

Clinks response to Transforming Rehabilitation Equalities Questionnaire June 2013

About Clinks

Clinks is the national infrastructure organisation supporting Voluntary and Community (VCS) organisations working with offenders and their families. We provide specialist support, with a particular focus upon smaller VCS organisations, many of whom provide innovative services at a very local level to respond directly to the needs of a diverse range of service users. Like the service users they represent, our membership organisations are far from a homogenous grouping. VCS organisations working in the Criminal Justice System range in size from very small and local to regional and large, national organisations and deliver a huge range of services. While all service provision requires providers to be attuned to the full range of protected characteristics, some organisations deliver services that have been specifically designed and tailored to reach particular groups of service users, who may otherwise be at risk of neglect within mainstream services.

Due to the very short deadline on this survey, Clinks has been unable to conduct a comprehensive call for evidence from our members to inform this response. Our comments should therefore be regarded as provisional, identifying recurring themes that have been identified by the Sector at recent consultation events and meetings.

What is the one key challenge to reducing re-offending for this group of offenders?

Clinks would caution against identifying a single challenge for any group of service users within the Justice cohort. Desistance research emphasises that the journey of a person away from crime is a highly individualised process and the most promising approaches to reducing reoffending take a holistic and strengths-based approach. Additionally, a one-size-fits-all solution risks relying upon stereotypical assumptions about persons who share protected characteristics, which can be more all the more pernicious where that group of people represent a minority.

Notwithstanding this, Clinks welcomes the opportunity to identify some of the specific experiences and barriers present for particular minority groups of service users sharing protected characteristics. Clinks also emphasises the importance of an intersectional approach, that recognises that many service users experience inequality and discrimination that relate to more than one of the protected characteristics. The analysis should be underpinned by a willingness to look at wider structural and external factors, which may mean that some service users experience less favourable treatment as a result of their protected characteristic. For example, some service users may be escalated in the system more quickly than others with a similar offending profile or receive less appropriate rehabilitative and resettlement support.

Black and Ethnic Minority (BAME) service users: The persistent and dramatic over-representation of BAME service users at every stage of the Criminal Justice System indicates the need for sustained strategic attention from the highest level. At a recent Roundtable event organised jointly by the Black Training and Enterprise Group (BTEG) and Clinks, delegates discussed the view that continuing to address their particular experiences could be construed as institutionally racist.

Critically, all stakeholders should be alert to the vast range of individuals that fall within the category of 'ethnic minorities' within the Criminal Justice System and for whom different responses will be necessary. For example, Black people and Gypsy, Roma and travellers will not face the same barriers within the system or in the community.

Age: Various stages in the life cycle have been identified by the VCS as critical points where service users may experience heightened disadvantage and neglect within the Criminal Justice System. Clinks would direct the Ministry of Justice (MOJ) to the innovative work of the Transitions to Adulthood Alliance (www.t2a.org.uk) in addressing and responding to gaps in the system for young adults. Older offenders (defined as 50+) now represent the largest growing population within the prison estate. RECOOP has prepared a Briefing for its Capacity Building Project, which identifies the marked absence of specialist health, social care and resettlement support for older service users in most prisons.

Disability: Clinks has recently become concerned that disability is an area where there are particularly scarce resources for supporting service users within the Criminal Justice System. Provisionally, our concerns relate to adequacy of measures taken to provide 'reasonable accommodation' for service users with disabilities, except in the most extreme cases.

MOJ data sets reveal the disproportionate number of young people entering the Criminal Justice System with some form of learning disability. As highlighted in the recent 'Crime in Context' address of the Secretary of State for Justice, Chris Grayling, young offenders are almost ten times more likely to have learning disabilities than the general population and perhaps more than half have dyslexia.

Improving outcomes for people with disabilities requires an understanding of the barriers that they confront, whether physical; sensory; or communication-based; which exacerbate their exclusion from opportunities that are available to others (for example, programmes or activities important to parole decisions and to their rehabilitation; training and employment; health and social care services appropriate to their needs).

How can we ensure appropriate engagement with this group of offenders?

It is essential that appropriate engagement with service users with protected characteristics constitutes a core part of contract requirements and is linked to the payment mechanism. Even a brief appraisal of the statistical profile of service users within the Criminal Justice System reveals that an overwhelming proportion of this population have protected characteristics. While the challenges faced are therefore, in a sense, 'mainstream' to the offender population, they require tailored and specialised responses from providers within the supply chain with a lot of experience of supporting people in these groups.

High quality work with minority groups (delivered wherever possible by organisations with expertise specific to that grouping) should be specified as an essential element within the contract package, and not left to chance as an optional 'add on'. A diligent approach is required, alive to danger that primes may refer to some or all of these groups in a tokenistic manner, or focus solely on the issues surrounding women or BAME offenders. Commissioners should be open to ongoing strategic dialogue with service users, local community organisations and regional or national equalities organisations to inform the development of service specifications that will result in appropriate provision. Specialist service providers often perform a unique bridging role in engendering trust and confidence from service users who may have had very negative experiences in their previous engagement with a broad range of services. The VCS have developed many innovative models of working that enhance the accessibility of rehabilitative services for a diverse range of service users, for example peer mentoring and arts projects. Procurement officials should afford significant weight to bids which begin to map out a concrete strategy and work plan for offenders with protected characteristics, proposing original or innovative pieces of work.

How can we integrate specialist provision with general offender management services at a local level?

High level contracts should specifically mention each one of the protected characteristics, not simply 'people with protected characteristics'. All providers within the Criminal Justice System should be required to monitor the profile of their service users and clearly demonstrate how they are meeting any specific needs that are identified.

Monitoring of supply chain management should include reporting about whether primes have sub-contracted specialist provision. Expressions of interest should include evidence that providers or their supply chains have the experience and capacity to deliver services specifically for people with protected characteristics.

The Clinks Partnership Finder has the capability to search for local organisations according to the service users they work with by protected characteristic. We would encourage MOJ to promote this service to potential primes and providers.

Specialist providers have identified that unpredictable numbers of referrals are likely to be a particular problem for subcontractors. Steps will need to be taken to address this in advance, for example by offering a flat-rate payment by the prime followed by a top-up fee for each referral, rather than no payment at all if there are no referrals.

Author and contact details:

Clare Hayes | Senior Policy Officer | 0207 248 3538 | (clare.hayes@clinks.org)

Get involved [Become a Member](#) | [Follow Clinks](#) | [Join Mailing List](#)

Contact Us www.clinks.org | info@clinks.org | 0207 248 3538

© Clinks, 2013

Registered office: Clinks, 59 Carter Lane, London, EC4V 5AQ

Registered charity: 1074546 | Company limited by guarantee in England & Wales: 3562176