

ETHNICITY, FAITH AND CULTURE IN RESETTLEMENT

A PRACTITIONER'S GUIDE

Introduction

This briefing examines how the development of more culturally-responsive resettlement practice can improve resettlement outcomes for young people leaving custody. Building upon the Young Review – which explored how to improve outcomes for young Black and Muslim men in the criminal justice system (CJS) (Baroness Young, 2014) – we take a slightly broader focus to include Black, Asian and Minority Ethnic (BAME) young people and the role of faith in resettlement. This briefing complements the Beyond Youth Custody (BYC) briefing on 'Recognising Diversity in Resettlement', which examines how responding to diversity can maximise effective practice.

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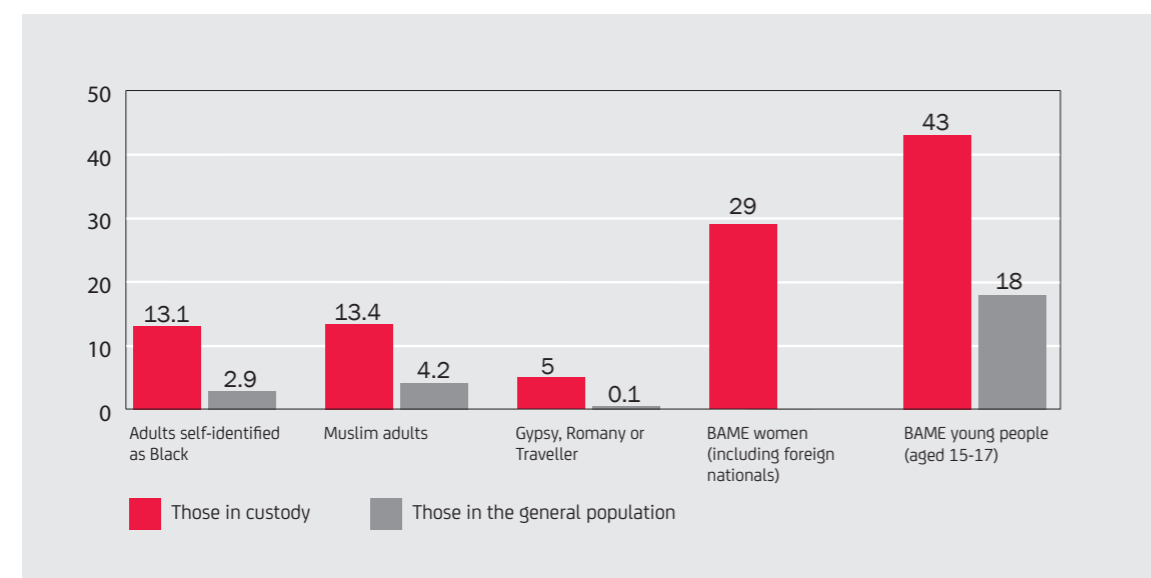
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Why are ethnicity and faith important in resettlement?

With 43% of imprisoned under 18 year olds being from BAME backgrounds, there is now greater disproportionality in the number of Black people in prisons in the UK than in the United States .

BAME young people face more 'ingrained' pathways into the criminal justice system (CJS) as a result of greater levels of disengagement and exclusion from school, over representation in the care system and mistrust of mental health services (avoidance of which may put young people with 'challenging behaviour' at greater risk of CJS intervention). As a result, they are over-represented in all stages of the CJS, with differential treatment 'fast-tracking' them through criminal justice pathways. BAME young people also have disproportionately negative experiences of the CJS, particularly within prison, where stereotyping and discrimination can damage their self-identity and inhibit engagement with resettlement services.

Percentage of minority groups in custody and in the general population



The diagram above shows the over-representation of key minority groups within the UK prison system. The proportion of Gypsies, Travellers and Romany (GTR) prisoners is particularly concerning given that it is 50 times higher than their population represents in the community. The context to some of these statistics also reveals how trends fluctuate over time. For example:

- Rates of imprisonment for Muslim men have risen sharply since 2002 (when they were 8% of the custodial population);
- The number of Black female prisoners trebled between 1994 and 2003 (due to large increases in the imprisonment of Black foreign national women), resulting in them comprising almost a third of the female prison population.

These disparities in criminal justice pathways (particularly experiences within custody and access to rehabilitative opportunities) result in poor outcomes for BAME young people. Ethnicity and faith are crucial considerations for resettlement work.

Key headlines include:

In terms of heightened scrutiny from, and interaction with, the police:

- Black people are six times more likely, and those from Asian or Mixed ethnic groups twice as likely, to be stopped and searched by the police than White people.
- Between 2010-12, arrests of White children declined by 42%, whereas those for Black children only decreased by 15%.
- Black people are nearly three times more likely to be arrested than White people.

In relation to decisions to prosecute and sentencing at court:

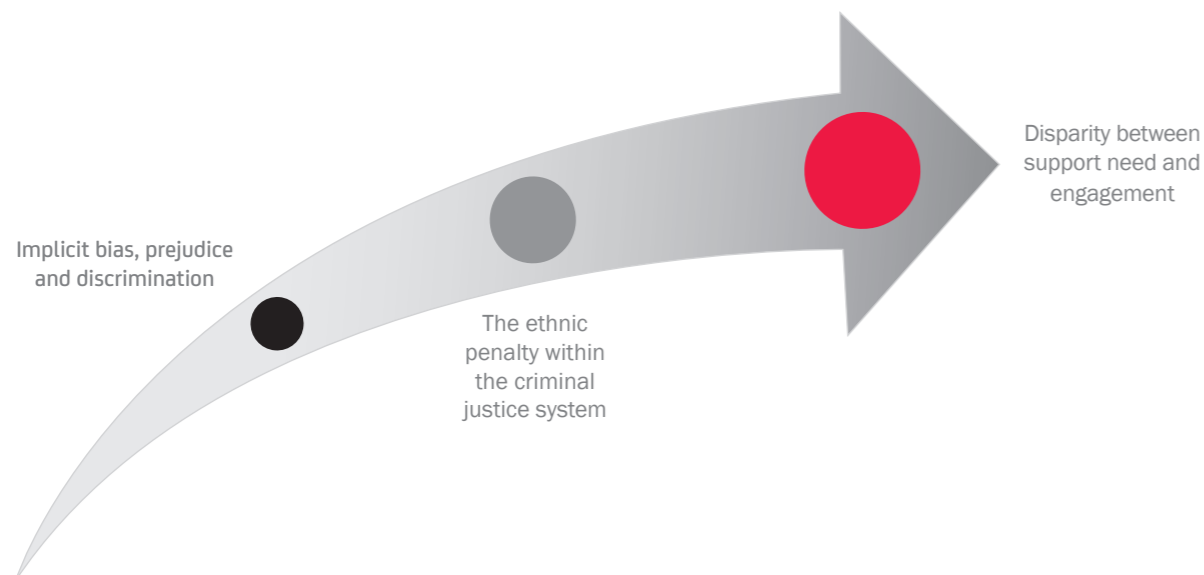
- Black people are more likely to face Magistrate Court proceedings than any other ethnic group.
- Prejudicial views of GTR communities reduce their likelihood of being granted bail, increase sentence severity, undermine their treatment by Youth Offender Teams (YOT) or probation services and impair their prison experiences.
- Compared to their Asian or White peers, offenders of Black or Mixed ethnic heritage are more likely to be sentenced to immediate custody when found guilty of actual bodily harm at Crown Court.

Within prison, both interracial conflict between prisoners and poor quality day-to-day interactions with staff damage BAME young people's potential to plan for their return to the community. Discrimination and racism compound the punitive nature of prison and harden feelings of social exclusion. Evidence of differential treatment for BAME prisoners within the prison system includes:

- Black or Mixed ethnic prisoners experience higher rates of adjudication, spend an above average number of days in segregation and are more frequently subject to the use of force. For example, 18 to 20 year olds are more than twice as likely as their White counterparts to be subject to adjudication
- BAME prisoners are less likely to have enhanced status in the Incentives and Earned Privileges (IEP) scheme
- Muslim prisoners – Black and Mixed origin Muslims in particular – consistently report the least positive experiences of prison life

Differential treatment: the amplification of disadvantage for BAME young people

Coming from a minority ethnic group amplifies the social disadvantage experienced by young people involved in the CJS in three key ways:



1. Implicit bias, prejudice and discrimination

Discrimination is common for BAME young people, who face explicit abuse, deliberate discrimination as well as unintentional differential treatment. Exposure to negative stereotypes fosters a sense of social exclusion, damaging young people's self-perceptions and discouraging their efforts to change. Bleak expectations of prison staff in particular can erode young people's optimism and motivation for change. The focus on risk within the CJS further compounds their challenges, with young BAME men often assessed as higher risk than their white peers because their higher levels of deprivation are interpreted as 'criminogenic risk'.

2. The ethnic penalty within the CJS

BAME young people face an 'ethnic penalty'. They are more likely to be pulled into the CJS than their White peers and experience more intrusive and punitive interventions once inside it. Black offenders face harsher sentencing than their White peers, and whereas numbers of young White First Time Entrants (FTEs) into young offender institutions (YOIs) are falling dramatically, there has been no similar reduction for BAME young people. BAME prisoners have worse outcomes in relation to adjudications and IEP decision making than White prisoners – with higher rates of BAME men on the basic regime seen as a clear example of discriminatory decision making.

3. Disparity between support need and engagement

Differential levels of social disadvantage mean that BAME young people frequently need greater resettlement support, especially around education, training and employment. Yet poor experiences of social institutions (such as school, the care system, the police and prison) mean that BAME young people are unlikely to trust in, or engage with, statutory services. They may need advocacy to help them access effective support, and are also likely to need help to develop positive coping skills to manage the prejudice and discrimination that some individuals, policies and structures may inflict upon them.

What does culturally aware resettlement look like?

To be effective, all resettlement interventions must be holistic and responsive to each young person's individual needs. For BAME young people, this includes considering the ways in which individual, cultural, procedural and structural factors mesh to impact upon engagement and outcomes.

It is important to acknowledge three linked concepts:

- BAME young people face particularly high levels of victimisation and exposure to crime, making them feel extremely vulnerable in their own communities. It is crucial to listen to their experiences and support them in developing positive coping strategies.
- Prejudice and discrimination harm BAME young people's self-identity and impede resettlement because desistance is dependent upon an individual's perception of their future role in society.
- Desistance is a long-term process requiring support to develop positive identity and self-belief (rather than focusing solely on offending behaviour). It is important to be realistic about the real challenges in resettlement: encouraging young people to see any 'backsliding' as a temporary setback rather than as evidence of their intractable 'offending nature'.

Recommendations for practice

Tackling discrimination and racism in the prison environment is absolutely critical. Stereotyping, negative expectations, differential treatment and discrimination compound the disadvantage experienced by BAME young people in the community, inhibit their access to resettlement support and undermine their potential to desist from offending. BAME offenders are very welcoming of interventions that acknowledge their experiences of discrimination and provide proactive, empowerment approaches to their resettlement – as evidenced in increased rates of compliance and engagement.

Community and faith representatives have a crucial role to play in improving the custodial environment for both prisoners and staff. They need to have authoritative involvement in prison processes and procedures to make them more transparent and legitimate. Open discussion about discrimination and racism, partnership work to quality assure complaint procedures and provision of a trusted feedback process on action taken are all essential components for improving confidence in the prison system.

Community integration: supporting cultural identity and a sense of belonging

Desistance is affected by many social and structural factors, including identity, self-belief, maturity, relationships, culture and access to positive activities. Facilitating young people's acceptance in their local community is crucial in helping them to develop a positive sense of self. Interventions need to actively support individuals to engage confidently with their cultures. Representatives from each young person's local community should be involved in planning and implementing their resettlement package, with a specific responsibility for helping them to build good personal and community relationships.

However, whilst communities and faith groups can have a positive impact upon young people's desistance, they can also damage the resettlement process. Communities may compound the shame felt by young people who offend if they are judgmental and rejecting; increasing their feelings of isolation and undermining their resilience. Any attempt to integrate a young person into a particular community group must therefore commence with examination of that group's attitudes towards offending – raising their awareness of key issues and actively challenging any negative stereotypes or assumptions. An example of best practice can be seen in the Feltham Community Chaplaincy Trust case study on page 7.



POSITIVE PRACTICE THE BLACK SELF-DEVELOPMENT PROGRAMME (BSDP)

“It’s very difficult when you are from a marginalised background and you feel like you’re on the periphery of society, then you feel that there’s only certain options open to you and the main one is crime... We come along and we tell them, ‘Actually, you are a stakeholder in society. There is a place for you where you can become a positive contributor. Come on that journey with us. We will help you and support you.’”

Ervell Bailey, Joint Facilitator for BSDP (BSDP, 2012)

The BSDP was developed in response to the over-representation of Black men in prison and the frequency with which many returned to custody. The programme is open to any prisoner who self-identifies as Black and is delivered by an all-Black team. This is a non-negotiable element of provision, as it provides course members with a safe environment in which to share and reflect upon their experiences, attitudes and lifestyle in order to develop a positive self-image and disengage from crime.

The programme typically covers the following topics:

- Knowing my roots
- Taking charge of my past
- Black people’s migration to Britain
- Accepting responsibility for my offending
- How to change my behaviour
- Understanding my family and community
- Sexual health and drug or alcohol issues

The programme focuses on skills, education and employment needs and helps prisoners to understand the relationships between their self-identity, society’s wider perceptions of them and their responses to discrimination and structural inequalities. It encourages prisoners to consider the effects of offending behaviour upon communities and society, as well as their families, their victims and themselves. Both facilitators and prison management have noted how participation in the course improves prisoners’ behaviour and reduces the amount that they are disciplined.



POSITIVE PRACTICE FELTHAM COMMUNITY CHAPLAINCY TRUST

Established ten years ago, Feltham Community Chaplaincy Trust (FCCT) is a multi-faith charity that creates support networks within local communities for young men leaving HMYOI Feltham. Recognising that young people often leave custody to return to the same unstable, deprived communities and poor role models which led them into offending, the project aims to reduce reoffending by providing positive role models and a place within a more secure community.

Most young people in HMYOI Feltham are persistent offenders, with difficult and challenging behaviours, but they are also profoundly vulnerable individuals. Very often they have been victims of domestic violence, abuse, exploitation and crime. Upon release they face complex challenges, including unemployment, poverty, addiction and homelessness. Most have no support from family and are without the skills or confidence to access services. About 60% of those leaving Feltham reoffend within a year of release.

Commencing in custody, the project works closely with both the prison and local communities. The project focuses on developing the social capacity of local communities, assisting them to develop greater understanding of, and compassion for, (ex-)offenders and to become more involved in their rehabilitation. There is a strong focus on supporting the young men to make a positive contribution to their communities, thereby enabling them to reach their potential – particularly through education and employment.

The main intervention is a mentoring service; recruiting, training and supervising volunteer mentors from the very communities to which the young men return. Mentors work on a one-to-one basis with the young men and the mentoring relationships are all supervised by a community chaplain. The young men are carefully matched with a mentor who visits them regularly for up to six months pre-release in order to build a trusting relationship whilst in custody. Upon release, the mentor meets the young person ‘at the gate’ and continues to contact them regularly in the community to offer emotional, social and practical help.

Mentors will often:

- accompany mentees to meetings
- help them access housing, training and employment
- provide advocacy
- motivate and challenge where appropriate
- provide support for their family.

In 2014, the project worked with 84 young men on a one-to-one basis and ran five training sessions for 38 new volunteers. As of March 2015 the project was working with 53 young people and 61 volunteers. Ministry of Justice data on young people released from HMYOI Feltham in 2011 shows a dramatically improved reoffending rate of 27% for those who engaged with the programme pre- and post-release. The project has recently been awarded the Mentoring and Befriending Foundation’s Approved Provider Standard accreditation.

Social capital

'Social capital' refers to cooperative networks of relationships that help communities to function more effectively. Its lack can amplify the harms associated with deprivation. For resettlement work, this is important because sustainable community resources are necessary to support young people coming out of custody. However, many deprived communities will require a degree of capacity building in order to be in a position to support and reintegrate young people.

Through the gate support from community leaders

Ideally, custodial institutions need to develop partnerships with representatives from the local communities that young people return to. They should be selected to fulfill a dual role. Firstly, having the knowledge and ability to fully engage BAME young people in custody and provide meaningful interventions for them. Such interventions need to take into account their ethnic and/or faith-based needs and the culturally-specific reality that they will return to. Any ETE opportunities that are lined up need to be in harmony with young people's faith or cultural values. Second, community representatives should be in a position to develop their community's social capital as a means of addressing the disadvantage suffered by BAME communities and better maintaining young people's long-term desistance.

Recommendations for practice

Maximising engagement through cultural awareness

Cultural awareness can substantially improve client engagement. For example, individuals from GTR communities may find probation interviews too abruptly invasive as they value privacy, while Somali communities have a cultural reluctance towards asking for assistance and a strong oral tradition which makes personal meetings much more effective than the handing out of leaflets. It is unfeasible to expect every resettlement worker to know in great detail about every culture, faith and tradition – but it is important that they are confident to ask questions sensitively and work with each individual to explore their backgrounds and how they may impact upon their resettlement.

Advocacy with local services and agencies

Given the frequency of experiences of discrimination from public services, those supporting young people's resettlement may need to advocate in order to help BAME young people access the support they need. Acknowledgement of the real-life experiences of discrimination that young people face is important, as is support for them to develop coping strategies for managing challenging situations. Such support needs to take into account the young person's personality, past experiences, resilience, mental and emotional wellbeing and the levels of support available to them. Without this, young people facing discrimination may withdraw, internalise the abuse, or react in another negative way.

Early intervention partnerships as a preventative measure

Partnership working is vital in order to identify and rectify any unequal treatment across the whole criminal justice pathway and within other sectors (such as health and education) working with BAME children and young people. Partnership work with schools, pupil referral units (PRUs), education welfare services, behaviour management teams, local authority care homes, Child and Adolescent Mental Health Services (CAMHS) and young people's substance misuse services is critical to understanding and eliminating the relatively poor outcomes that BAME young people experience.

Considerations for practice

Does your organisation

- Work closely with custodial institutions to remove the barriers to BAME prisoners accessing effective resettlement?
- Provide person-centred support that builds young people's individual strengths, acknowledges their experiences of prejudice, discrimination and victimisation, and helps them to develop coping skills?
- Help young people to develop greater awareness of their cultural identity and the impact of social inequality upon their community – supporting them to engage with their community as a positive, nurturing experience?
- Include peer workers or community representatives in both service delivery and decision making – with a specific focus on developing appropriate local education, training and employment (ETE) opportunities for custody leavers?
- Provide advocacy support – including challenging and providing training for other agencies?
- Monitor and rectify any inequalities in resettlement outcomes among service users from different ethnic and faith groups?

Staff Issues

Criminal justice staff have typically very different backgrounds to the young people they work with, and teams rarely reflect young people's diversity or their lived experiences. However, resettlement services need to be culturally sensitive in order to fully engage clients from marginalised groups, and to diffuse any tension between individuals from different backgrounds. Training on bias, discrimination and cultural competence can be helpful – as can enhancing awareness of local community/cultural groups and knowledge of relevant immigration procedures. Nevertheless, it is also important to appoint staff who share similar backgrounds to service users – who can discuss experiences of discrimination and racism and the impact they have upon resettlement. Staff need to be properly supervised to deliver this intensive, holistic support in order to avoid burnout and high levels of turnover.

Service user involvement

In order to build trust and maximise engagement, it is important that service users feel confident that their ethnicity, faith and cultural experiences are understood and accepted. Ex-service users who share similar backgrounds with custody leavers can provide a crucial source of knowledge on effective resettlement practice. Their unique credibility and insight is invaluable for young custody leavers during their transition to adulthood who need to explore how they are perceived by their community and wider society, feel assured that people understand their point of view and be reassured of the (genuine) accessibility of local services. Such work should identify and challenge stereotypes, whilst also celebrating cultural differences. But the role of ex-service users should not be limited to that of volunteering as mentors. It is crucial that service users are involved in the design and delivery of services – devolving power to them to improve results. However, whilst ex-service users are in a unique position to be able to engage and build trust with prisoners, the difficulties in getting custodial institutions to allow vetted ex-offenders to work or volunteer in prisons should not be underestimated.

Considerations for practice

Does your organisation

- Recruit staff from service users or members of the community who share the experiences of the client group?
- Provide training for staff and service users in ethnicity, faith and cultural competence, so that everyone is confident in positively exploring the backgrounds of those from different cultures and faiths?
- Actively involve service users in planning, designing and delivering training and decision making, with development pathways to become mentors or peer workers?
- Ensure transparent decision-making and fully explain processes/procedures to ensure that they are not (perceived to be) discriminatory?
- Resource advocacy work sufficiently and include staff from external agencies in any awareness-raising training that is taking place?

A model of culturally aware resettlement

In relation to the differential resettlement outcomes for BAME young people, four issues warrant specific consideration:

Maturation

Most young people simply 'grow out' of offending, but the greater over-representation of BAME adult offenders in prison raises the troubling question as to whether criminal justice interventions actually prolong the period that BAME young adults are involved in offending.

Barriers to engaging with resettlement support

Early experiences of discrimination, the stigmatisation of involvement in the CJS, poor experiences in prison and rejection by their communities all compound young people's feelings of social exclusion, deterring them from seeking the resettlement support they need.

The lack of employment opportunities

Young offenders typically come from communities with high levels of crime, ill health and deprivation. But whilst any ex-offender will find it extremely difficult to find employment, racial discrimination makes it even harder. Only 23% of young Black custody leavers achieve a positive employment outcome post-release and inequalities in employment and living arrangements inhibit desistance and prolong criminality and involvement in violence.

Variations in access to social capital

The strength of family and social networks varies across different ethnic groups and has huge bearing upon employment opportunities. This raises the question: are social capital and employment key components of the resettlement process for young people?

Building desistance through the resettlement process

We can think of the experiences of deprivation, social exclusion, prejudice and discrimination as stripping away young people's resistance to, and desistance from, offending. The typical routes out of offending for young people – such as supportive social networks and employment – can become almost impossible to access, resulting in lengthier offending histories. Conversely, the building up of 'insulating layers' actively protects young people from reoffending by acknowledging the structural forces that pull them into crime and attempting to counter them. It is therefore important to address experiences of disempowerment and oppression and combat the erosion of access to employment and other self-development opportunities caused by involvement with the CJS.

We need to consider the resettlement process as an opportunity to 'layer up' protective factors. Rather than focusing on removing criminogenic risk, we need to build upon strengths to facilitate and sustain social inclusion in order to help young people to develop a sense of self that positively supports desistance.



Layer 1: Acknowledging personal experiences of social injustice and developing skills to cope with future incidents of prejudice and discrimination in as healthy a way as possible.

Layer 2: Working with community members who share similar lived experiences to develop an understanding of structural/ systemic inequalities and the value of community engagement in building a socially included identity.

Layer 3: Participation in service development, decision-making and delivery of interventions as an opportunity to develop skills and improve prospects for gaining sustained employment.

Summary

“The position of young Black and Muslim men in society is amplified by their experiences of actual and perceived discrimination in prison, which then impact upon their self image and the process of achieving desistance. On release the continued inequalities they face in wider society and the deprivation which exists in many of the communities they return to further compounds this.”

Baroness Young, 2014

All young people leaving custody face huge resettlement challenges, particularly in relation to accessing employment and dealing with negative community expectations. But young people from minority ethnic backgrounds face additional constraints, not least due to the more intrusive and harmful CJS interventions that compound disadvantage and social exclusion. This situation is made even worse if, rather than getting the support they need, the very people they need support from are judgmental and rejecting. Unfortunately, communities which are heavily policed, lack social capital and where their very identity is erroneously associated with criminality are ill-equipped to offer hope and build resilience.

Culturally-responsive resettlement practice can improve outcomes for young people leaving custody. Well-informed, personal and cultural community support can enhance resettlement. However, whilst services need to be tailored to the distinct needs of young people from different communities, interventions must be flexible and responsive to the way that cultural and personal factors impact upon the desistance process for each individual. Ethnicity, faith and culture are only part of an individual's identity. The ways in which different aspects of identity interact and intersect provide unique resettlement challenges, and huge diversity in support needs. Issues of gender, age, sexual identity, disability, marriage and parenthood are explored in more detail in the BYC practitioner's guide on 'Recognising diversity in resettlement'.

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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