

Paper for presentation at the Stockholm Criminology Symposium June 8th – 10th 2015.

“To what extent does the British Ministry of Justice’s Transforming Rehabilitation agenda support the rehabilitation of BAME, Muslim offenders”?

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The contents of this paper are taken from the mid-way write-up of the research evaluation project “ReachingOut: an evaluation of a BAME, Muslim offender rehabilitation programme”.

Introduction.

Setting the scene.

- 26% of Prisoners are BAME compared to only 14% in the National Population**
 - 14% of Prisoners are Muslim compared to only 4% in the National Population**
 - The number of Muslim prisoners has doubled since 2002**
 - BAME women offenders have been increasing in the past few years.**
- (Source Bromely Briefings, 2013).**

ReachingOut is a small-scale primary research project (commenced in July 2014) and designed for the purposes of conducting an independent research evaluation of a specific model of offender rehabilitation. This particular mentoring model is

delivered by a third sector organisation called Arooj based in North West Lancashire and, since 2007, Arooj has provided a specialist support service for BAME, male and female Muslim offenders/ex-offenders and their families. ReachingOut is a partnership between UCLan, Cumbria and Lancashire Community Rehabilitation Company (L&CCRC) and Arooj. The funding for ReachingOut is provided by what was formerly the Lancashire Probation Trust and the North West Innovation Fund for Recovery and Resettlement (under the auspices of NHS England).

Arooj's unique approach.

The three stage model of Arooj's mentoring services was the focus for the research evaluation; this is the established mentoring and befriending model that Arooj work to in their rehabilitation of offenders, in prisons throughout NW Lancashire. Arooj attribute the success of their mentoring model, over the years, to their unique structure, which comprises three stages of support.

Stage 1: on the inside. The mentors build and establish a trusting relationship with the offenders whilst they are in prison, in order to establish the necessary lines of communication and support for them and their families.

Stage 2: on the outside. This stage of the model is equally significant to Stage 1, because this is where Arooj will refer their clients to multi-agency groups (such as drugs and alcohol support), intervene with their families (to encourage their re-integration and acceptance back into the family network) and work to secure employment opportunities within their communities.

Stage 3 is "for life" and may endure indefinitely, for as long as the offender and their family require Arooj's support.

Fitting into the national picture – Transforming Rehabilitation (TR).

At the time of writing this review (February 2015) the criminal justice sector is in the final months prior to the move to transfer the new Community Rehabilitation Companies (CRC's) "from public to private, voluntary or social sector ownership" (NOMS 2014, p.22). This restructuring is the outcome of the government's "intended approach to driving down the rate of reoffending and delivering better value for the

taxpayer”, (MoJ 2013 p.3) as proposed in the original document *Transforming Rehabilitation: a Revolution in the way we manage offenders*. The first set of changes to be put into place, as part of the TR agenda, towards the end of 2013-early 2014, involved the re-badging of all Probation Trusts nationally, which became known as Community Rehabilitation Companies (CRCs).

As part of the terms and conditions of the funding for ReachingOut (from the Cumbria and Lancashire Community Rehabilitation Company (CLCR), Arooj were required to deliver their support model as an integral part of this local CRC. In line with the preparations at national level, the local CRC had set up a regional (North West Lancashire) partnership pilot project, called the Pan Gateway. The purpose of this pilot was to monitor and evaluate twelve months of a “dry run” of providing rehabilitation and re-integration support programmes for low-medium risk offenders, in line with the new, statutory TR arrangements. The Pan Gateway brought together local HM Prisons and community-based organisations who provided rehabilitation support for ex-offenders in aspects such as drugs and alcohol support and halfway housing. Because the Pan Gateway partnership already had a community-based mentoring programme in place on the “inside” (in prisons), Arooj found themselves having to “shrink” their three- stage programme of support - to one. This meant that their mentoring support services would only be activated when ex-offenders were referred after their release from prison (at Stage 2 of their support model).

After the twelve month “dry run” of pilot projects, such as the Pan Gateway, the national implementation of TR, from June 2015, will mean that the supervision of offenders in the low to medium risk category (including those serving sentences of under twelve months) will become statutory for the first time in the history of the English Probation Service; and from June 2015, ownership of the twenty one Community Rehabilitation Companies will have been allocated to a number of preferred bidders who are mostly corporate organisations in the private sector, such as: A4E; G4S; Sodexo, Interserve plc and Ingeus. After the bids have been won in the competitive tender, the former probation service will mostly be owned by companies in the private sector, who have no expertise in offender management. This is the result of the “national procurement exercise to move the CRCs from public ownership, to private, voluntary or social sector ownership by 2015” (NOMS 2014, p.22). To support their bids to win the competitive tenders, most of the private

sector companies have created partnerships with voluntary sector organisations and similar social enterprise groups to reflect the former Minister of Justice's exhortation that "‘good’ rehabilitation can only be achieved if the CRC's supply chain and its own commissioning activity can identify and harness local interventions...that will respond effectively to the [complex] needs and issues" associated with guiding and supporting individuals "back into their community and increase their social participation" (Fraser et al 2014, p.101).

Reflections on Transforming Rehabilitation and the regional Pan Gateway pilot.

A mid-term meeting of the Pan Gateway partnership was held after six months for all the local providers of rehabilitation programmes in NW Lancashire, to collate their experiences so far. Of the challenges outlined at the meeting, one in particular was common to all the partners. This was the very low rate of referrals of clients (offender after their release from prison) to the community-based rehabilitation programmes on offer. Therefore there was scant evidence of take-up for the programmes, which was apparent across the region. A further point raised at the meeting was the pressing need for the mentoring and support of prisoners prior to their release. The partnership members observed there was very little mentoring available for offenders on the inside, prior to their release. Several suggested this was attributable to the fact that Probation Service Officers' security prison clearance (permitting them to visit prisoners inside) had been cancelled at the same time as the commencement of the Pan Gateway partnership. This central, systemic error had a significant, negative impact on the Probation Service Officers' roles; with no security clearance, they were unable to visit their clients/offenders whilst they were in prison and thus unable to make referrals to the community rehabilitation groups.

Implications for Arooj and ReachingOut.

As part of the Pan Gateway project, Arooj received only one BAME, male, Muslim ex-offender referral during the six months from September 2014 to February 2015. The referred client, Imran, (fictitious name) was a heroin user who had been clean for four years. After his referral, through the local offender manager, Arooj only managed to speak to him once or twice on his mobile and were unable to arrange a face-to-face meeting. Although a meeting was finally arranged, this never took place

and within just ten days of being released, Imran relapsed (into taking drugs). This was particularly disappointing because, despite Imran's difficulties, Arooj had procured a job for him, through the local community, which he was not able to take up.

As a qualitative research project, the original purpose of the ReachingOut evaluation was not simply to track the numbers of successes and failures of ex-offenders in their engagement with Arooj's rehabilitation services. ReachingOut aims to provide a qualitative research evaluation of Arooj's three stage mentoring programme, which is the basis of their successful rehabilitation and re-integration of ex-offender clients within their communities.

The negative outcome of the single, referred client from the Pan Gateway partnership has necessitated a change in research design. Because Arooj were compelled to "shrink" their three stage support programme down to one stage (in order to "fit in" with Pan Gateway), this meant that the crucial foundation of mentoring at Stage One was eliminated. They had no opportunity to visit offenders in prison (despite having prison security clearance themselves) or to build up the trusting relationship so important to offenders who are trying to making the transition from incarceration to life on the "out". At this mid-way stage of the ReachingOut research evaluation it is useful to consider two areas that arise from the changed circumstances of the project:

1. The progress made by the regional CRC and Pan Gateway partnership towards delivering the TR provision.

- In the first six months of the Pan Gateway partnership's collaboration, there had been a drastic shortage of referrals of ex-offenders from the prisons to the local rehabilitation and resettlement programmes. Therefore progress in providing support for the medium-to low risk offenders within the new TR arrangements had been negligible.
- The different rehabilitation providers in the partnership had recognised an acute need for mentoring and support for prisoners whilst in prison, prior to their release. Far from improving on this aspect of rehabilitation the evidence showed a decrease in the "supply" of this element of service and an increase in "demand". Mentoring offenders on the inside is the first stage of the Arooj

support model and one they see as being crucial to an offenders' successful rehabilitation and reintegration needs.

- The absence of successful offender rehabilitation outcomes across the Pan Gateway pilot does not bode well for the new, part-privatised CRCs in the North West who, from June 2015, will be expected to deliver statutory rehabilitation support to medium-low risk offenders and to reduce rates of reoffending, according to the new TR arrangements.
- Arooj's particular model of support was not integrated into the overall Pan Gateway partnership's local cluster of community-based providers so there was no opportunity for ReachingOut to evaluate their three stage model of mentoring support.

2. The positive outcomes of Arooj's mentoring work to date (since their establishment in 2007).

- Historically, Arooj's mentoring support work for BAME Muslim offenders commences in the local HM prisons, where they are welcomed by the prison governors, to provide support and counselling to the offenders. Arooj attend Friday prayers in the prisons and afterwards they give offenders the opportunity to seek individual advice and support.
- Arooj's successful rehabilitation work to date encapsulates many of the factors that contribute to the wider discourse of offender rehabilitation and desistance that are the subject of UK-wide (and European) research currently. These include: supporting BAME families in the complex and sensitive process of forgiveness, in order to accept their offending sons/siblings back into family life; the cultural and social aspects of re-integration into family and social networks; the role played by their religion and faith in the processes of rehabilitation and desistance.
- The outcomes of Arooj's mentoring support work, since 2007, reflect a majority of successes in the rehabilitation and social re-integration of ex-offenders within the local BAME Muslim communities.

(The above are discussed in fuller detail in the full write-up of the six-month review).

Re-thinking the research design of ReachingOut.

In the light of the scant number of referrals made to the Pan Gateway partnership overall, the unsuccessful outcomes of the client who was referred to Arooj cannot be considered as truly representative of the full range of their mentoring and rehabilitation services. At this mid-way stage of ReachingOut therefore, the research design for the evaluation needs to be considered anew and adapted to the changed circumstances (and outcomes) that arose from the Pan Gateway partnership. Clearly it will now not be feasible to conduct focus group discussions or one to one interviews with the respondents, as had originally been planned. Instead, the existing, qualitative primary data already captured by Arooj (written up in *Short Case Studies*) has provided the basis for initial analysis. This preliminary analysis of the data reflects a range of clients' perceptions about Arooj's mentoring services, as well as some of the cultural and social factors that contribute to the complex process of their rehabilitation and re-integration amongst the BAME, Muslim community. This mid-way evaluation is not focusing on the measurable outcome of one "failed" client, but on an initial analysis of the deeper and more complex findings that begin to emerge from the *Short Case Studies* data (to be provided with the final research write-up) and that link to findings from other research literature in the wider, national discourse of offender rehabilitation.

Alternative source of primary evidence.

The following qualitative data was captured from Arooj's past clients during an interview conducted for the BBC Asian radio network, in August 2014. The former clients involved were Mohammed and Khan (fictional names). Mohammed's son was being held in custody and Khan had served a prison sentence and is now in full time employment.

- Khan stressed the importance of Arooj's visits to him whilst he was in prison because Arooj provide opportunities for prisoners to talk them on a one to one basis, where they can discuss personal issues if they need to. According to Khan "*Arooj is the only Asian (mentoring) group working in prisons*" and what was so important to him was that Arooj "*wanted know what I wanted to do on the outside – not what I was in for*". The trusting relationship that formed between them enabled Khan to plan successfully for the help he needed on

his release. *“My relationship with Arooj enabled me to accept that I had committed a crime....someone who is independent and understanding (like Arooj)....makes their support so important. They break down the barriers to other services”*. Because of the lasting relationship established on the inside he went on to say that *“Arooj’s services should be mandatory to all BME Asian offenders”*.

- Mohammed explained how his son’s offending had brought shame on the family: *“I ... still find it hard to talk to him”*. He said that his family did not understand and that the *“shame and disgust [resulting from this son’s offending behaviour] goes on for years”*. Mohammed himself gained a lot of courage from being able to discuss his son’s circumstances with Arooj and this helped him to change his own, unforgiving attitude towards his son. *“Asian families do not talk freely to outsiders, but Arooj are trustworthy and so the families feel relieved”*.

Findings and Conclusions.

At a national level, the changes in government/Ministry of Justice policy with regard to the rehabilitation for medium-low risk offenders have made it impossible for Arooj’s successful model of rehabilitation support to operate within the regional CRC framework. Therefore, for the second half of the ReachingOut evaluation, the mentoring work Arooj do with BAME, Muslim offenders will need to be assessed regardless of the TR arrangements.

The original aim of ReachingOut was to evaluate Arooj’s three-stage model of offender rehabilitation in its entirety and this remains the case. Their involvement in the Pan Gateway partnership resulted in a distortion of their original model and so the first six months of the research project have yielded no meaningful data on which to base an evaluation. In response to this, the direction of the research design has changed and instead of using data from Focus Group discussions, individual interviews and different types of visual data, the evaluation draws on qualitative data from Arooj’s former clients and reviews of the current literature on research into the factors that contribute to the holistic process of offender rehabilitation and desistance. The Pan Gateway project, which was created as a pilot for the new TR arrangements, was not a success and yielded negative outcomes for both the CRCs

and offenders. This raises a serious question about the state of preparedness of the new, part-privatised CRCs who, from June 2015, will be expected to deliver statutory rehabilitation support according to the new TR arrangements.

At this mid-way stage of ReachingOut, the findings from the primary data available reflect several of the social and cultural factors at play in the rehabilitation of BAME Muslim ex-offenders that are prevalent in the literature (in particular Calverley, 2013). These are summarised as follows:

1. Arooj enable families to talk freely about the sensitive aspects of forgiveness and in so doing, help them to come to terms with the extent to which a son's/daughter's offending behaviour challenges family, religious and cultural values (Calverley, 2013, p. 193).
2. Arooj build and establish a unique, trusting relationship with offenders on the "inside" to help them accept that they have committed a crime. They also have the capacity to break down barriers to other support services in order to refer offenders to the appropriate agencies.
3. Arooj facilitates and mobilises key aspects of social capital (Lavalette, 2006, p. 120, BTEG et al 2014, p.11) to support the rehabilitation of their offender clients and their families.

This paper would not be complete without reference to Baroness Lola Young (convener of the *Young Review: Improving outcomes for young black and/or Muslim men in the Criminal Justice System*) and Fergus McNeill and Scott Grant who are much-published academics and researchers in the fields of probation, desistance and criminology. As we move towards the new world of Transforming Rehabilitation, which has so far seen the part-privatisation and reform of the probation services, it is important to emphasise Baroness Young's exhortation to the new CRC's that they prioritise the involvement of community based third sector support organisations in their provision for offender rehabilitation. The MoJ now places a (statutory) duty on these new companies to deliver support programmes of rehabilitation and social re-integration that result in a reduction in reoffending and in an overall reduction in the numbers of reconvictions (Frazer et al 2014, p. 97) – within a twelve month period. Baroness Young says, in her Final Report (BTEG et al, 2014), p. 11), "new providers under Transforming Rehabilitation will need to establish clear mechanisms for the

involvement of the voluntary sector and service users, if they are to effectively address the disproportionately negative outcomes with which we are concerned". She is referring here to the inexorable increase of offending and re-offending amongst BAME, young black and/or Muslim men – which is the driving force for Arooj's work. A voluntary organisation such as Arooj, with its experience of facilitating the successful rehabilitation of this cohort of offenders should now be working with the newly privatised CRC's, to provide them with the much needed expertise to support BAME Muslim ex-offenders back into work and their communities – as a matter of urgency. Such an imperative makes the unsuccessful outcomes of the Pan Gateway pilot project all the more disappointing.

The future of the rehabilitation of medium-low risk offenders lies in the hands of a network of corporate providers who, of necessity, will be driven by commercial imperatives: payment by results, targets, measurable outcomes/outputs and a statutory requirement to ensure their clients' desistance from offending for a twelve month period. These more commercial, managerialistic tools of control are the very opposite of the values -based approach, favoured by probation officers (and support groups in the voluntary sector) in their own supervisory/support work. In a recent paper written by Grant and McNeill (2014), findings from their research showed that some probation practitioners "perceived management as being poor, untrustworthy and crucially obsessed with key performance indicators and process outputs (Grant and McNeill, 2014, p. 161). The new TR policies and arrangements are poised perilously close to reinforcing just this kind of approach if the CRCs do not harness the expertise and local knowledge from established rehabilitation professionals in the voluntary sector.

References.

- Calverley, A. (2014) *Cultures of Desistance. Rehabilitation, reintegration and ethnic minorities*. Oxon: Routledge.
- Fraser, L., Drinkwater, N., Hayes, C., O'Donoghue, K., Cumbom E. (2014) 'Rehabilitation: What does 'good' look like anyway?' *European Journal of Probation* Vol 6(2).

Grant, S. McNeill, F. (2014) 'The quality of probation supervision: Comparing practitioner accounts in England and Scotland'. *European Journal of Probation* 6:2 pp147-162.

Lavalette, M. and Pratt, A (eds.) (2006) 'Social Policy, Theories, Concepts and Issues. London: Sage.

Ludlow, A. (2014) 'Transforming Rehabilitation: What lessons might be learned from prison privatisation?' *European Journal of Probation* Vol 6(1).

Ministry of Justice (2013) *Transforming Rehabilitation: A revolution in the way we manage offenders*. Norwich: TSO.

National Offender Management Service (2014). *Business Plan 2014 - 2015* London: NOMS.

Prison Reform Trust (2013) *Bromley Briefings*. London: Prison Reform Trust.

