **no statistically significant** relationship between ethnicity and weapon carrying

- Evidence suggests that gang related knife crime, although more likely to result in injury or fatality, makes up only **small proportion** of total knife crime with injury (only **five per cent** in 2016)

- Strong conclusions about ‘what works’ to reduce knife crime are **difficult to draw** due to the lack of robust evaluations of programmes and interventions

- Early intervention programmes include:
  - Child skills training
  - Behavioural parent training
  - Mentoring and role modelling
  - After school recreational activities
  - Restorative justice
Stop & Search

Between 2010/11 and 2014/15, the likelihood of black people being stopped and searched fell from 6 times that of white people to 4 times that of white people; it then rose again to just over 8 times more likely in 2016/17
Why are BAME children and young people over represented in custody?

While the number of children and young people in custody from a BAME background has been decreasing, the proportion has been increasing, accounting for 49% of the custodial population in the latest year, whilst only making up 18% of the 10-17 general population.
Understanding the needs of BAME young people - back to basics

• Treating every young person/offender as an **individual** and with dignity and respect

• BAME young people should have easy access to individuals with lived experience and/or understand and contextualise the black/BAME experience in the UK and beyond the UK

• **Effective assessment** of rehabilitative needs: mental health, **trauma**, learning and aspiration

• Accept **mainstream interventions unlikely** to meet the needs of **all** young people
Valuing BAME service providers

- The Young Review (Final report Dec 2014)
- The Young Review Phase II Independent Advisory Group (implementation of the six recommendations) 2015-2018
- EQUAL - National Independent Advisory Group chaired by Iqbal Wahhab OBE 2018 – on-going
What are the key levers for improving outcomes for BAME offenders?

- **Equality Act 2010** (public sector equality duty)
- **YCS Equalities Plan 2019/20**
- **HMPPS Equality Strategy 2018-20**
- Implementation of Lammy review recommendations
- **Race Disparity Audit Cabinet Office**
- **External pressure from BAME and other organisations**
What are the solutions?

1. Effective engagement, at strategic and delivery levels, of BAME organisations that can demonstrably meet the needs of BAME offenders in custody and the community [https://www.clinks.org/directory](https://www.clinks.org/directory)

2. End Payment by Results for small scale providers

3. Grants plus - elements of capacity building 
   (accreditation/monitoring/sharing learning and evaluation methods)

4. BTEG’s HOW TO IMPROVE OUTCOMES FOR BAME OFFENDERS A Guide for Commissioners and Providers

5. Support for local and national initiatives that bring young and older black men together and involve the whole community

Summary report: What can NOMS commissioners and contract managers do to improve outcomes for young black and/or Muslim/offenders? 

[https://www.bteg.co.uk/sites/default/files/BTEG%20GUIDE%20IMPROVING%20OUTCOMES%20FOR%20BAME%20OFFENDERS%20MAY%202013.pdf](https://www.bteg.co.uk/sites/default/files/BTEG%20GUIDE%20IMPROVING%20OUTCOMES%20FOR%20BAME%20OFFENDERS%20MAY%202013.pdf)
Three Top Tips

• We should have a ‘Public Health’ approach to tackling all forms of racism and not just for serious youth violence

• Policy makers and practitioners must reach out systematically to black boys and young black men and listen to their experiences

• MoJ, YJB, YCS and HMPPS must continue to involve external experts and practitioners especially from BAME backgrounds
Thank you.

jeremy@bteg.co.uk
Jeremy.Crook@hmps.gsi.gov.uk
Developments in Youth Custody

Adrian Stretch
YCS Head of Quality Development
Background

Work on disproportionality has been driven and shaped by the Lammy Action Plan and the HMPPS Equalities Strategy 2018 -20.

A range of governance structures are in place which ultimately report to Ministers. These include an HMPPS Equalities Sub-Committee and Race and Equality Board and an Independent Scrutiny Panel. A new MoJ/YJB/YCS Equalities working group has been formed to coordinate and track activity.

The MoJ have set a priority to ‘work with the Youth Custody Service to better understand the impact of disproportionality along with a range of actions to address existing issues’.

Although the YCS has made progress in actions relating to the Lammy recommendations we want to achieve more. We have responded by:

• making disproportionality a high-level deliverable for 2019/20
• by committing resource from the Quality Development Team to help drive the work forwards.
A Distinct Youth Estate.

5 Young Offender Institutions (YOIs)
- Accommodate 15-17 year old boys.
- Around 850 places in 5 YOIs.
- Four operated by HMPPS, and one (Parc YOI) by G4S.

3 Secure Training Centers (STCs)
- Accommodate boys and girls aged 12-17.
- Smaller in size and higher staff-offender ratios compared to YOIs. Generally for more vulnerable young people.
- Currently c.195 places across three STCs operated by G4S (Oakhill), MTC Novo (Rainsbrook), and HMPPS (Medway).

8 Secure Children’s Homes (SCHs)
- Operated by local authorities and accommodate vulnerable boys and girls aged 10-17.
- SCHs have a high ratio of staff to young people and are generally small facilities of 8 to 24 beds.
- We commission 117 SCH beds for young people sentenced or remanded to custody, but SCHs also hold young people placed on secure welfare orders.
In 2018/19 there was an average 868 under 18 year olds placed in the youth secure estate. This is a 3% decrease compared to 2017/18 and a 70% decrease compared to 2008/09.

In 2018/19 there was an average 952 children and young people placed in the youth secure estate (including 18 year olds). This is a 3% decrease compared to 2017/18 and a 69% decrease compared to 2008/09.
Youth Custody Data - YCS Population by Age & Gender

In 2018/19 the majority of under-18 year olds in custody were aged 17 (54%).

The proportions have remained broadly similar since 2008/09.

In 2018/19 the majority of under-18 year olds in custody were male (97%).

The proportions of under-18 year old females in custody has decreased from 7% in 2008/09 to 3% in 2018/19.
In 2018/19 the majority of under-18 year olds in custody were white children and young people (52%), based on where ethnicity is known (for 2018/19 ethnicity was not known for under 2% of the under 18 youth custody population).

The proportion of white children and young people in custody has decreased from 72% in 2008/09 and from 55% in 2017/18.

In 2018/19 the proportion of Black children and young people in custody was 28%. This has increased from 15% in 2008/09 and from 25% in 2017/18.
In 2018/19 the majority of under-18 year olds were placed in YOIs (72%). The proportion of children and young people placed in YOIs has decreased from 85% in 2008/09 and increased from 70% in 2017/18.

The provisional data for 2018/19 (including 18 year olds) shows YOIs are the most diverse sector type (BAME children and young people account for 52% of the population, compared to 28% in SCHs and 46% in STCs).
Improvement Themes from Inspection Reports

• Having specific equality plans in place would support equality being driven forward more effectively.
• In most establishments equality officers are delivering dual roles, this resulted in difficulties maintaining focus on equality matters and work toward improving equality or delivering against a plan…… .
• BAME young people and those with disabilities are restrained more than white young people across the estate
• BAME young people and those with disabilities perceptions of being respected by staff is lower than the white comparators. This is most evident in YOIs.
• Levels of trust in complaints systems across the estates is generally low.
• Most of the DIRFs (discrimination Incident reporting forms) had been submitted by staff and relate to inappropriate racial or homophobic language. In addition, young people were not as aware of the DIRF systems as they should have been.
Examples of Effective Practice (from Inspection Reports)

Leadership
• Equality work led by the Governor./Governor chairs quarterly Equality Action Team meeting.
• Where specific efforts have been made by senior management to lead on equality areas, the delivery of equality is more focused

Protected Characteristics
• Protected characteristics identified on reception.
• Each protected characteristic had assigned an individual senior manager who was responsible for work on that protected characteristic.

Understanding Disproportionality
• Utilised their own central data collation to make more timely analyses emerging issues, from which investigated disproportionate restraint use on BAME boys.
• Utilised their own central data collation to make more timely analyses of emerging issues.

Participation and Engagement
• Consultation arrangement through the youth council were reasonably good, clear evidence of effecting positive change.
• Kinetic Youth, external diversity support, holding forums that fed into the equality action plan meetings
Complaints and Discrimination Incident Report forms

- Complaints are discussed by senior managers at regular assurance meetings and a member of the safeguarding team conducts additional scrutiny. The respondent to the complaint met each boy who had submitted a complaint form to try to address the concerns swiftly.
- External DIRF scrutiny in place.

Addressing Discrimination

- Staff are clear with the young people about discrimination being unacceptable. A culture of tolerance and respect is being fostered.
- Conflict resolution team address emerging issues of discrimination as early as possible.

Support

- CuSP (custody support) officers responsible for custody support plan and needs of specific young people.
- Chaplaincy giving time in the chaplaincy department to boys who were self-isolating or segregated.
- Had in place external diversity support and …. guidance on inappropriate language..
- A programme of events throughout the year ensured each minority groups received attention.
The YCS Equalities Delivery Plan 2019/20

The approach is guided by the following principles:

• The use of **three strategies** which will run in parallel:
  • *General awareness raising* i.e. the development of effective practice guidance and the delivery of training.
  • *Analysis led initiatives* i.e. completing quantative and qualitative analysis on priority areas (see 4.5 below) and identifying actions to address them (possibly using small pilots to test out hypotheses).
  • *Establishment led improvement*, through local plans to address disproportionality

• Applying David Lammy’s challenge to ‘**explain or change**’ areas of disproportionality

• Making the **best use of resources** by integrating diversity actions and accountabilities in to existing work streams.
The Equality Delivery Plan 2019/20 (Cont)

- The YCS has developed an Equality Delivery Plan with a focus on **4 areas for improvement**:
  - Governance
  - Understanding disproportionality
  - Operational delivery
  - Staff recruitment and support
5.1 The Senior Leadership Team must embed a child-centred and preventative culture

5.3 Developing and modelling **positive and respectful relationships** with children and young people

5.5 A commitment to consulting with **young people** about issues that affect them

5.8 A commitment to addressing discrimination and disadvantage and to promoting equitable outcomes

5.17 An effective complaints procedure, based on a problem-solving approach and the principles of procedural justice

**Equality in Building Bridges**
3 seminar questions

1. What have you learned from the specific topic you have spoken about?

2. How has what you have learned changed your individual or organisational approach to commissioning/delivering/using public services?

3. What 3 top tips would you like others to take away from what you have spoken about?
Any Questions?