

Diversity Profile of Offenders under the Supervision of the Probation Board for Northern Ireland

Paul McIlwaine*

Summary: This paper discusses equality research conducted by PBNI staff from June 2010 to date. This research seeks to identify the diversity of the offending population and discover through ongoing longitudinal research whether different groups have differing needs and issues that PBNI should consider to promote equality of opportunity. This research is supporting the development of PBNI's Equality Scheme due to be published in November 2011.

Keywords: Equality monitoring, offender monitoring, Section 75 of the Northern Ireland Act 1998, offender equality profile, key inequalities, diversity, good relations.

Introduction

Since the process of giving up crime is different for each person, criminal justice responses need to be properly individualised. One-size-fits-all approaches run the risk of fitting no-one. (McNeill and Weaver, 2007)

In order to understand the equality and diversity issues facing probation staff, the Probation Board for Northern Ireland conducted a census of all offenders under supervision in June–September 2010, to yield a profile of the offending population. This information has been gathered to help identify and address any inequalities facing service users. Our approach has been to examine each of the nine equality categories specified under

* Paul McIlwaine is Equality Manager in the Probation Board for Northern Ireland. Email: paul.mcilwaine@pbni.gsi.gov.uk

Section 75 of the Northern Ireland Act and, based on available data, to identify actions to address inequality under our equality scheme 2011–2014. The Northern Ireland Act 1998 requires all public authorities in Northern Ireland to have regard to promoting equality of opportunity and to have due regard to promoting good relations between religious, political and ethnic groups. Public authorities are encouraged to monitor their services by using the nine equality categories specified by the legislation. These categories are race, age, gender, sexual orientation, disability, religious belief, marital status, political opinion and whether they have dependant responsibilities.

Information was sought from offenders via a confidential equality monitoring questionnaire that was given to the client to self-complete at the end of their supervision interview. If the offender had difficulty completing the written questionnaire their Probation Officer assisted by asking the equality questions; however, forms completed orally did not capture political opinion and sexual orientation data as these are deemed too sensitive to ask directly for the purposes of equality monitoring. A report was then compiled that combined our own equality research with external equality-related recommendations that have been made to the criminal justice system in Great Britain and Northern Ireland over the past five years. The following is a summary of the findings of our equality research: it should be understood that this research to date has simply identified an equality profile of offenders and that over time we will examine differential impacts in outcomes for each equality group.

Gender

On 1 June 2010 the PBNI caseload figures for gender were 9% female and 91% male. Although women make up a small proportion of the overall offender population in Northern Ireland, their experiences of the criminal justice process and the interventions and services available have a disproportionate impact, particularly on children and families. Problems underlying women's offending are often complex; issues such as poverty, homelessness, mental illness, abuse, domestic violence, and addictions have been shown to be prime motivators for a woman's involvement in crime. To reduce offending, it is vital to develop ways of supporting women to address these multiple needs, where possible within the community (Department of Justice Northern Ireland (DOJNI), 2010).

In 2006, the UK Government commissioned Baroness Jean Corston to carry out a review of women with particular vulnerabilities in the criminal justice system in England and Wales. This followed on from extensive previous research, much of which showed that women offenders present particular problems.

Overall, women offenders will experience a broad range of vulnerabilities with regard to issues such as family relationships, children, health and mental wellbeing, and addictions. Many will have led chaotic lifestyles and will often have spent long periods of their childhood in care, gaining a very low educational attainment, as well as little, if any, experience of employment. They will also suffer concerns about their financial situation and accommodation needs, particularly if they have dependants. Poverty and a lack of choices can lead to women feeling that they have little control over their own lives. All of these issues can be particularly devastating when a woman is also a mother. (Corston, 2007)

Baroness Corston's conclusions are broadly the same for women offenders in Northern Ireland, although the relative importance of some of the factors may differ. Baroness Corston and others have shown that women experience all of these issues in a very particular way, and that addressing the often complex needs of women offenders requires a targeted and tailored approach.

The number of women offenders in Northern Ireland is small compared to the male offender population. More could be done to address women's reoffending as there were few interventions designed specifically for women: the development of interventions has been focused on male offenders who make up a much larger segment of the offender population. Interventions based on male offending characteristics may not be appropriate for women, who have different offender characteristics and needs. Women who receive additional requirements to Probation Orders, which are designed for delivery through group work, may end up completing this work on a one-to-one basis rather than within a group as intended, given the small number of women offenders in any particular area (DOJNI, 2010).

In 2008 PBNI set up the Inspire Women's Centre in Belfast to offer a range of interventions to women offenders in the Greater Belfast area (Belfast, Newtownards, Bangor and Downpatrick). Since its inception

there has been a caseload averaging 150 offenders; this consists of women subject to statutory supervision orders and women whose court cases have been adjourned for pre-sentence reports. This initiative is part of the wider DOJNI Management of Women Offenders Strategy in Northern Ireland 2010–2013.

Dependants

In the Probation census of offenders, 45% stated that they have responsibility for one or more children; 2% had responsibilities for a disabled person and less than 1% had caring responsibilities for an elderly person.

Probation employees have been aware for a long time that dependant responsibilities have a major impact on a person's ability to comply with supervision orders. PBNI has adopted a flexible approach to the delivery of our services, with clients receiving visits at home, programmes made available in the evening as well as during the day, and community service hours available in the evening and at weekends. The Inspire Women's Project set up a crèche facility for visiting mothers in 2009 to enable their participation in programmes organised during working hours. While dependant responsibility clearly affects a person's ability to comply with successful completion of a Probation Order, we believe that sufficient mitigation has been put in place over many years to lessen any adverse effect on people with dependants.

Marital status

Sixty-eight percent of offenders stated that they were 'single'. The second most common response to this question was 'married', stated by 14%. Offenders that are cohabiting are not recorded as such, as the Northern Ireland Act 1998 is specifically interested in 'marital status'.

Statistically, single people are more likely to be referred to PBNI through the justice system in Northern Ireland, therefore this group will be disproportionately affected by how we carry out our function, and this is also true of men and younger people.

An analysis of the three main disposals at court reveals that single people are more likely to be supervised by the PBNI under Community Service Orders or Probation Orders, with Prison the least favoured option. Prison becomes statistically a more favoured disposal

for married or divorced people, and this tends to be an older age group as well.

PBNI currently has no evidence that single people are adversely affected through their interaction with the services that we deliver. Indeed, it could be argued that single people are treated more favourably because they receive fewer prison sentences statistically than their married/separated counterparts. However, this is thought to be related more to age and offending history, with older people statistically more likely to be married, separated, widowed, etc.

Disability

PBNI's equality research shows that 37% of people under the supervision of the Probation Board have disabilities. This is higher than the population average, estimated to be 18–20% in Northern Ireland. Nearly a quarter of all people under the supervision of PBNI have declared that they have a mental health condition. Twenty-five per cent of people on Probation Orders, 21% of people on Community Service and 17% of people in prison have declared that they have a mental health condition. It is possible that the figure for mental health in prison could be substantially higher, as the return rate for our equality monitoring forms from prisoners was low from June to September 2010.

The Labour Force Survey (2002), records that 18% of individuals living in private households in Northern Ireland have some form of disability (21% of adults and 6% of children). It is therefore apparent that, statistically, disabled people are overrepresented in supervision of offenders and that mental health disability is the biggest disability category. PBNI will continue our equality research to look at outcomes for disabled people while on Probation Orders, Community Service and in prison, to discover whether there are differential equality impacts compared with those who have no disabilities.

Many people who offend have serious health, mental health and other problems, including alcohol and substance abuse issues, low levels of literacy and skills, a poor employment record, housing needs, and personal relationship and behavioral/personality-based difficulties. Addressing these issues is central to the reduction of reoffending and will need to take account of policy and practice in other jurisdictions across these islands and on an international basis (Criminal Justice Inspection Northern Ireland (CJINI), 2010).

The Probation Board for Northern Ireland is considering the use of enhanced screening of pre-sentence reports to identify offenders with learning and communication disabilities, in order to ensure that appropriate interventions are identified from the outset.

Race/Ethnicity

While the number of minority ethnic offenders is relatively low, i.e. around 2% (1% being Irish Travellers) in terms of offenders, the experience of minority ethnic people as victims must be a concern for the justice system, with numerous research reports suggesting that there are training issues for statutory bodies and concern in relation to low numbers of prosecutions in terms of hate crime. Our own equality statistics also currently show that no victims from a minority ethnic background are currently making use of the Victim Information Scheme.

A number of reports published over the past five years have looked at the issue of minority ethnic people's experiences of the justice system in Northern Ireland. The following are some of the key findings pertinent to the work of Probation.

The CJINI Hate Crime in Northern Ireland report (2007) made the following recommendations.

1. We recommend the development of hate crime training programmes within and across Criminal Justice agencies.
2. There is an urgent need for the Criminal Justice Agencies to collectively demonstrate a more robust, co-ordinated and informed approach to hate crime management.
3. It is recommended that the Criminal Justice Board should co-ordinate the development of a Criminal Justice System Hate Crime Strategy for communication to all staff and the public. All agencies need to enhance both staff and public awareness as to how hate crime will be managed including outlining the roles and responsibilities of each agency and providing transparency as to the minimum service delivery standards that can be expected. Strategy development would also facilitate the objective review and alignment of each agency's hate crime policy and procedural guidance.
4. It is also recommended that there needs to be agreement of a common set of hate crime definitions for use within the CJS and that they be communicated clearly across all agencies.

The main focus of the above recommendations is on victims of hate crime including foreign nationals. PBNI supports victims of crime through our Victims Information Scheme to offer limited information about the management of the perpetrator of the crime. In 2009 PBNI's Victims Unit commenced equality monitoring of victims; to date it has found that 100% of victims using this service are white, but this is based on monitoring over a relatively short period.

The Equality Commission for Northern Ireland's 2007 *Key Inequalities in Northern Ireland* report stated that:

Statistics produced by the Police Service of Northern Ireland show that in 2006/07, the number of reported racist incidents increased by (+12%) to 1,047; there were 1,695 sectarian incidents, 155 homophobic incidents, 136 faith/religion incidents and 48 incidents with a disability motivation. Violent crime represented 77% of those crimes with a homophobic motivation.

Police statistics continue to show high levels of racially motivated crime; however, information supplied by the Court Service indicated that there are few prosecutions where racial aggravation has been proved. This poses a challenge for the justice system as a whole here in Northern Ireland.

We are also aware that where a person is unable to speak in English, they are unable to take part in PBNI programmes due to the 'disruptive' effect on the group that an interpreter brings. More research is needed to identify whether this is having a negative effect in terms of how PBNI is delivering services to those who cannot speak English.

Religious belief

In Northern Ireland there are two main religious communities – Protestant and Catholic – who are almost equally represented in our survey of offenders under the supervision of PBNI, with 3% more Catholics than Protestants. These statistics reflect a broader demographic trend which indicates that there are higher numbers of young Catholic people in the population. In the 2001 Northern Ireland Census 41% of Catholics were under 25, compared to 31% of Protestants.

Sexual orientation

Ninety-four per cent of the offenders stated that they were straight/heterosexual, 1% stated they were gay/lesbian, 1% bisexual and 4% of offenders did not supply an answer to this question.

Our understanding is currently limited in relation to the sexual orientation of both our staff and offenders. In both cases the number of people prepared to disclose their sexual orientation, other than straight/heterosexual, is very low.

In relation to an analysis of the three main supervision orders, there are no significant variances between the various sexual orientation classifications, and in any case the numbers are so low that such an analysis over such a short period of time might not be dependable.

Lesbian, gay or bisexual people are also victims of hate crime, and this is a steady trend in society according to PSNI statistics (Police Service of Northern Ireland, 2010). No one responding to the PBNI equality monitoring of the Victim Information Scheme stated that they were lesbian, gay, bisexual or transgender (LGBT). Therefore the PBNI may wish to consider promoting the scheme within the LGBT community as part of our equality objectives under our revised equality scheme.

Political opinion

To measure the political opinions of those under the supervision of the Probation Board, the Census questionnaire asked offenders to select one of five options presented, which reflect the broad political views that are specific to Northern Ireland, i.e.:

- unionist – pro retaining the political link with Great Britain
- nationalist – pro political union with the Irish republic
- none – no political opinion
- other – any other political opinion
- prefer not to say.

Fifty per cent of offenders stated that they did not hold a political opinion. The two main political views were almost equally represented, with 16% of offenders stating they are unionists and 15% stating that they are nationalists. Four per cent stated they had a different political

opinion to those listed and 15% preferred not to say what their political opinion is.

PBNI are of the view that we are unable to identify any equality issues at this stage of our research relating to the political opinions of those that we supervise; however, this area will be researched further in relation to outcomes for those who have expressed a political identity.

Age equality

PBNI equality research has shown that 66% of caseload in June 2010 was made up of people under the age of 35.

From first contact with the justice system, a cautioning system operates to allow some offenders to stay out of the formal criminal process. In terms of young offenders, the Youth Justice Agency has been created and a youth justice strategy put in place focusing on early intervention to reduce or prevent offending.

Government spends considerable resources on education to ensure that young people, in particular, are diverted from crime. A number of statutory and voluntary bodies also operate early intervention programmes to prevent young people at risk of offending from doing so. The Probation Board provides a range of programmes and specialist services internally, and also financial assistance to the community and voluntary sector's offender-focused groups. PBNI works within prisons to deliver pre- and post-release programmes and services to offenders. On return to the community, a number of voluntary sector bodies provide services for the care and resettlement of offenders.

PBNI is undertaking a longitudinal equality study that will track offenders from their first interview to their last appointment. Further analysis will be carried out on outcomes for each age group currently measured by PBNI to identify any differential impacts for each individual age group.

Conclusion

For the first time the PBNI has identified a diversity profile of offenders under our supervision using the nine equality categories. This information becomes useful especially when compared with population census data so that we are able to identify whether any of the equality

groups are statistically overrepresented and, if this is the case, to seek to understand the reasons and examine whether these groups have particular needs.

We have discovered to date that there are higher than expected numbers of offenders with disabilities, especially those with mental health disabilities. As our research progresses we will seek to better understand the unique needs of people with disabilities so that we can offer interventions that address their offending behaviour in ways that are relevant to people with learning difficulties, personality disorders and communication difficulties, etc.

Crime that is motivated by hate against ethnic minorities, faith communities, disabled, gay and transgendered people is an issue for the whole of the justice system in Northern Ireland, which has seen a rise in the frequency of reported hate crime incidences and crimes over the past five years. PBNI operates a victim-focused information scheme that seeks to keep victims of crime informed about when the offender involved in their case is subject to the community phase of a Probation-supervised sentence, and of any change to the sentence (e.g. breach/revocation). Our monitoring of victims shows that there has been little uptake of the scheme by the groups affected by hate crime. The Probation Board will intensify our efforts to publicise the Victim Information Scheme to victims within the identified vulnerable groups.

The Probation Board took a decision to continue to equality-monitor all new offenders at their first pre-sentence interview. In this way we will be able to track an offender's progress over their time under our supervision. Work has commenced on analysis of outcomes for each of the equality groups by supervision order type, and it is too early to report trends. This research will be used to inform the development of future Probation policies and will indicate what equality issues face service users over the next few years. The requirement to equality-monitor under Section 75 of the Northern Ireland Act affects all criminal justice agencies and departments and as such the police, Courts and prisons have commenced equality monitoring as well (CJINI, 2009). The long-term aim is to work towards a shared understanding of justice equality issues for victims, witnesses and offenders so that ultimately equality of opportunity is promoted through a better understanding of the actual issues.

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