

RECOGNISING DIVERSITY IN RESETTLEMENT

A PRACTITIONER'S GUIDE

Introduction

This briefing examines how responding to diversity can maximise effective practice. The issue of diversity is crucial to resettlement services for three reasons:

- Tailoring resettlement interventions to young people's diverse identities is key to effective engagement, which is necessary for achieving positive outcomes.
- Organisations delivering resettlement services are subject to the Public Sector Equality Duty (2011) which requires them to "have due regard to the need to eliminate discrimination; advance equality of opportunity; and foster good relations between different people when carrying out their activities."
- National Offender Management Service (NOMS) is designing the commissioning process to address 'disproportionate offender outcomes'. This means that resettlement providers seeking public funding will need to prove that they meet their obligations to "identify and address the specific needs of different groups within the offender population."

Transforming Rehabilitation opens the resettlement field to a broad range of providers. Provider organisations will need to work with NOMS to improve understanding of how services can be responsive to service users' needs. This briefing complements the Beyond Youth Custody (BYC) briefing on 'Ethnicity, Faith and Culture in Resettlement' which examines how the development of more culturally-responsive resettlement practice can improve resettlement outcomes for young people leaving custody.

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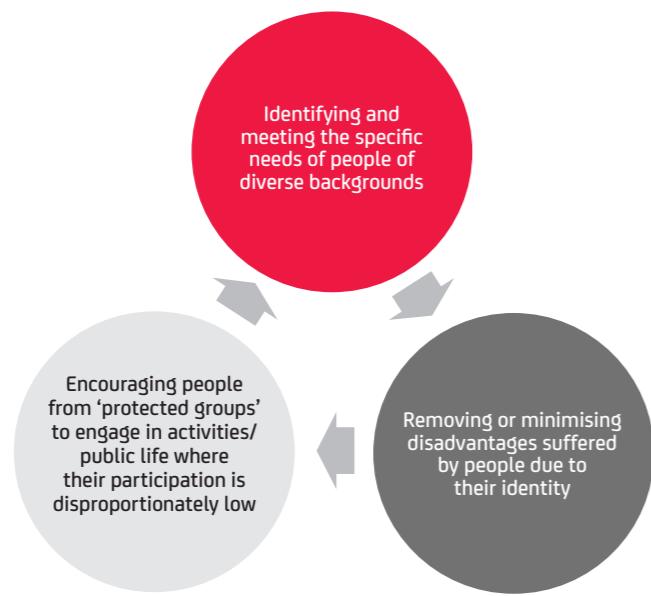
Why is it important to consider diversity?

There are five key reasons why considering diversity is crucial to resettlement work:

- Adequately assessing each young person's needs and understanding and responding to these individual needs is essential to engaging them effectively in their resettlement plan.
- Construction of a positive identity is key in long-term desistance from offending. The success of this will be partly reliant on individuals being supported to integrate and feel positive towards all aspects of their identity.
- Organisations that tailor their work to the diverse needs of their client group benefit from more appropriate services which fully engage service users and maximise cost-effectiveness.
- It's a legal requirement: the Equality Act 2010 introduced the Public Sector Equality Duty which requires all organisations delivering public services to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people.
- Diversity is an important consideration in commissioning resettlement services: NOMS Commissioning Intentions (2014) aim to use the commissioning process as a means of addressing disproportionate outcomes among different groups of offenders. The principle of 'responsivity' highlights how services are expected to address individual offenders' specific needs – including the nine protected characteristics (described below).

What does addressing diversity look like?

Addressing diversity involves both tackling prejudice and promoting understanding between people from different groups. Rather than just eliminating discrimination, steps are needed to actively compensate for any disadvantage that has been suffered. It can be considered as a three step cycle:



This approach to advancing equality involves providing some people with more support than others if their outcomes are otherwise likely to be poorer because of their identity.

The equality duty

The equality duty covers nine 'protected characteristics'. Each protected characteristic impacts upon how young people experience the criminal justice system:

How do protected characteristics impact criminal justice pathways?

Race

Black, Asian and Minority Ethnic (BAME) young people are overrepresented in every stage of the criminal justice system – making up a quarter of the prison population whilst comprising roughly only 10% of the general population. As well as being overrepresented in prison, BAME prisoners also have more negative experiences of prison and poorer relationships with staff than their white counterparts. This impedes their resettlement and poses substantial barriers to them accessing support in custody and upon release.

See further the BYC practitioner briefing on [Ethnicity, Faith and Culture](#).

Age (For BYC we are considering young people only)

The number of children and young people in custody has fallen dramatically over the last seven years. In March 2015 there were just over 1,000 children in custody (44 of whom were under 15 years old), who were spending an average of seven months in custody. Many have difficult family backgrounds that can make resettlement particularly challenging:

- One-third of boys and two-thirds of girls are looked after children (compared with less than 1% of children in the community).
- Two-fifths have been on the child protection register or experienced neglect or abuse.
- One in five report having learning difficulties.

Disability

More than a third of prisoners are estimated to have a physical or mental disability (compared with a fifth of the general population). However, it is known that the Criminal Justice System (CJS) fails to identify people with learning difficulties and a third of offenders in the criminal justice system are thought to have a learning disability (indeed, one study of children in custody has found that 59% had low IQ scores). Four-fifths of prisoners with learning difficulties struggle to read prison information, making it very difficult for them to understand or follow prison routines. It is perhaps unsurprising that they are more likely than other prisoners to break prison rules, five times more likely to be subject to control and restraint, over three times as likely to spend time in segregation and considered to be at greater risk of victimisation or bullying than other prisoners. Mental illness is also prevalent among the custodial population. Rates of self-harm have increased by 13% in the last two years, with young adults accounting for 17% of all incidents (although comprising just 7% of the custodial population).

Sex

The number of women in prison nearly trebled between 1993 and 2005. Although it is reversing now, as of 15 May 2015 there were 3,889 women in prison in England and Wales – double the number of 20 years ago. Most women serve very short prison sentences: typically six months or less. This means that until recently they received no statutory resettlement support, despite having substantial support needs. Approximately half of women in prison have been emotionally, physically or sexually abused as a child, suffered domestic abuse or been assessed as suffering from anxiety and depression (compared to 19% of the female population in the UK).

See further BYC Practitioner Briefing on [Resettlement of Girls and Young Women](#).

Gender reassignment

The number of transgender prisoners is unknown as prison is an inhospitable environment for exploring gender identity. However, since gender reassignment became a protected characteristic, more prisoners have identified themselves. Indeed, Prison Service Instruction (PSI) 07/2011 specifies considerations for the care and management of transsexual prisoners, including: allowing them to live in their chosen gender, purchase and wear clothes for their chosen gender and referring to them by their chosen gender identity – even where a formal diagnosis of gender dysphoria has not been made. These allowances are not a privilege, and so should not be subject to any restrictions imposed through the incentives and earned privileges scheme. Training on the care and management of transgender prisoners should be developed for staff to ensure that any risk to (and from) a transsexual prisoner is identified and managed.

Sexual orientation

Little is known about how many lesbian, gay or bisexual people are in the criminal justice system. Indeed, in 2014 the Prison Ombudsman made a national recommendation that research into the experiences of lesbian, gay and bisexual prisoners in prison should be carried out. Given that half of the LGBT community believe that a prison officer would treat them worse than a heterosexual person, it is understandable that for gay young men – or those merely questioning their sexuality – a ‘hyper-masculine’ prison environment is an extremely difficult place to be. Ideas of sexuality can be fluid – as some heterosexual prisoners may form same-sex relationships in prison.

Maternity and Parenthood

Roughly half of prisoners have children when they enter prison: the majority feel that they have let their family down and 40% believe that family support would help them stop reoffending. Two-thirds of women in prison have dependent children: a third of them being single parents prior to imprisonment. Four in 10 mothers in custody say their offending is linked to ‘a need to support their children’, with single mothers more likely to attribute a lack of money to their offending than married women. The incarceration of mothers often results in their children being placed outside the immediate family – only 9% of children are cared for by their fathers in their mother’s absence. Women in custody are on average held 60 miles from their families, but many are considerably further away, making visiting difficult and expensive. Parental imprisonment roughly trebles the risk of antisocial or delinquent behaviour among children.

Religion and belief

Faith can provide a positive support system to aid resettlement, enabling offenders to draw on their belief system to gain confidence, feel motivated to overcome any setbacks and build long-term resilience. Of particular note is the fact that the number of Muslim prisoners has more than doubled over the past 12 years, reaching 12,328 by 2015. Muslim prisoners report the least positive experiences of prison life, with converts in particular facing deep suspicion from being erroneously linked to extremism.

Marriage and civil partnership

Maintenance of good family relations throughout a sentence is important: prisoners who receive family visits have a significantly lower one year reoffending rate than those who do not (52% compared to 70%). Maintaining family ties makes it easier for a prisoner to reintegrate into society, get a job and obtain stable accommodation. Yet despite relationships being one of the nine key pathways in reducing reoffending, 45% of prisoners lose contact with their family whilst in custody and women prisoners are typically held a long distance from home, unable to call on the support of a stable relationship.

Diversity, intersectionality and identity

Even among people who share specific ‘protected characteristics’, there is a great deal of diversity. For example, as the Young Review describes: “Young Black and/or Muslim men are far from a homogenous group and the intersection of ethnicity, faith, culture and age makes these social identities multi-faceted and shifting.” People sharing one aspect of their identity may have very different interpretations of what that means for them. So even knowing that two people share the same characteristic does not mean that they necessarily have the same needs.

In addition, everyone has many different aspects to their identity that overlap and intersect in unique and diverse ways. Intersectionality refers to how characteristics combine in a way that may lead to discrimination because of that specific identity. For example: a young Muslim woman may face challenges associated with being female and challenges associated with being Muslim that differ from challenges faced by Muslim men or secular women.

With such a huge range of possible identities, practitioners cannot be expected to automatically understand the impact of every different combination – but they need to be confident to ask each individual about their identity, beliefs, customs and traditions. In some instances, negative stereotypes and judgments about British culture may need to be discussed and challenged.

"There's so many young people who need guidance and help. We can't choose which family we're born into and we don't know why that young person is there. In this sort of job, you need to put all of your personal opinions in the back of your head. You need to help and support these young people; no matter what they've done or where they've come from, or what colour they are; or what religion they are. This person needs help – end of story... We are working with lives, not products in a factory. We are dealing with human beings."

Kemi Ryan, Managing Director
Re-formed Development CIC

Organisational issues

With NOMS seeking to address disproportionate offender outcomes through the commissioning process, organisations need to prove that they are meeting the diverse needs of those leaving custody.

The range of activity that they could undertake includes:

1. Promotion of equality through action planning

Diversity needs to be an explicit focus for organisations – with action to promote equality a key objective. In order to ensure that all services are delivered fairly and responsively to individual needs, organisations should publish an easy-to-read equality action plan that outlines who is responsible for driving equality work forward. It should be updated annually – preferably in collaboration with service users, volunteers and staff.

2. Employment of staff and volunteers from diverse backgrounds

Organisations will be in a better position to consult upon diversity issues and will be able to make more informed strategic decisions by having a diverse staff and volunteer mix that represents the community being served. Issues of diversity and cultural competence need to be explored explicitly among staff and volunteers in order to ensure that the right type and amount of diversity training is available to them.

3. Monitoring delivery to eliminate unfair or differential access to services

Providers can avoid inadvertently exacerbating inequality and better achieve their intended outcomes by considering how service provision may affect different groups. Organisations that adapt their services to the diverse needs of their client group maximise engagement and (cost-) effectiveness. Monitoring service user satisfaction helps to ensure that services are appropriate for all users. Regular equalities meetings can also provide an important source of information – perhaps with named staff representatives for different protected groups who monitor and report back on specific issues to an overarching Equalities Officer.

4. Allow monitoring to inform strategic decisions and adaptation of services

Having established whether any protected groups are experiencing unfair or differential access to services, action is needed to address why some groups are over- or under-represented and to counteract inequalities. Services may need further refining to meet the needs of specific service users, rather than expecting them to 'fit in' with existing interventions or schedules. New methods for assessing the suitability of programmes, service users' engagement levels and their outcomes from interventions may need developing. Service user involvement can be extremely useful.

5. Transparent comment/complaint procedures

A clear and confidential complaints procedure will ensure that service users can highlight unfair treatment, harassment or bullying. The process needs to allow for complaints to be made in a safe and fair way, resulting in transparent decisions and timely action.

Development of readily available comments/complaints forms may be helpful. The system for making and responding to complaints must also be private and secure – allowing confidential and/or anonymous comments to be made for serious or sensitive complaints which warrant examination by a senior management team. There should also be an appeal process if the complainant is not happy with the initial response.

6. Provide feedback and share decision-making about appropriate action

All responses to complaints must be of good quality and should be shared with staff, service users and senior management (who should consider whether anything needs

changing at organisational level). Staff, volunteers and service users should all be consulted and involved in the ongoing development of equality work. Ideally, staff would also liaise with and perhaps invite in external organisations that can provide support and advice.

As the briefing on Ethnicity, Faith and Culture describes, young people from Gypsy, Traveller and Romany communities face particularly challenging experiences of the criminal justice system and HMP Ford has been making strides in trying to engage them more fully:



POSITIVE PRACTICE HMP FORD: SUPPORTING PRISONERS FROM GYPSY, TRAVELLER AND ROMANY COMMUNITIES.

Work with Gypsy, Traveller and Romany (GTR) prisoners has been developing at HMP Ford for over two years, following recognition that prisoners from GTR communities lacked support and that their poor literacy skills often excluded them from engaging in education. Whilst many prison staff had assumed that they 'liked to keep themselves to themselves', 34 GTR prisoners attended the initial meeting to explore their support needs. Individuals described how they felt angry and marginalised within the prison and the group decided that they wanted to have regular meetings. They also elected two representatives – one for the Irish travellers and one for the English gypsies – who started to attend the prison's equalities meetings so that they could voice any concerns directly.

The GTR group produced a good practice guide to describe GTR prisoners' support needs and suggest ways to better address them. As a result, the prison introduced several initiatives, including:

- Ensuring that each new GTR prisoner is met on arrival by one of the representatives who shows them round the prison;
- Encouraging GTR prisoners to self-identify under the W3 ethnic code. (GTR prisoners had been reluctant to identify themselves in fear of being labelled a 'troublemaker');
- Providing more flexible learning opportunities to those with literacy problems by offering short, informal sessions with help from Peer Mentors who provide additional support;
- Supporting cultural traditions and foods, including the Light and Life church coming into the prison every six weeks to hold a service;
- Developing the 'Gypsy PIN' which allows prisoners to put extra credit on their phones so that they can call mobile phones as well as landlines; and
- Every June, National Gypsy Roma Traveller History Month is commemorated with cultural displays about GTR traditions and external agencies (such as Family, Friends and Travellers) run cultural awareness programmes for prison staff.

One of the key drivers in the success of this work is the emphasis on inclusivity. GTR prisoners are encouraged to be proud of their culture and to share it with the wider prison population. Sharing cultural food has been a positive step in encouraging GTR prisoners to embrace integration. Many GTR prisoners have benefited on an individual basis as a result of this work: the GTR representatives have given presentations at national conferences; the prison arranged for two GTR offenders to go on Community Service placements with a national charity (Friends, Families and Travellers); and another GTR representative successfully passed his HGV licence. These are substantial achievements for these individuals, but importantly, they also provide other GTR prisoners with evidence of the support that is available for them in HMP Ford.

Considerations for practice

Does your project:

- Create a working environment that supports diversity with an effective equality action plan?
- Recruit staff/volunteers from diverse backgrounds and promote equality through training and supervision?
- Have a member of staff with dedicated responsibility for equality and diversity?
- Monitor diversity and outcomes among different groups of staff, volunteers and service users?
- Make 'reasonable' adaptations to services that are widely promoted among all stakeholders?

Considerations for practice

Does your project:

- Identify how each service user sees and prioritises different elements of their identity?
- Tailor interventions for service users and help them to build a positive, integrated identity?
- Seek to promote understanding and acceptance of diversity among all service users?
- Explore what communities or networks could support service users – locally or more remotely? (Ensuring that their attitudes towards ex-offenders are accepting and supportive)?

Delivery issues

Programmes should ask themselves: 'Who are we unable to engage with?' The programme should be designed around the experience of the most marginalised people. I believe that when you centre things around the most marginalised group, then you necessarily catch everybody else. But, when you design your programme around the dominant group, you will exclude the more marginal groups of people. For example: design the working week around women and it will also work for men, but design the working week around men and it will further marginalise women.

Elizabeth Owens, The Griffins Society

Flexible delivery styles that adapt to cater for individual needs

The assessment and understanding of each service user as a unique person with individual learning and communication styles is crucial for engagement. Service users with communication, literacy or learning difficulties or those with English as a second language may feel 'lost' and vulnerable (and may well have recent experiences of not understanding prison procedures, which resulted in punishment). Feeling isolated and overwhelmed can affect confidence and mental health, making it difficult to resettle positively.

Providing an open environment for discussion, questioning and challenge

Diversity needs to be woven through day-to-day delivery of interventions and, where possible, staff, volunteers and service users from diverse backgrounds should be asked to advise on the ongoing development of equality work. Direct feedback and sharing of decisions about action being taken should be undertaken. Ideally, staff will also promote independent sources of advice and support, liaising with external organisations, working in partnerships and perhaps inviting others in when specific support is needed. 'Protected groups' should have access to local and national support services and guidance.

Considering the needs of service users with learning difficulties

Make sure that systematic screening is in place so that all service users with learning disabilities are identified. (In 2011, 26 prisons were using a screening tool called the Learning Disability Screening Questionnaire (LDSQ). Both the LDSQ and the Child and Adolescent Intellectual Disability Screening Questionnaire (CAIDS-Q) are produced by GCM records: <http://www.gcmrecords.co.uk/>).

Make sure that reasonable adjustments are made by having information available in easy read format and offering programmes and activities that have been adapted so that people with learning disabilities and difficulties can join in.

Providing access to guidance on equality rights

There are three key sources of national advice that projects may wish to draw on:

1. Guidance about equality rights within the criminal justice system

The Equality and Human Rights Commission provides online guidance: Your rights to equality from the criminal and civil justice systems and national security. [2011, London: EHRC.] <http://www.equalityhumanrights.com/your-rights/service-users/justice-and-security/core-guidance-criminal-and-civil-justice-systems-and-national-security>

2. Information about human rights for prisoners

The Prison Reform Trust has produced a booklet to explain how imprisonment limits human rights. Information about the rights that most commonly affect prisoners and examples of both successful and unsuccessful claims are also provided.
<http://www.prisonreformtrust.org.uk/Portals/0/human%20rights%20bookletdigital.pdf>

3. Equality Advisory Support Service

The Equality Advisory Support Service (EASS) gives free advice, information and guidance on equality, discrimination and human rights issues for those needing expert support. It also helps people pursue informal resolution and advises on eligibility for legal aid (and if a person is not eligible, helps to find an affordable legal service or assist a person to lodge a claim themselves). <http://www.equalityadvisoryservice.com/>

POSITIVE PRACTICE HMP GRENDON: THE DEVELOPMENT OF PRISON EQUALITY MENTORS

HMP Grendon is the only wholly therapeutic prison in Europe: actively supporting prisoners to gain understanding into their offending and problematic behaviours. Over the past five years, Grendon has strengthened its approach to equalities; it was judged in 2011 by its Independent Monitoring Board as dealing with diversity issues in an exemplary way. The basic ethos for its work promotes values of respect and dignity for everyone, regardless of ethnicity, faith, sexual orientation, age, physical or mental health. Every opportunity is taken to raise awareness: advocating inclusion and reducing prejudice through a range of social events that create a respectful social environment.

Activities have included:

- Holocaust Memorial Day with an exhibition about Anne Frank (January).
- Peter Tatchell, the gay rights campaigner, as a speaker during LGBT awareness month (February).
- Fundraising for Comic Relief (March).
- The Romany & Travellers Family History Society helped prisoners to trace family trees to see if they had travellers in their heritage during Gypsy, Romany, Travellers awareness month (July).
- Performance of the play 'And Then They Came For Me' about experiences of the holocaust (August).
- Age awareness event and updating of Grendon's older prisoner policy with Age UK (September).
- Fundraising for Macmillan Cancer Care (September).
- Celebration of Black History Month (October), learning about influential Black people.
- 'Hate crime awareness' event with guest speaker (October).
- A paraplegic speaker for Disability awareness month (December).
- Fundraising for World AIDS Day (December).

A quarterly Diversity and Equality Action Plan (DEAP) is disseminated to prisoners and staff. Prisoners are supported to drive this work forward by becoming Prisoner Equality Mentors (PEMs): taking direct responsibility for raising awareness of diversity issues and supporting both prisoners and staff. Prisoner Equality Mentors are located on all of the wings, developing prisoners' understanding of unacceptable behaviour and raising confidence about how incidents can be reported – an approach that has been credited with increasing reporting of discrimination. Since 2012, monthly meetings have been held between the Governor and the PEMs and the Diversity Equality Action Team meet on a quarterly basis to oversee the DEAP. Statistics are monitored and published monthly across eight diversity fields, including issues such as adjudications, ROTLs (Release on Temporary Licence) and Incentive and Earned Privileges.

Model

'Social capital and community inclusion are integral. We all want to be part of groups. There is a strong need to belong. If people however, want to belong to a community or to society, this 'need to belong' thing could be turned into something positive... We want to feel as if we are members of the community. Without a thoughtful and concerted approach, then it is going to negatively impact on resettlement outcomes for young people from different backgrounds.'

Elizabeth Owens, The Griffins Society

Resettlement is most effective when it helps young people reintegrate into their communities. This needs to incorporate exploration of, and action to address, all the socially excluding influences that affect them. So, active promotion of values such as respect and dignity for everyone is hugely important, as is the challenging of discriminatory attitudes.

Building a positive, integrated identity, acceptance of difference and a sense of inclusion need to be recognised as key steps in the resettlement process for young people:

Exploring identity

Building understanding, trust and confidence is crucial to engaging young people in their own self-development. Each young custody leaver needs to have an opportunity to explore different aspects of their identity – what it means for them and how it impacts their life. Bringing young people from different backgrounds together helps those who might feel vulnerable about aspects of their identity to feel more included. Although not appropriate for everyone, getting young people to work together in mixed groups helps to breakdown stereotypes and share personal, cultural and structural experiences of discrimination.

Accepting difference

Personal worries and frustrations pose considerable barriers to young people's engagement in resettlement. Actively raising awareness of equality and diversity issues among staff and service users is critical in combating negative stereotypes and promoting acceptance. Tailoring interventions so each service user is confident that they are understood and accepted may require a considerable amount of time. However, understanding personal experiences of prejudice, discrimination, harassment and social injustice is important in order to build trust and develop meaningful interventions. One-to-one or small groups may be required to overcome any literacy or communication difficulties – especially if a young person's education has been impeded.

Prioritising inclusion

Resettlement planning needs to take into account all aspects of a young person's identity, as well as: their communication and learning styles; social support; levels of confidence and motivation to change. It needs to explicitly address the impact of discrimination and acknowledge barriers to resettlement – realistically examining how far previous interventions have prepared young people for and/or hindered their resettlement. It is important to consider the extent to which young people may have been 'informally excluded' from services – especially where their background/culture is more insular and less likely to access outside help. Whether due to actual experiences of discrimination, or anxiety about the prejudices of others, young people from minority groups may be guarded in engaging with 'strangers'. Language, communication and/or literacy barriers may mean that they struggle to understand official information: relying more on verbal communication and needing advocacy support. Peer Support Mentors can be useful in giving one-to-one support and helping to build a positive sense of self. Appropriate partnership working and healthy relationships with community representatives can help young people cultivate a sense of belonging and develop effective strategies for dealing with future discrimination.

Summary

"Issues around various manifestations of discrimination against particular groups have got to feature in resettlement work – whether these are personal, cultural, structural or institutional manifestations of discrimination..."

Resettlement programmes should not continue to be ad hoc, but be seen as part and parcel of what Government does in order to keep society safe and to ensure that those going into prison can come back out rehabilitated – or at least on the road to rehabilitation: a rehabilitation process that does not begin with or end with parole."

Professor Gus John, UCL Institute of Education

More needs to be done to acknowledge diversity and the implications it has for young people's resettlement – particularly the role of discrimination as a barrier to equality of outcomes. Substantial improvements in monitoring are necessary in order to fully understand and address differential treatment and outcomes for particular groups of young people.

Resettlement planning needs to take into account all aspects of a young person's identity – acknowledging the huge range of diversity in young people's support needs. Resettlement practitioners need to be mindful of each young person's individuality and have time for reflective practice in order to develop truly tailored interventions that address all aspects of their diverse identities.

For a full reference list please see the online version at:
<http://www.beyondyouthcustody.net/resources/publications/recognising-diversity-in-resettlement-a-practitioners-guide/>

This review has been produced by the Beyond Youth Custody partnership, consisting of Nacro, ARCS (UK) Ltd, the Centre for Social Research at the University of Salford, and the Vauxhall Centre for the Study of Crime at the University of Bedfordshire.

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