NHS
Health
Scotland

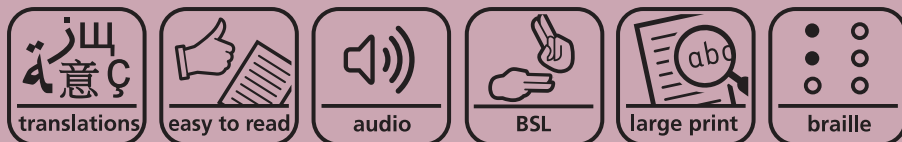# Reducing offending, reducing inequalities

Achieving 'better health, better lives' through community justice

Summary

NHS
Greater Glasgow
and Clyde

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Health Scotland's role

NHS Health Scotland is the national board tasked with tackling inequalities and improving the health of the population of Scotland in collaboration with our partners.

We do this by identifying and influencing effective practice based on the available evidence, and promoting action to tackle inequalities, including a drive towards a fairer share of power, income and wealth.[1] Health inequalities are avoidable differences in people's health. They do not exist in isolation. There are clear links with inequalities in income, education and other social factors including crime, victimisation and offending.

In working to reduce offending and reduce inequalities, NHS Health Scotland seeks to:

- strengthen informal, collaborative links between health and justice agencies and their contribution to community planning
- promote smarter, joint outcomes and improvement in services and systems
- work with others to build an evidence-informed, outcome-focused framework which bridges health improvement, community justice and community planning.

In addition, there needs to be a focus on the 'assets' of individuals and communities by building on strengths. In Scotland, the new vision for community justice provides the opportunities, through diversion and community sentencing for example, to retain more assets, and this highlights the links between inequalities and offending in order to tackle both.

The prison population and inequalities

While a sizable population who offend in Scotland are sentenced through non-custodial and community disposals, the health and social care needs of those in prison custody are an indicator of some of the social patterns which health and justice together might impact on. There were approximately 7,500 people in prison in Scotland in June 2017[2] and about one-fifth of those are likely to be on remand. More than half of those serving a sentence were serving a sentence for less than four

years. People in prison often have complex health issues. There is a higher incidence of substance misuse, learning disability and mental health problems. For example:

- 47% have no formal qualifications (compared with 15% of the general population)[3]
- 53% of young men in prison were permanently excluded from school[4]
- 25% of the prison population have been in care (compared with 1% of the general population)[5]
- 49% of women and 23% of men in prison have been identified as suffering from anxiety and depression (compared with 15% of the general population).[6]

To make a difference to these inequalities, we must 'undo' the fundamental causes of inequality by addressing poverty, marginalisation and discrimination. We must 'prevent' any negative impact by the wider environmental influences, such as the availability of good-quality housing, work, education and learning opportunities, as well as access to services and social and cultural opportunities in communities.

Together, we can also 'mitigate' against negative individual experiences in accessing services that provide these opportunities. To reduce offending, we must reduce inequalities.[1] The links to the determinants of offending also lend themselves strongly to the hope, recovery and eventual resilience that people involved in justice services need to effectively reintegrate.

A range of interventions to tackle inequalities in relation to offending can be broadly categorised and described across:

- early intervention and prevention
- mitigating the impact of offending and sentencing
- building resilience and sustaining change.

Early intervention and prevention

To intervene early and prevent offending we especially need to reduce violence and its impact. It is particularly important to look at this in relation to women and children as victims. We need to recognise the risks of alcohol and drug use in relation to crime, and work in partnership to reduce crime and the impact of problematic drug and alcohol use. These risk factors are also often associated with poor mental health.[7]

There is increased recognition that many of those who offend, particularly women, have experienced or are continuing to experience trauma.[8] We need to take account of this when designing services and interventions to support those who have this experience.[9,10] Services, both universal and specialist, including those in health, social work and education, need to be 'trauma-informed' (often also termed psychologically informed) environments.

Trauma-informed services, regardless of setting, are based on principles, policies, and procedures that provide safety, voice and choice. Every part of the service, organisation, management and delivery system should be modified to ensure a basic understanding of how trauma impacts the life of a person seeking services. They must focus first and foremost on an individual's physical and psychological safety, including responding appropriately to suicidality. They must also be flexible, individualised, and culturally competent; promote respect and dignity, hope and optimism; and reflect best practice.

It is this approach that is likely to prove more effective in both universal and specialist services in achieving positive outcomes for individuals with previous experience of trauma, when they have become involved with justice services.[11]

Mitigating the impact of offending and sentencing

To mitigate the impact of offending behaviour we must work in partnership to strengthen our human rights, gender-based violence and substance use work to reduce both the likelihood and the impact of becoming a victim. This should include improving the resilience of children, young people and families involved with the justice system.

We must improve collaboration around police custody and liaison so people with substance misuse and mental health problems are effectively and appropriately dealt with in regard to treatment or referral. This would allow for risk management in these settings.

The Community Justice Strategy[12] states that community-based interventions should be used as an alternative to short-term prison sentences. There needs to be effective alternatives to prosecution so, for example, young people can be effectively diverted, supported and developed to reduce the likelihood of further offending. These interventions should be person centred, collaborative and focus on tackling the underlying causes of offending. For those in custody we must provide appropriate care, particularly for those with mental health problems, substance use issues or those at sexual health risk.

Building resilience and sustaining change

We need to increase the ability of both specialist and universal services to respond effectively to people with histories of trauma as described above. Building 'recovery-oriented systems of care'[13] can, for example, also strengthen resilience and help sustain change. At the core of this approach is a commitment to an 'asset-based' assessment.

Key features also include:

- person centredness
- inclusiveness of family, friends and community
- keeping people safe and free from harm
- services that are trauma informed.

Examples of services that could use these approaches include housing, health, social work, employment and education. There is also evidence emerging around the effectiveness of peer support interventions.[14] We should maximise the potential impact of peer mentoring, mutual aid and recovery capital to reduce the likelihood of new or further offending. Combined action for example on violence reduction, GIRFEC (Getting it Right for Every Child) and child protection, financial inclusion and employment initiatives, and community empowerment actions can also all contribute.

Structural change

As modelled in the Outcomes and Performance Framework for the Community Justice Strategy,[15] as well as tackling inequalities at an individual level, reducing offending needs action at a structural level. This would include increased understanding and participation by communities to involve them with other local justice partners in planning. This also includes ensuring equal access to services, using the best evidence to support people to develop positive relationships and improve their life chances. A combination of these outcomes lies at the heart of this approach:

- **Communities improve their understanding and participation in community justice:** increasing these while simultaneously reducing the stigma associated with people with convictions.
- **Partners plan and deliver services in a more strategic and collaborative way:** ensuring strong leadership and accountability, service and system improvement, and smarter use of local resources.
- **People have better access to the services they require, including welfare, health and wellbeing, housing and employability:** ensuring these

are equitable, needs led, co-ordinated and timed effectively to improve health and wellbeing, prevent offending and boost reintegration.

- **Effective interventions are delivered to prevent and reduce the risk of further offending:** ensuring that these are person centred, proportionate, timely and effective. They should also be framed to demonstrate positive change to individuals in contact with justice services.

- **Life chances are improved through needs, including health, financial inclusion, housing and safety being addressed:** people's needs being met effectively.

- **People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities:** to participate as citizens.

- **Individuals' resilience and capacity for change and self-management are enhanced:** to increase recovery and reintegration.

Therefore, the Community Justice Strategy is welcome as it brings a tangible opportunity for community justice and community planning partners to earlier effect change on the risk factors for both offending and inequalities.

Further detail, consideration of evidence and illustrations of where change can be enacted are contained in the full 'Reducing offending, reducing inequalities' document.

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