



## JUSTICE AND MERCY



## THE CARITAS LEEDS CRIMINAL JUSTICE INQUIRY



**Inquiry Co-Chairs: Rev. Dr Joseph D Cortis and Mr Tom Chigbo**

**October 2020**

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## FOREWORD

*How do we treat victims of crime?*

*Do we treat convicted criminals with the human dignity which is always theirs?*

*Do we believe in the real possibility of human change and transformation?*

*What is the place of prison in the 21st century?*

Exactly 16 years ago, The Most Reverend Peter Smith (late Archbishop of Southwark) posed these searching questions in the foreword to '*A Place of Redemption: A Christian approach to Punishment and Prison*'. In the years following publication of that seminal document, the Catholic Bishops' Conference of England and Wales has maintained a steadfast strategic oversight of the pastoral care of prisoners and advocacy on criminal justice issues at a national level. Further reports have set out a Catholic vision for improvements to the prison system, sentencing reform, improved mental health care and the removal of barriers to work for people who have served their sentences. Meanwhile Catholics continue to live their faith through practical action and service throughout the criminal justice system, from the legal sector to prison chaplaincy, and in charitable initiatives. In the Diocese of Leeds, Catholic social action contributed to the foundation of initiatives like St John's Approved Premises and the West Yorkshire Community Chaplaincy Project.

Despite this action, however, the questions posed by Archbishop Smith remain relevant for 21<sup>st</sup> century Britain. Catholics are called to a deep concern for these questions as part of our commitment to prioritise the needs of people who are on the margins of our society. This commitment, rooted in the Gospel and Catholic Social Teaching, is manifested in the practical action we take to support people affected by the criminal justice system. We work for a criminal justice system that is capable of both **Justice** and **Mercy**; a system which carefully balances and integrates the requirements of deterrence, containment and punishment with a genuine capacity for healing, reform and restoration.

The Caritas Leeds Criminal Justice Inquiry is an important initiative to stimulate Catholic action to make that vision of justice and mercy a reality in our local area.

It aims to:

- Increase knowledge and understanding among Catholics of the United Kingdom's criminal justice system and the experiences of people in our Diocese who encounter it.
- Explore and reflect on approaches to restorative justice.
- Encourage Catholics to take more action to support people encountering the criminal justice system and address the injustices which they may face.
- Make practical recommendations for action and change.

Over a two-year period, the group of 15 Commissioners from diverse backgrounds undertook a journey of listening and studying to draw evidence and suggestions for action from individuals and agencies working with victims of crime, prisoners, ex-offenders and their families.

This report is one of the outcomes of that journey and provides a platform for Catholic individuals, parishes and dioceses to work towards Justice and Mercy in the criminal justice

system wherever they are. It contains recommendations for action and we encourage all Catholics to play their part in taking them forward.

For the Diocese of Leeds, it marks the start of our own Diocesan response to the issues raised, which we will endeavour to implement and monitor through the work of Caritas Leeds over the coming months and years. We encourage all decision makers and organisations active in the criminal justice system to work with us to bring positive change to the criminal justice system.

Rt Rev Marcus Stock

**Bishop of Leeds**

Rev Dr Joseph D Cortis

**Co-ordinator for Caritas Leeds**

***The Diocese of Leeds:  
The Catholic Church across Yorkshire's historic West Riding since 1878***

## EXECUTIVE SUMMARY

From its very beginning, Christian communities have been deeply concerned about criminal justice and the people affected by it. The earliest Christians spent time in prison and were unjustly tried but Jesus said that anyone who visits a prisoner is righteous<sup>1</sup>.

In recent years the Catholic Bishops' Conference of England and Wales has produced several reports that call for reform within the criminal justice system. This report aims to delve deeper into the particular context of the Diocese of Leeds, with the aim of inspiring and encouraging the Church to take action on behalf of the victims of crime, prisoners, ex-offenders and their families. To this end, a group led by Caritas Leeds has spent two years interviewing and researching local charities, courts, police forces and other agencies associated with the system.

The themes that result from this research appear to conflict at times. We heard a great deal of empathy and compassion within the system for offenders and their families. However, the complexity of the system as a whole, combined with limited funding and resources, are seen as barriers to the work of rehabilitation and restoration. Addiction and mental health problems in offenders were frequently mentioned as issues the system struggles to deal with effectively. Prisoners themselves cite addiction as the most important factor in reoffending.

There is evidence of changing attitudes to offending within the system, with some authorities now considering the systemic causes of offending rather than just seeking punishment of the offender, thus addressing some of the issues that were raised by the Catholic Bishops and prison reform charities.

In considering recommendations for change (page 8), we are trying to identify what contribution our Diocese might be able to make. Perhaps the most powerful contribution might be the education of the Catholic clergy and lay faithful within the Diocese concerning the most important issues involved in contemporary criminal justice. This in turn may encourage people and communities to reach out and build relationships with those who are affected by crime and those who perpetrate it. These inform our recommendations for change within the Diocese of Leeds.

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<sup>1</sup> Matthew 25:36-39

## CHAPTER ONE

### INTRODUCTION

#### About Caritas Leeds

***'What good is it, my brothers, if someone says he has faith but does not have works? Can that faith save him? If a brother or sister has nothing to wear and has no food for the day, and one of you says to them, 'Go in peace, keep warm, and eat well' but you do not give them the necessities of the body, what good is it? So also faith of itself, if it does not have works, is dead'.***

**James, 2:14-17**

Caritas Leeds is a forum launched in September 2017 for all charities, agencies, projects, services and groups that are involved in social action or social care in the Diocese of Leeds. Caritas, which comes from the Latin word for charity, and our motto '*faith through loving service*' are an inspiration to the challenge and teaching of the above quotation. A Catholic more than just believes the message of the teachings of the scripture and the Church: we are also called to be witnesses to the love and mercy of God. This means that our faith must be actively expressed through loving service and works of charity, our 'Caritas'. [www.dioceseofleeds.org.uk/caritas/](http://www.dioceseofleeds.org.uk/caritas/)

#### **The aims of Caritas Leeds include:**

- *Providing a strong and coherent voice on important social issues for the Diocese of Leeds.*
- *Identifying and responding to areas of need within the Diocese.*
- *Encouraging, promoting and facilitating social action.*

Caritas Leeds is linked to the *Caritas Social Action Network (CSAN)*, the national forum which operates on behalf of the Catholic Bishops' Conference of England and Wales and brings together similar groups from around the country. [www.csan.org.uk](http://www.csan.org.uk) This agency is linked to both *Caritas Europa*, the network of Caritas organisations on the European continent. <https://www.caritas.eu/> and *Caritas Internationalis*, the global confederation of Catholic relief, development and social service organisations founded in 1897. <https://www.caritas.org/>

#### **About the Criminal Justice Inquiry**

This inquiry emerged from the '*Faith in Action: Joy and Challenge*' gathering, organised by Caritas Leeds to mark the 2<sup>nd</sup> *International Day of the Poor* in November 2018. The event was an open meeting for lay and ordained Catholics from around the Diocese to learn about major social injustices facing people in the region and select future priorities for social action. Following a reflection from Bishop Marcus Stock, attendees took part in workshops exploring key issues facing the following people in the Diocese: youth and families, prisoners and ex-offenders, disabled people, and homeless people.

After hearing personal testimonies from people with lived experience of these issues, participants worked together to devise potential actions the Diocese might take. These proposals were discussed and put to a vote to identify new priorities for the Diocese's future social action work to be coordinated by Caritas Leeds. The Criminal Justice Inquiry was one of 2 priorities that the clergy and lay faithful voted to take forward.

**This Inquiry is an action research project that aims to:**

- Increase knowledge and understanding among Catholics of the United Kingdom's criminal justice system and the experiences of people in our Diocese who encounter it.
- Explore and reflect on approaches to restorative justice.
- Encourage Catholics to take more action to support people encountering the criminal justice system and address the injustices they may face.
- Make practical recommendations for change and action.

The Inquiry builds on the foundations of Catholic ministry to the criminal justice system through chaplaincy, pastoral care, advocacy and campaigning. Various national reports over the last 15 years from the Catholic Bishops' Conference of England and Wales, summarised below, reveal the scope and impact of this work. However, this Inquiry aims to be a distinctive and timely addition by:

- Providing a local focus and exploring the experiences of people in the area covered by the Diocese of Leeds (5 districts in West Yorkshire and 3 in North Yorkshire).
- Exploring the criminal justice system from a holistic perspective – from policing and courts to prison, probation, release and rehabilitation.
- Highlighting the experiences of a variety of stakeholders including prisoners, ex-offenders, families, victims of crime and professionals within the system.
- Investigating the process and benefits of restorative justice in the area covered by the Diocese of Leeds.
- Stimulating on-going practical action and campaigning by the Catholic Church at all levels from Diocese to parishes, to individuals to promote positive change.

## CHAPTER TWO

### RECOMMENDATIONS

*This Inquiry was not meant to be a purely academic exercise, but an action research project designed to discern ways in which the Catholic Church can raise awareness and promote positive change. As such, our recommendations are presented to the Bishop, Clergy and Lay Faithful of the Diocese of Leeds as practical proposals for action in the coming months and years.*

#### **1. Promote actions that raise awareness and inspire more Catholics to work for positive changes in the criminal justice system.**

To achieve this recommendation, it is proposed that the following actions should be prioritised:

- 1.1. The Caritas Leeds Criminal Justice Forum to support taking forward the recommendations and proposals for action from this report.
- 1.2. Promote Prisoners' Sunday and Prisons Week as an annual focal point for prayer, liturgy, volunteering and educational opportunities related to the criminal justice system.
- 1.3. Promote and convene a regular meeting of prison chaplains for shared learning, peer support and planning activities. The promotion of a conference for prison chaplains, prison visitors and community chaplaincy staff should also be considered.
- 1.4. Promote and arrange opportunities for people with lived experience of the criminal justice system to share their testimonies with parishes and diocesan organisations, and build relationships for possible future support.
- 1.5. Investigate with the Probation Service the possibility of developing a support and befriending service to promote rehabilitation and community integration of people leaving prison.

#### **2. Encourage participation of parishes or deaneries in practical local action.**

To achieve this recommendation, it is proposed that the following actions should be prioritised:

- 2.1. Encourage parishes or deaneries to consider 'adopting' at least one public agency or third sector organisation working within the criminal justice system and develop an ongoing partnership with them.
- 2.2. Encourage parishes to provide meeting spaces for criminal justice charities, and peer support groups for related issues (e.g. addiction, mental health).
- 2.3. Encourage parishes and diocesan organisations to consult with *Giving Time*, *Tempus Novo* and other schemes to create more volunteering and employment opportunities for people who have criminal convictions.
- 2.4. Encourage lay Catholics who are business leaders to consult *Giving Time*, *Tempus Novo* and other schemes to create more employment and volunteering opportunities for people who have criminal convictions.

**3. Foster training and capacity building activities to equip clergy and lay people with the skills and confidence to act as champions for justice and mercy, and ensure that the Catholic Church is an effective partner for organisations working within the criminal justice system.**

To achieve this recommendation, it is proposed that the following actions should be prioritised:

- 3.1. Foster the provision of guidance and training on how to access Restorative Justice and signpost parishioners to local services for victims, ex-offenders and families.
- 3.2. Foster opportunities for catechists and parish volunteers to access training on issues such as addiction and mental health, to enable better inclusion and support for ex-offenders, victims of crime and their families in church activities.
- 3.3. Foster the provision of training for lay Catholics in campaigning, media engagement and community organising to give them the skills and confidence to participate in local decision-making and scrutiny forums and advocate for positive change in the criminal justice system.

**4. Support reforms which build a criminal justice system that delivers both justice and mercy.**

To achieve this recommendation, it is proposed that the following actions should be prioritised:

- 4.1. Work in partnership with existing Diocesan charities, other Christian and faith communities, to develop a campaign strategy to build local support for change in a number of areas, including:
  - Making the caring of victims, prisoners and ex-offenders a higher priority for politicians.
  - Improved quality and access to mental health services for prisoners.
  - Ensuring parity of healthcare between every prison and its local community, and continuity of care for people entering prison or being released.
  - Increased public funding for Her Majesty's Prison and Probation Service (particularly for prison staff and probation officers), rehabilitation activities and restorative justice schemes.
  - Reduced use of short custodial sentences and increased use of alternative community sentences.
- 4.2. Support the Business in the Community *Ban the Box* campaign to give ex-offenders a fair chance to compete for jobs by removing the tick box from application forms and instead asking about criminal convictions later in the recruitment process.
- 4.3. Encourage lay Catholics who are business leaders to support the Business in the Community *Ban the Box* campaign.

## CHAPTER THREE

### CHRISTIAN ROOTS

The foundation of Catholic Social Teaching is a belief that all people are created in the image and likeness of God. Regardless of any factors or reasons we can think of, individuals have an inherent and immeasurable worth and dignity. Each person is unique and special. The image of God comes to its glory in each one of us.

In the Gospel of Luke<sup>2</sup>, we read how Jesus launched his public ministry by returning to his home town of Nazareth and speaking in the synagogue, He chose to read from the words of the Prophet Isaiah:

*“The Spirit of the Lord God is upon me,  
because the Lord has anointed me  
to bring good news to the poor;  
he has sent me to bind up the broken-hearted,  
to proclaim liberty to the captives,  
and the opening of the prison to those who are bound;  
to proclaim the year of the Lord's favour”<sup>3</sup>*

In this clarion call, we are invited to work with Jesus to address the needs of all people who are in some way oppressed, which includes both victims of crime and offenders. As Pope Francis said, this demands an approach which combines justice and mercy, seeing them as *“not two contradictory realities, but two dimensions of a single reality that unfolds progressively until it culminates in the fullness of love”<sup>4</sup>*.

Jesus invites us to recognise Him in those who are rejected and marginalised. As Pope Francis puts it, we must become a *‘Church of the Poor’* which *“gets involved by word and deed in people's lives; it bridges distances, and is willing to abase itself if necessary and it embraces human life, touching the suffering flesh of Christ in others”<sup>5</sup>*. Doing this requires deep listening, to understand the challenges people face, and courageous commitment to action which may well lead to uncomfortable associations, unpopularity or rejection.

Our nation's history is full of examples of Christians responding to this call in the area of criminal justice. Prison reformers such as John Howard and Elizabeth Fry drove improvements in treatment and conditions during the 18<sup>th</sup> and 19<sup>th</sup> centuries. The formation of the probation service is often traced to Frederic Rainer, who wrote to the Church of England Temperance Society, concerned about the lack of support for people leaving prison<sup>4</sup>. His donation led to two people being appointed to South London courts with the purpose of *“reclaiming drunkards”*.

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<sup>2</sup> Luke 4:18-19

<sup>3</sup> Isaiah 61:1-2

<sup>4</sup> Pope Francis, *Misericordiae Vultus* 20 - [http://www.vatican.va/content/francesco/en/apost\\_letters/documents/papa-francesco\\_bolla\\_20150411\\_misericordiae-vultus.html](http://www.vatican.va/content/francesco/en/apost_letters/documents/papa-francesco_bolla_20150411_misericordiae-vultus.html)

<sup>5</sup> Pope Francis, *Evangelii Gaudium* 24 - [http://www.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium.html](http://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html)

Today, many of the third sector organisations who are working to improve the lives of ex-offenders, victims and their families in the Diocese of Leeds are Christian in either mission or origin. For example, the West Yorkshire Community Chaplaincy Project (WYCCP) works with prison leavers; St George's Crypt runs housing and a number of services for homeless and ex-offenders and is closely associated with the Leeds church of the same name. Many charities and voluntary groups involved in helping addicts to achieve sobriety are Christian: Alpha House in Halifax, which provides supported living and addiction rehabilitation, and Horizon Life Training in Harrogate. Other charities in the sector are no longer faith-based but have a Christian heritage. St John's Approved Premises in Leeds – also known as a 'bail hostel' - began in 1947 when the Leeds branch of the Knights of St Columba wanted an alternative to 'Borstal' for boys who were getting into trouble.

In England and Wales the Catholic Church's work on criminal justice and prison ministry is overseen by the Rt. Reverend Richard Moth, liaison Bishop for Prisons and Canon Paul Douthwaite, National Catholic Chaplain for Prisons. Catholic chaplains, charities and volunteers work in every prison throughout England and Wales supporting thousands of prisoners and their families every year.

### **Summaries of Reports produced by the Catholic Bishops' Conference of England and Wales (CBCEW)**

#### ***A Place of Redemption: a Christian approach to punishment and prison (2004)*<sup>6</sup>**

This weighty report takes a broad overview of the criminal justice system from the point of view of the needs of victims and offenders. It is described in later reports as the "seminal contribution" of the Catholic Church to the discussion on the criminal justice system in England and Wales. The recommendations ask the church to do more to help ex-offenders and prisoners' families and encourage the use of restorative justice. The report also offers several recommendations for improving prisoner welfare and reducing the use of prison.

#### ***The Right Road: A Catholic approach to prison reform (2016)*<sup>7</sup>**

This report draws on 'chaplains, charities and experts' to focus on reform of prisons. "By creating humane environments and giving prisoners some agency over their own lives, we can make prison 'a place of redemption' where their potential is realised," it says. Again there is a series of recommendations, echoing those in '*a place of redemption*', including advocating for restorative justice and the preservation of the family, looking for alternatives to prison and better prisoner welfare, and the importance of faith and pastoral support for prisoners.

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<sup>6</sup> A place of redemption, a Christian approach to Punishment and Prison, 2004. The Catholic Church Bishops' Conference of England and Wales. Available at: <https://www.cbcew.org.uk/home/our-work/prison-ministry/a-place-of-redemption-2004/>

<sup>7</sup> The right road: A Catholic approach to prison reform, 2016. The Catholic Church Bishops' Conference of England and Wales Available at: <https://www.cbcew.org.uk/the-right-road/>

***Belief and Belonging: the spiritual and pastoral role of Catholic chaplains for Catholic prisoners (2016)***<sup>8</sup>

This report aims to highlight the spiritual needs of prisoners, as well as the role of prison chaplains. It surveys Catholic prisoners about their spiritual practices and the experience of practising their faith within prison. From this it makes a series of recommendations for prison chaplains, including: emphasising the importance of attending Mass and other practices to prison staff and authorities, supporting prisoners to make contact with their families, and flexibility of arrangements for Mass.

***A Journey of Hope: A Catholic approach to sentencing reform (2018)***<sup>9</sup>

This report seeks a “more fundamental change” to the criminal justice system than the previous report “A right road”. It argues for significant changes to sentencing practice, to reduce the use of short stays in prison and use community sentences that focus on rehabilitation. It notes the increased pressure on prisons: increased numbers, reduced funding, and poor conditions. The report states that the criminal justice system should firstly be built for victims, but encourages them to seek forgiveness rather than retribution. Again, restorative justice, prisoner welfare and alternatives to custody are highlighted.

*True justice must produce a positive outcome for the victim, for society and for the offender. It must give every opportunity for criminals to come to terms with what they have done, to recognise their own guilt, and to acknowledge the need for remorse and penitence. In atoning for their past they recognise the human dignity of their victims and they also help to redeem themselves. It must be possible, within such a system, for an offender to make different choices from those that they have hitherto made. And the system must make it possible for that transformation to take place, and be assisted, at every point during the offender’s sentence and life thereafter.*

***A Place of Redemption: a Christian approach to punishment and prisons.*** Catholic Bishops’ Conference of England and Wales, 2004.

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<sup>8</sup> Belief and belonging: the spiritual and pastoral role of Catholic chaplains for Catholic prisoners, 2016. The Catholic Church Bishops’ Conference of England and Wales. Available at: <https://www.cbcew.org.uk/home/the-church/catholic-bishops-conference-of-england-and-wales/documents-and-publications/belief-and-belonging-2016/>

<sup>9</sup> A journey of hope: A Catholic approach to sentencing reform, 2018. The Catholic Church Bishops’ Conference of England and Wales. Available at: <https://www.cbcew.org.uk/a-journey-of-hope-a-catholic-approach-to-sentencing-reform/>

## CHAPTER FOUR

### METHODOLOGY

#### The journey: a brief time line ...

November 2018	Prisoners and ex-offenders voted as a Diocesan priority of focus.
December 2018-February 2019	Recruitment of commissioners, formulating a briefing paper and an implementation strategy.
March 2019-April 2020	Collection of evidence through round table discussions, meetings and visits.
April -July 2020	Analysis of the evidence collected and study of a range of public reports.
August-September 2020	Writing of the report, agreeing a list of recommendations, developing on-line materials and preparing for the launch event

For further details please see appendix one on page 54.

#### The Commissioners

This Inquiry was not meant to be a purely academic exercise, but an action research project designed to inspire practical action and campaigning by the Catholic Church at all levels to promote positive change. Future action will depend on the active participation and leadership of lay Catholics, who provide the Church with its energy, talent and expertise. In its formation and execution, this Inquiry sought to model this approach, starting with the recruitment of Commissioners.

Caritas Leeds intentionally sought the participation of a range of Catholic voices, both lay and ordained as Commissioners. They played an active role in directing the strategy, gathering evidence and developing the recommendations.

Together they represent a wide range of backgrounds and perspectives within the Diocese of Leeds. Most have direct personal or professional experience of the criminal justice system. They include criminal barristers, a former magistrate, a retired Assistant Chief Constable, a former forensic psychologist and prison visitor, a prison chaplain, a charity Chief Executive working with ex-offenders, a former Member of Parliament and government minister and third sector leaders. Commissioners included Rev. Dr Joseph Cortis, Tom Chigbo (Co-Chairs), John Battle, Pat Brown, Jane Daguerre, Anne Forbes, Lucy Irven, Danielle Kingsley, Andrew Latimer, John Mazzucchi, Paul Monaghan, Rev Philip Rogerson, Mgr Peter Rosser, Margaret Scally and Rachel Walker.

Full profiles of the Commissioners are available in Appendix Two on page 56.

## **Gathering evidence**

A list of the people interviewed and places visited is given in appendix three (page 57).

In order to achieve a degree of consistency, a template was created for commissioners to use to gather evidence, with space given under the headings of purpose, experience, challenges and successes, and change the interviewee would like to see in the system. This template is available in appendix four page 59. Each of these broad areas had specific questions for clarification. Each interview and visit had at least one commissioner from the team, sometimes more. Other than site visits, interviews took place at premises belonging to the Diocese of Leeds or at the premises of the interviewee or through virtual meetings. The interviews and site visits took place over a period of 12 months from April 2019.

Each interviewee was invited to check the report for accuracy. Commissioners were twice given the opportunity to review the reports collected, with the purpose of identifying where they perceived a gap in evidence or a different approach was needed. It also offered an opportunity to cross-reference the evidence gathered. These record sheets were compiled along with further information and reports about local services, ready for analysis.

Monthly site visits and/or themed round-table meetings took place with staff in key institutions and organisations active in the criminal justice field, including probation officers, police officers, psychologists, criminologists, managerial staff in prisons and the third sector, prison chaplains, lawyers, victims' advocates and Police and Crime Commissioner staff. Several establishments were visited, including HMP Leeds and a bail hostel. For more details, see appendix three (see page 57). In addition we also studied a range of locally focused reports such as one on mental health in criminal justice in Leeds (see footnote 46) and HM Inspectorate of Prisons' Reports on each of the five prisons in our diocese (see appendix five: page 60).

## **Research questions and analysis**

Two research questions were developed to guide the analysis and interpretation of the evidence collected:

- 1) What are the experiences of people involved in the criminal justice system within the area covered by the Diocese of Leeds?**
  
- 2) How can our Diocese at all levels better serve them and promote positive change within the system?**

It was the intention of this inquiry to inspire action at all levels of the Diocese of Leeds: from individuals, parishes, Bishop, clergy and charities associated with the Church.

We also wanted to explore how best to serve all people involved in the criminal justice system. This includes prisoners, ex-offenders, victims of crime, the families of all concerned and those who work within the system.

Caritas Leeds obtained funding from the Diocese to employ a researcher to carry out a thematic analysis of the evidence collected, draft a formal report, produce on-line resources

aligned to the aims of the inquiry, draw up a list of recommendations for action and engage with social media.

## Analysis

Thematic analysis is considered a “*foundational method*” for qualitative analysis and it has an advantage of being free of theoretical constraints, making it suitable for this inquiry<sup>10</sup>. It is “*a method for identifying, analysing, and reporting patterns (themes) within data... it minimally organises and describes your data set in (rich) detail.*”<sup>11</sup>

The selection of a theme depends on whether it “*captures something important in relation to the overall research question*”<sup>12</sup>. Therefore this analysis focused on answering the two research questions: discovering the experiences and accounts of people involved in the criminal justice system within the defined local area, and identifying how the Diocese could help. The analysis identified the explicit meaning of the evidence, as opposed to any “*hidden meaning*” or ‘*latent*’ level that is driven by theoretical considerations<sup>13</sup>.

The analysis was conducted on all supplied evidence: reports on site visits, reports of interviews conducted, and several external documents such as a review of the mental health support within the criminal justice system, and details of a pilot project within the Leeds Youth Justice Service.

To supplement the qualitative data, further information was sought to enhance or support the themes identified. For example, a Freedom of Information request was made to the Ministry of Justice for local funding information, and the standards for mental health care in the five local prisons were researched.

## Limitations

This inquiry has been fully implemented by a group of volunteers. It used qualitative methodology, so it was not the intention to find a representative sample for the evidence. Therefore the findings are influenced by the motivations and beliefs of the commissioners and those involved in the research, as well as those of the people interviewed, and no attempt to adjust for bias is made. The interviewees were chosen for reasons of availability and through personal connection. Most interviewees were at the managerial level of an organisation working in criminal justice, rather than the victims, offenders or families themselves. The capacity for collecting evidence was constrained by time and resources as well as the Covid-19 pandemic ‘lockdown’.

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<sup>10</sup> Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

## LOCAL CONTEXT

Figure One: THE CRIMINAL JUSTICE SYSTEM WITHIN THE DIOCESE OF LEEDS

### **CROWN PROSECUTION SERVICE**

Yorkshire and Humber region

### **PRISON**

**Five prisons (for details of inspection, see appendix five):**

HMP Leeds

HMP Wealstun

HMP Wakefield

HMP New Hall (women only)

YOI Wetherby (young offenders)

### **COURTS**

Leeds, Bradford Crown Courts

Leeds, Bradford Magistrates and Family Courts; Harrogate, Skipton, Huddersfield Magistrates Courts

Huddersfield County Court and Family Court

### **POLICE**

West Yorkshire Police

North Yorkshire Police

### **PROBATION**

Youth Justice Service: North Yorkshire

Youth Justice Service: Leeds

Wakefield Youth Offending Service

Kirklees Youth Offending Team

Calderdale Youth Offending Team

National Probation Service (various offices)

### **Community Rehabilitation Companies (soon to be disbanded):**

Humberstone, Lincolnshire and North Yorkshire Community Rehabilitation Company; West Yorkshire Community Rehabilitation Company

### **Approved premises:**

St John's Leeds, Westgate (Wakefield), Albion Street (Dewsbury), Elm Bank (Cleckheaton), Holbeck House (Leeds)

### **RESTORATIVE JUSTICE**

Restorative Solutions

### **VICTIM SERVICES**

Victim Support

Supporting Victims

**Table One: LOCAL CRIME STATISTICS**

<b>Crime levels in 2019<sup>14</sup></b>		
	<b>West Yorkshire</b>	<b>North Yorkshire</b>
Total recorded crime (excluding fraud)	292,174	47,929
Violence against person (total)	109,037	16,794
Homicide	33	6
Death or serious injury – unlawful driving	52	17
Sexual offences	8470	1988
Theft offences	93033	17066
Drug offences	7473	1662
Possession of weapons offences	2311	320

**Population figures in 2019: West Yorkshire: 2,320,214. North Yorkshire: 1,158,816 (Source ONS: UK)**

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<sup>14</sup> From the Office of National Statistics, Table P1: Police recorded crime by offence group and police force area, English regions and Wales, number of offences, year ending December 2019  
<https://www.ons.gov.uk/file?uri=%2fpeoplepopulationandcommunity%2fcrimeandjustice%2fdatasets%2fpoliceforceareadatatables%2fyearendingdecember2019/pfatablesdec19.xlsx>

**Table Two: CONFIDENCE IN THE CROWN PROSECUTION SERVICE**

**61% of people in the Yorkshire and Humber region are very or fairly confident that the Crown Prosecution Service is effective<sup>15</sup>**

<b>Population perception of police and crime – percentage who say they ‘strongly agree’ or ‘tend to agree’ March 2020<sup>16</sup></b>		
	West Yorkshire	North Yorkshire
Police can be relied upon when needed	61%	64%
Police would treat you fairly	65%	74%
Police deal with local concerns	49%	63%

**Table Three: DEALING WITH ANTI-SOCIAL BEHAVIOUR**

<b>Percentage of population who say they ‘agree’ that the police and local council are dealing with the anti-social and crime issues in the local area, year ending March 2020<sup>17</sup></b>	
West Yorkshire	North Yorkshire
47%	63%

<sup>15</sup> From the Crime Survey of England and Wales, year ending March 2020 Table 2: Confidence in the Crown Prosecution Service, by region, year ending March 2020 CSEW1  
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/crimeandjustice/adhocs/12041confidenceinthecrownprosecutionservicebyselectedpersonalandhouseholdcharacteristicsyearendingmarch2020crimesurveyforenglandandwales/confidenceincpsbypersonalcharacteristics2020final.xlsx>

<sup>16</sup> Crime Survey for England and Wales (CSEW) estimates of personal and household crime, anti-social behaviour, and public perceptions, by police force area, year ending March 2020. Table 1: Perceptions of the local police including confidence intervals, year ending March 2020  
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/crimeandjustice/adhocs/12032crimesurveyforenglandandwalescsewestimatesofpersonalandhouseholdcrimeantisocialbehaviourandpublicperceptionsbypoliceforceareayearendingmarch2020/iquantatablesmarch20.xls>

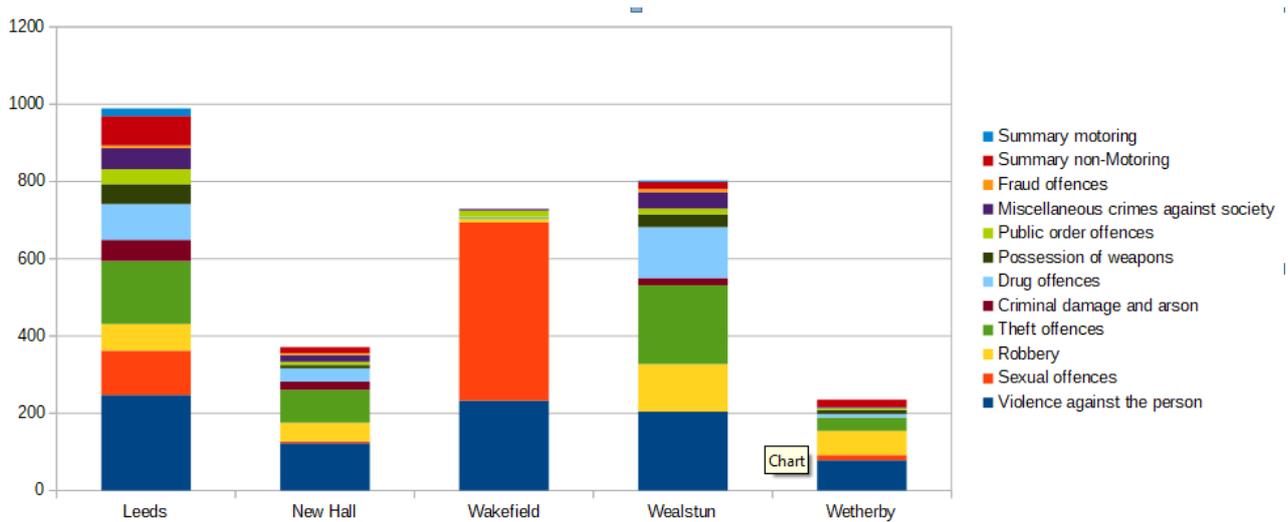
<sup>17</sup> Ibid: Table 2: Ratings of the local police and public confidence in the police and local council including confidence intervals, year ending March 2020 (CSEW)

**Table Four: LOCAL PRISON POPULATION STATISTICS**

<b>Data taken from most recent prison inspection report (see appendix five)</b>					
	<b>HMP Leeds Cat B</b>	<b>HMP Wealstun Cat C</b>	<b>HMP Wakefield Cat A and B</b>	<b>HMP &amp; YOI New Hall</b>	<b>YOI Wetherby</b>
Prison capacity	1131	812	750	425	336
% with sentences longer than 4 years	25.9	44.6	99.5	30.8	N/A
% Catholic	17.7	16.8	17.3	15.9	12
% foreign nationals	10.6	0.9	9.6	6.3	7.2
% who self-report mental health problems	61	63	38	78	29 at Wetherby, 84 at Keppel <sup>18</sup> (a unit within Wetherby)
% who self-report drug problems on arrival	43	41	10	59	36 at Wetherby, 52 at Keppel
% who self-report alcohol problems on arrival	29	23	12	28	7 at Wetherby, 30 at Keppel
% stating they have children under 18	58	51	31	58	9 at Wetherby, 17 at Keppel
Drug free wing available?	Yes	Yes	-	-	-

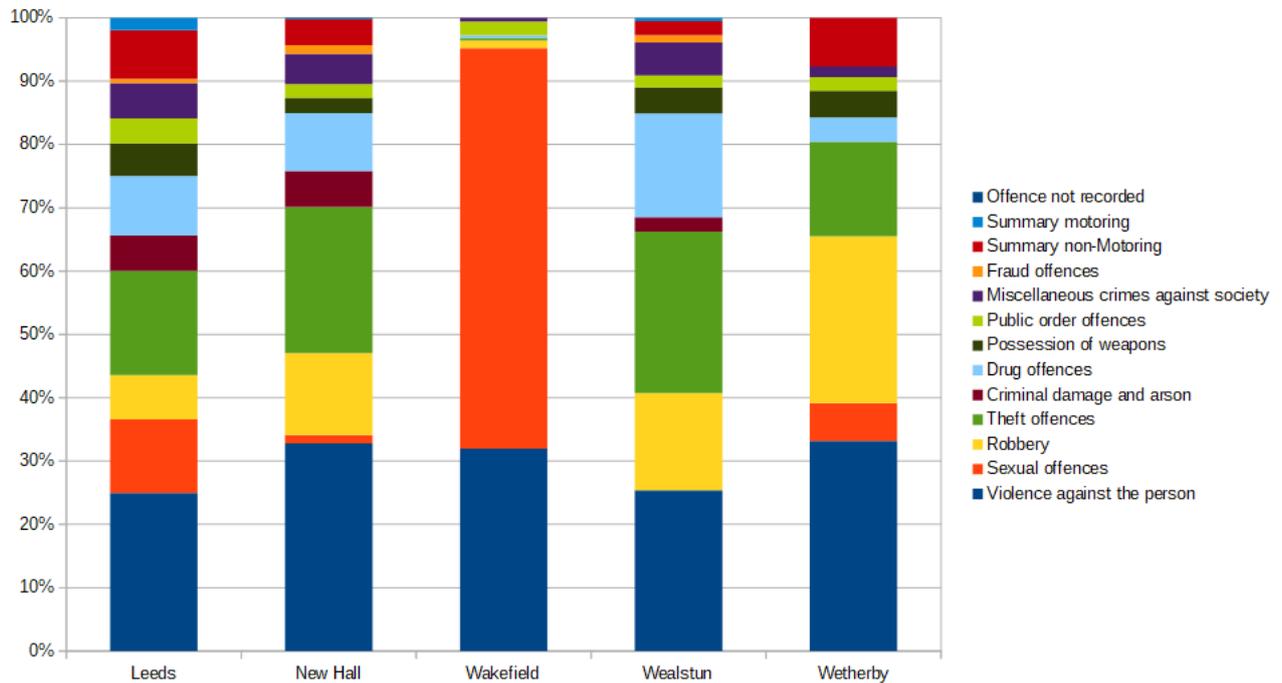
<sup>18</sup> The question asked in this survey is different to the other prisons: "Do you have any health problems (including mental health problems)?"

**Table Five: GRAPH SHOWING THE NUMBER OF PRISONERS IN EACH PRISON WITH COLOUR CODED REFERENCE TO TYPE OF OFFENCE<sup>19</sup>**



Y axis = number of prisoners

**Table Six: GRAPH ON TYPE OF OFFENCE IN EACH PRISON, SHOWING PERCENTAGE OFFENCE TYPE<sup>20</sup>**



Y axis = percentages

<sup>19</sup> This graph uses data from a response from the Ministry of Justice dated 6 July 2020, FOI request 200611004

<sup>20</sup> This graph uses data from a response from the Ministry of Justice dated 6 July 2020, FOI request 200611004

## **Figure Two: LOCAL CHARITIES AND FAITH GROUPS WITHIN THE DIOCESE OF LEEDS**

### **REHABILITATION, MENTORING, SUPPORT**

St Giles Trust  
West Yorkshire Community Chaplaincy Project  
Pact / Through the Gate  
Jigsaw Visitors Centre  
Catch 22 (Transforming Rehabilitation)  
Giving Time  
St Georges Crypt  
Barca-Leeds  
WY-Fi Project  
New Wortley Resettlement Project  
Together Women Project

### **MENTAL HEALTH**

NHS services  
MIND  
Mindwell website (Leeds)

### **ADDICTION**

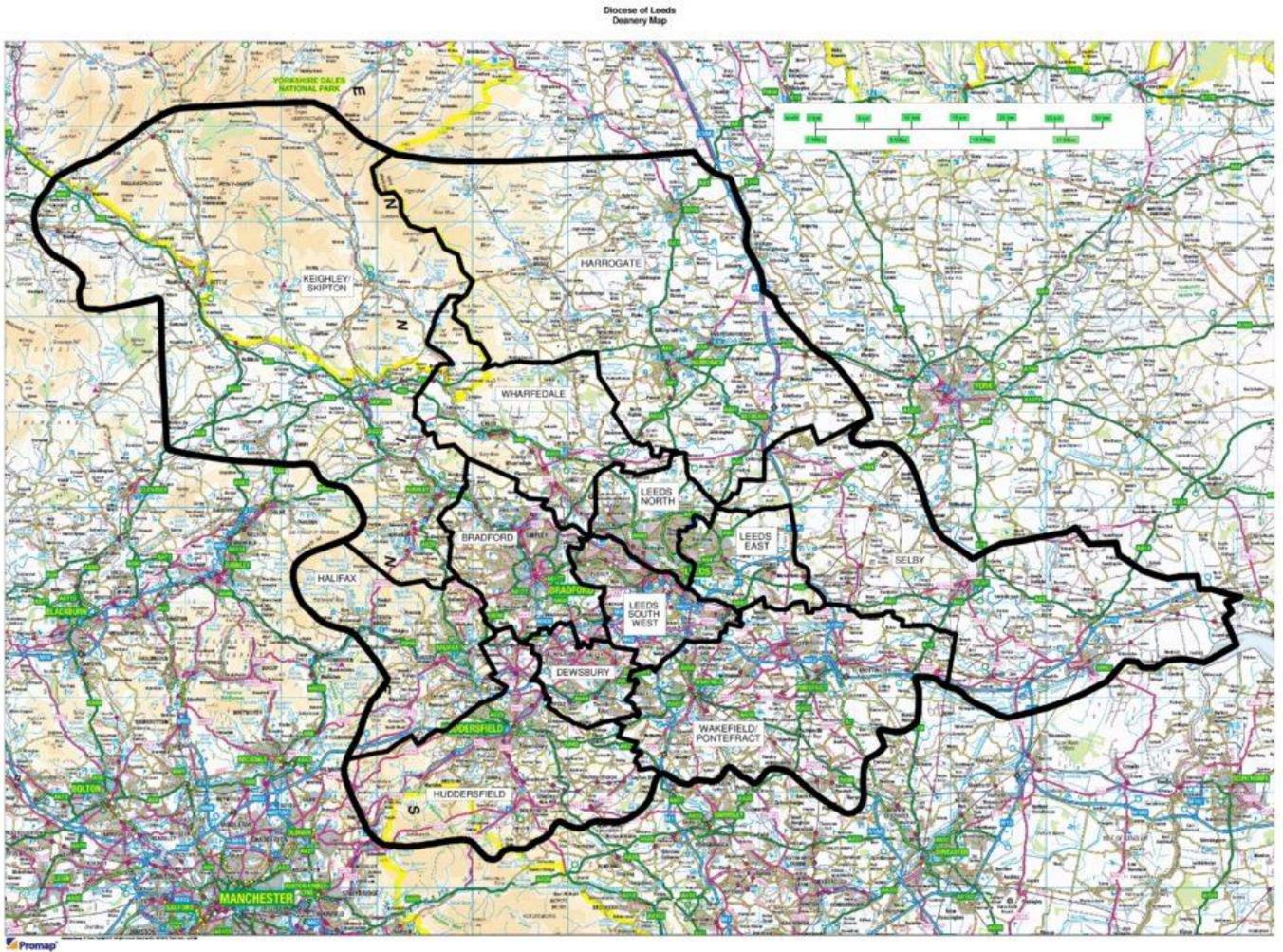
NHS/government services  
Alpha House  
Reflections House  
Spacious Places  
Horizon Life Training  
St Anthony's Project  
Narcotics Anonymous  
Alcoholics Anonymous

### **SEXUAL OFFENDING**

Sex Addicts Anonymous  
Safer Lives

Further details about the above can be accessed through the Caritas Leeds website: [www.dioceseofleeds.org.uk/caritas/criminal-justice-forum/](http://www.dioceseofleeds.org.uk/caritas/criminal-justice-forum/) under **Directory**.

Figure Three: MAP OF THE DIOCESE OF LEEDS



## CHAPTER FIVE

### FINDINGS FROM THIS INQUIRY

As already stated this inquiry had two main questions to investigate.

#### Research Question One:

**What are the experiences of people involved in the criminal justice system within the area covered by the Diocese of Leeds?**

### **KEY FINDINGS**

Themes drawn from the research are listed below, along with comments from the Catholic hierarchy and reflections from Commissioners.

#### **CARE, SUPPORT AND MERCY**

**“Mercy is not a fluffy word” Bishop Richard Moth, April 2016.**

**“The whole church in fidelity to the mission received from Christ is called to show the most vulnerable people the mercy of God” Pope Francis, November 2019.**

**“If you close all hope in a cell, there is no future for society” Pope Francis, Sept 2019.**

One of the strongest themes we found in the evidence was support, empathy and compassion for the people within the criminal justice system. There is an intention in many parts of the system to be supportive and to consider the needs of victims, prisoners, ex-offenders and their families.

#### **Families**

Catholic reports on prison reform often highlight the disruptive effects of prison on families. It is also an issue regularly raised by prison reform charities. We found evidence of concern for the needs of families within the criminal justice system.

*“[I was] pleased to hear of the concern given to keeping families together,”  
- Mgr Peter Rosser, Caritas Leeds commissioner, reflecting on a visit to Leeds Crown Court.*

There are a number of initiatives to further this end in our area. WYCCP is soon to start a project to support prisoners’ families in the community, and HMP Leeds and HMP Wealstun have a ‘Jigsaw Visitors Centre’ that employs family support workers and has the aim to “offer services and support to those visiting their loved ones in prison”<sup>21</sup>. It should be noted that funding for both is insecure, however.

<sup>21</sup> Available at <https://www.jigsawvisitorscentre.org.uk/locations/hmp-leeds/>

“The Jigsaw Visitor Centre was a very welcoming space, with staff and volunteers on hand to support relatives to make contact with prisoners.”

- Thomas Chigbo, Caritas Leeds commissioner, reflecting on a visit to HMP Leeds 'Jigsaw Visitors Centre.

We did not witness attitudes towards prisoners that were punishing, or seeking revenge for crimes committed, a stance that is discouraged by the national Catholic reports. However, punishment is a stated aim of the probation service.

One of the most consistent statistics regarding the prison population is that only about 5% of prisoners are women; a very small percentage of the total (and much lower than the 17% of the prison population in 1900)<sup>22</sup>. What is more, approximately 70% of imprisoned women receive sentences of less than one year. In December 2019 the total prison population of England and Wales was approx. 83,500, of whom less than 4,000 were women.

Of the 4 adult prisons located within the geographic area of this Diocese, only one, HMP New Hall (Wakefield) is for women. It can accommodate 425 women, many of whom come from other parts of the country as in England and Wales there are only 12 prisons for women, compared with 117 prisons for men. Not surprisingly, imprisoned women find themselves on average some 64 miles away from home. HMP New Hall is one of 6 women's prisons which have a 'Mother and Baby Unit' where babies are allowed to remain until the age of 18 months. It was not possible for the Commissioners of this Inquiry to visit HMP New Hall but the most recent report of an unannounced inspection by HM Chief Inspector of Prisons<sup>23</sup> in spring 2019 concluded that *'it remains a good prison, delivering effective outcomes for those held there'*.

A former prisoner of New Hall when interviewed as part of the BBC's 'Woman's Hour' radio programme on 31 July 2020 stated that she was very well cared for when she had her baby whilst in this prison. Catholic Care, a diocesan registered charity has links with the mother and baby unit at this prison.

There appear however to be considerable differences nationally between the reasons for men's and women's imprisonment and their consequent needs. The report prepared for the Catholic Bishops' Conference of England and Wales entitled *'A Journey of Hope: A Catholic Approach to Sentencing Reform (2018)* says:

*'The needs of women offenders are often more complex and there is scope for much improvement to the way women are sentenced. Around 46% of women in prison have reported suffering domestic violence and 53% have experienced emotional, physical or sexual abuse during childhood. Clearly the traumatic effects of abuse need proper treatment and may not be addressed by placing women in custody ... A further point for consideration is that women are much more likely to be primary carers than men and if a mother goes to prison, in 9 out of 10 cases her children will need to leave their home to go into care or to live with relatives'*<sup>24</sup>

According to the Prison Reform Trust at least 17,000 children nationally, of differing ages, are separated from their imprisoned mothers each year. On their release from prison, even after short sentences, many women, including mothers, face very serious housing problems (as do many men).

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<sup>22</sup> UK Prison Population Statistics. 3 July 2020.

<sup>23</sup> HMP & YOI New Hall 25 Feb – 8 March 2019. Available on-line.

<sup>24</sup> A Journey of Hope: A Catholic Approach to Sentencing Reform. Catholic Bishops Conference of England & Wales (CBCEW) 2018.

In July 2019 Lord Farmer published a Review on Women in Prison<sup>25</sup> for the Ministry of Justice which contained many recommendations relevant to the work of this Diocesan inquiry. One of his most significant conclusions was that:

*‘The importance of good family and other relationships, which are rehabilitation assets, needs to be a golden thread running through the criminal justice system...we cannot underestimate the practical and emotional difficulties that ‘mothering’ from inside prison entails.’*

Having found that more than half the women in prison had children under the age of 18, only 5% of whom stayed in the family home when the mother was jailed, Lord Farmer stressed how damaging to family life and well-being are the short sentences which many women receive and instead placed great emphasis on rehabilitation in the community rather than prison (although those found guilty of serious offending must be kept in custody for an appropriate period of time).

The 2019 Review contained numerous useful recommendations including a plea for ‘early intervention’ by Local Criminal Justice Boards, a range of Community Solutions such as the establishment of Women’s Centres, and an appeal for Better Custody Conditions e.g. the appointment of prison-based social workers and the installation of In-cell telephones, of such importance to primary carers. Speakers in the House of Lords when debating the report in July 2019<sup>26</sup> showed considerable support for the proposals.

## **Victims**

Victims and witnesses were also discussed with compassion. There are several agencies in the area that focus on supporting victims. In West Yorkshire, Victim Support is the responsibility of the Police and Crime Commissioner, while in North Yorkshire it is administered and delivered by the police.

“West Yorkshire Victim Support provides a free, confidential, victim-centred service which is open to anyone affected by crime, regardless whether or not they have reported the crime to the police. This helps us to ensure that no needs, and no victims, are left without support.”

- *West Yorkshire Victim Support statement*<sup>27</sup>

Another key agency is the Witness Service, which is a contract run by the Citizens Advice Bureau nationwide. This service provides “*free and independent support for prosecution and defence witnesses in every criminal court in England and Wales*”<sup>28</sup>. This is given by volunteers, who offer practical information as well as emotional support to those who have to appear in court.

“[The witness] appeared to grow in confidence with the aid of her witness support volunteer and the sensitive and gentle approach of the judge”

-*Mgr Peter Rosser, Caritas Leeds commissioner, reflecting on a visit to Leeds Crown Court*

However, a contrary theme was present, though lower in volume, of victims’ needs being neglected or ignored by the system.

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<sup>25</sup> *The importance of Strengthening Female Offenders’ Family and other relationships to prevent Re-offending and Reduce Intergenerational Crime. (Farmer Review)* Ministry of Justice. July 2019.

<sup>26</sup> Hansard 25 July 2019

<sup>27</sup> From <https://www.victimsupport.org.uk/help-and-support/get-help/support-near-you/yorkshire-and-humber/west-yorkshire/> accessed 22/06/20

<sup>28</sup> <https://www.citizensadvice.org.uk/about-us/citizens-advice-witness-service/> accessed 29/06/20

“It is believed that the current legal system is very offender focused, and often ignoring victims or treating them as a secondary matter when they may be the most affected by a crime.”

- *Kate Brooksbank, the West Yorkshire delivery manager at Restorative Solutions, the main provider of restorative justice in the region.*

One response to this problem has been to begin to provide restorative justice options, as called for by the Catholic Bishops, which will be discussed in more detail later in the report. Another advocate for victims’ rights is the office of the West Yorkshire Police and Crime Commissioner. The current holder of the post, Mark Burns-Williamson, has set supporting victims and improving services to victims as a priority in his police and crime plan for 2016-2021<sup>29</sup>.

## Young offenders

Particularly positive attitudes were shown towards young offenders by the agencies set up to work with them. Their narrative was focused on the potential systemic causes of the young person’s behaviour. Leeds Youth Justice Service said they have many different disciplines on staff to support them in this aim, including police officers, drug professionals, social workers, education workers, health workers, speech and language therapists: “*you name it we’ve got it,*” was one comment. These agencies said their aim was to work with the family and community around the young offender in order to rehabilitate and reduce the chance of re-offending.

“We need to work with the wider family. There needs to be a really holistic approach and we need to be in it for the long term.”

- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

This attitude was often reflected in the associated agencies, including the police, who work with children and young people in other ways too. West Yorkshire Police has officers dedicated to primary and secondary schools in the area, assisting with crime and anti-social behaviour, and teaching skills relevant to reducing violence and knife crime. Like the Youth Justice Services, management often prioritise societal and systemic causes to youth crime, which appears to be an empathic and compassionate approach to young offenders rather than a punishing one.

“Many of the issues relating to children and young persons are recognised to be a by-product of lack of support in the community – relating to poverty, family support, parenting skills. For example, it has been found that over 70% of children and young people coming to the attention of Youth Offending Teams have previously experienced domestic abuse in their homes.”

- *Senior police officer*

The police are increasingly reluctant to prosecute, and instead look for alternative ways to address offending behaviour by young people. One example is through restorative justice, which takes place through Youth Justice Services, and will be discussed later in the report.

“Generally speaking, other agencies [understand] that young people in the system are not intrinsically ‘bad’ and there are multiple factors involved. I include the police in this, who can be fabulous... the police managers are absolutely on side. They want to avoid unnecessary prosecutions and keep young people out of the courts when it can be justified,”

- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

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<sup>29</sup> [https://www.westyorkshire-pcc.gov.uk/sites/default/files/plan\\_at\\_a\\_glance\\_leaflet\\_2018\\_lres\\_final\\_1.8.18\\_0.pdf](https://www.westyorkshire-pcc.gov.uk/sites/default/files/plan_at_a_glance_leaflet_2018_lres_final_1.8.18_0.pdf) accessed 29/06/2020

There is a recognition of the difficulty of adopting a compassionate stance towards certain kinds of behaviours:

"Many of these kids can sometimes feel hard to love, exhibiting sometimes difficult and shocking behaviours, but they are victims too. Many have been exposed to a toxic trio of parental poor mental health, domestic violence and addiction."

- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

### **Prisoners and ex-offenders**

Many of the charities and agencies in the area state their purpose is to support offenders, and/or ex-offenders, as can be seen in figure 2:

"A diverse range of services are on offer at St Giles Yorkshire, ranging from help for vulnerable women in the criminal justice system to projects helping adults overcome barriers to access employment."<sup>30</sup>

"We provide support to people leaving prison and resettling back into the community who are not already in receipt of mentoring support. We can support people at one of their most vulnerable points, in order to make communities safer, reduce the likelihood of reoffending, and improve the chances for people leaving prison to resettle into the community."<sup>31</sup>

- *Pact, a Catholic charity*

There were many positive intentions for support, empathy and compassion given by interviewees, as well as concrete examples. For example, West Yorkshire Community Chaplaincy Project (WYCCP), an interfaith initiative, has a resettlement officer who will visit men on the wings at HMP Leeds before they are released, then provide support when they are out:

"The resettlement workers often get asked for help by prisoners who aren't necessarily leaving prison soon, but who need some support with paperwork or to contact services on their behalf."

- *Jane Daguerre, director of WYCCP.*

On field visits, our observations of how defendants, prisoners and ex-offenders were treated were positive:

"The accused was addressed in a respectful and formal manner, at one point the Judge enquired of the defendant's health when he appeared distressed."

- *Rev Dr Joseph Cortis, Caritas Leeds Co-ordinator and commissioner, reflecting on a visit to Leeds magistrates' court.*

The people interviewed were mostly managers or senior level employees in government or third sector groups, and mostly focused on working with the prisoner or ex-offender. It could be that staff 'on the ground' have different attitudes. There is some evidence of this in the HM Chief Inspector of Prisons report for HMP Leeds, which found "*some observations suggesting dismissive and potentially intimidating behaviour by staff,*" although they noted usually "*good and relaxed staff-prisoner relationships.*"

Our own observations of the attitudes towards offenders, including within HMP Leeds, were positive. This was particularly so for Christopher White, the Catholic chaplain there.

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<sup>30</sup> From <https://www.stgilestrust.org.uk/what-we-do/st-giles-yorkshire>, accessed 22/06/20

<sup>31</sup> <https://www.prisonadvice.org.uk/through-the-gate-mentoring>, accessed 25/06/20

“His work was mostly that of a social worker; e.g. supporting bereaved prisoners and helping suicide watch prisoners... chaplains, not wearing a ‘staff uniform’ were not seen as part of the regime, and it was evident in walking around two of the wings the respect which the prisoners had for Chris and presumably his fellow chaplains. Many regarded him as a friend...”

- *Rev Dr Joseph Cortis, Caritas Leeds Co-ordinator and commissioner, reflecting on a visit to HMP Leeds and a meeting with its prison chaplain, Christopher White.*

Prisoners and the wider community may often be suspicious of authority figures such as probation officers or the police, and so it was noted that third sector organisations and individuals seen as outside the ‘system’ may be more trusted. However the interviews with ex-offenders did mention positive interactions they had with the staff they had worked with, including chaplains and prison staff.

“Paula openly shared her own experience of being a prisoner and the impact which this had and still has on her family. She was complimentary on the role of prison chaplains and prison visitors.”

- *Caritas Leeds commissioners, reflecting on an interview with Paula Harriott, head of prisoner engagement at Prison Reform Trust*

## **Tough Love**

People who have changed from a life of drugs and crime into something more productive say that experiencing tough consequences for their actions can be important as well as care and compassion. One ex-offender said that if opportunities for mercy and the chance to change have been given but rejected, then the threat or experience of serious consequences for their offending behaviour can inspire motivation to change:

“With court, I had people write letters, I had lots of support [for leniency], and they said ‘no’. That if I would stand in front of them again, my sentence would be seven years. I hated it at the time, but it was probably the best thing that could have happened to me. It was tough to hear, it was tough leaving my mum in that courtroom, but it was all my actions that led me to be there.”

- *Phil Pearce, support worker and founder of community organisation Lived Experience, a former drug dealer and prisoner.*

Phil’s turning point came when his daughter wrote to him in such a way that he recognised the harm that his drug taking had done to their relationship. He then went to a ‘recovery wing’ in Preston prison and began a journey to sobriety, which he has been on for over eight years. He now works to support ex-offenders himself. The compassionate but challenging attitude of a staff member in the prison, along with the chance to work for the council despite his criminal record, also helped him change his life.

For Mez McConnell, who grew up in West Yorkshire, when a group of Christians cared enough to visit him in HMP Leeds, he started to listen.

“They talked to me like a real person and not some pet project. For the first time I began to take their message seriously. Maybe there was something to all this Jesus stuff after all. I mean, who would come all that way for a fifteen minute chat with a bloke who does nothing but give them grief?”

- *Mez McConnell, Christian pastor and former prisoner*<sup>32</sup>

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<sup>32</sup> Is there anybody out there? A journey from despair to hope. Mez McConnell, 2006, Christian Focus Publications.

This was the start of a dramatic life change. Mez was severely abused as a child. As a teenager, he drifted into burglary, drugs and other petty crime. Despite his considerable disadvantages in life, he says that taking responsibility for his actions helped him:

*"I had ready-made excuses for my defects. I was a victim! I had been through trauma! That was my get-out-of-jail-free card for every occasion that my conscience troubled me. If that didn't work, then I could always be placated by my social workers and counsellors who were only too happy to spoon-feed me the same philosophy... They told me that my bad decisions were the results of a chaotic childhood when, in fact, they were also often the result of my own foolishness.*  
- Mez McConnell, Christian pastor and former prisoner<sup>33</sup>

His autobiography describes a considerable amount of support and help from a Church community, though his adjustment to church culture took a long time and was difficult. However he is now happily married with children, has served as a missionary helping children in poverty in Brazil, and runs a church organisation reaching out to underprivileged people in Scottish housing estates. Thus it appears that experiencing serious consequences for offending behaviour and experiencing merciful compassion are not mutually exclusive – rehabilitation can involve both.

**Commissioners' reflection:**

*In November 2016 Pope Francis celebrated Mass for prisoners, part of the Jubilee of Mercy, with over 1,000 detainees from 12 countries taking part in a weekend of celebrations, along with their families, prison chaplains and staff, and various associations. His homily, which highlighted the experiences of people in prison, called on us to never lose hope in God's mercy. The compassion, support and empathy shown by individuals and organisations across the criminal justice system to prisoners, ex-offenders, victims and families, is a clear manifestation of this mercy. The dedicated workers and volunteers we have spoken to in this inquiry deserve recognition as those the Pope has named "true witnesses and workers of mercy".*

## FUNDING AND RESOURCES

**"We need to recognise that as a society we are locking up far too many people than we can care for" Bishop Richard Moth, February 2019.**

**"Our society resorts to imprisonment quite easily; sentences are longer, and we imprison people largely in Victorian buildings designed for incarceration not for rehabilitation" Bishop Richard Moth, Sept 2019.**

**"The treatment of our public sector workers is one of the biggest political debates of the moment" Bishop Richard Moth, July 2017.**

**"Let us continue to...push those in power to implement bold agendas, encourage employers to play their part and ensure that our society treats this cause with the importance it clearly deserves" Cardinal Vincent Nichols Sept 2019.**

Lack of or insecure funding was mentioned as a problem by nearly all participants, along with the term 'austerity', referring to cuts in government spending: the national budget of the

<sup>33</sup> The creaking on the stairs: finding faith in God through childhood abuse. 2019, Christian Focus Publications.

Ministry of Justice in 2019-20 was about 25% lower after adjusting for inflation than it was in 2010-11<sup>34</sup>. This fall in resources has affected all areas of the criminal justice system.

“The police and prisons are over stretched owing to austerity measures, so officers have less time to spend with prisoners.”

- *Jane Daguerre, director of WYCCP.*

“Police simply do not have sufficient officers to respond to the number of calls being made, the result of repeated cuts, year on year, to police funding by Central Government.”

- *Senior police officer*

One way that funding cuts have affected the area in recent years mentioned was the closure of courts. In the past ten years the area has seen the closure of Halifax County Court and Family Court, Halifax (Calderdale) Magistrates' and Family Court and Wakefield Magistrates' Court<sup>35</sup>

We attempted to get detailed information about the budget changes for local prisons. The Ministry of Justice produced the following statistics:

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<sup>34</sup> <https://fullfact.org/law/justice-spending-rachel-shabi/> accessed 07/07/20

<sup>35</sup> <https://www.bbc.co.uk/news/uk-35552199> accessed 29/06/20

**Table Seven: COMPARISON OF PRISON POPULATION AND COST IN THE FIVE PRISONS OF THE DIOCESE OF LEEDS 2010-11, 2018-19 <sup>36</sup>.**

<b>Prison</b>	<b>Wealstun</b>	<b>Wakefield</b>	<b>New Hall</b>	<b>Wetherby</b>	<b>Leeds</b>
Avg. prison population 2010-11	713	738	376	331	1096
Overall cost per place 2010-11	£33,501	£51,927	£49,710	£51,859	£41,379
Overall cost per prisoner 2010-11	£36,972	£52,731	£52,221	£41,379	£31,292
Avg. prison population 2018-19	799	718	376	249	1026
Overall cost per place 2018-19	£38,339	£51,952	£48,951	£69,179	£56,291
Overall cost per prisoner 2018-19	£38,892	£54,242	£51,068	£113,354	£36,719
Avg. prison population % change	12	-3	-	-25%	-6%
Cost per place % change	14.44	0.05	-1.53	33.4	36.04
Cost per prisoner % change	5.19	2.87	-2.21	77.42	17.34

A number of new initiatives were mentioned that reflect increased funding, responding to particular issues in the region:

- Mental health staff working throughout the criminal justice system, including at police stations
- Digital investigators
- The Police and Crime Commissioner and his office

<sup>36</sup> Information collated from the Ministry of Justice Prison Performance Statistics 2018-2019 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/841949/costs-per-prison-place-prisoner-individual-prison-2018-19.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841949/costs-per-prison-place-prisoner-individual-prison-2018-19.ods)) and 2010-2011 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/218348/prison-costs-tables-10-11.xls](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/218348/prison-costs-tables-10-11.xls))

## Staff numbers and salaries

Several interviewees said that there has been a cut in prison officer and police officer numbers. The latter was blamed on retirement, which also lead to lost investigative expertise in the force - *“it takes time to train people to have investigation skills,”* said one police officer.

**Table Eight: COMPARISON OF POLICE AVAILABLE FOR DUTY IN THE DIOCESE OF LEEDS AREA, 2010 vs 2015 AND 2020**

<b>Police officers available for duty in the Diocese of Leeds area, 2010<sup>37</sup> vs 2015<sup>38</sup> and 2020<sup>39</sup> – it is unclear to what extent these are ‘like for like’ statistics<sup>40</sup>.</b>		
	West Yorkshire	North Yorkshire
March 31 2010	5737	1466
March 31 2015	4561	1341
March 31 2020	5194	1425

Therefore, while there was a decrease in the middle of the last decade, there appears to have been partial recovery in recent years. Several interviewees mentioned falls in prison officer numbers. We applied to the Ministry of Justice under the Freedom of Information Act, for details:

**Table Nine**

<b>Number of full time equivalent Band 3-5 Prison Officers, by selected establishments, as at 31 March 2010 and 2020<sup>41</sup></b>		
<b>Prison</b>	<b>31 March 2010</b>	<b>31 March 2020</b>
Leeds	377	316
New Hall	201	166
Wakefield	423	332
Wealstun	182	235
Wetherby	211	272

This data shows there has been a fall in prison officer numbers in Leeds, New Hall and Wakefield—but a rise in numbers at Wealstun and Wetherby. A cursory examination suggested that there may be an association with the rise and fall of prisoner numbers.

<sup>37</sup> Data taken from the Home Office Statistical Bulletin, Police Service Strength, July 2010 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/115745/hosb1410.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/115745/hosb1410.pdf))

<sup>38</sup> Data taken from National Statistics; Police Workforce, 31 March 2015, Table 1 Police officers, by police force area, as at 31 March 2015 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444536/police-workforce-tabs-mar15.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444536/police-workforce-tabs-mar15.ods))

<sup>39</sup> Data taken from National Statistics; Police Workforce, 31 March 2020, Table H1 Police officers, by police force area, as at 31 March 2020 ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/909050/police-workforce-mar20-tables.ods/](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909050/police-workforce-mar20-tables.ods/))

<sup>40</sup> As can be seen in the references, the 2010 numbers are from a different statistical series. Correspondence from the Home Office advised that like-for-like statistics can be found at this link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/904377/open-data-table-police-workforce.ods/](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904377/open-data-table-police-workforce.ods/) However, this data is uncollated.

<sup>41</sup> Response from Ministry of Justice dated 4 August 2020, FOI request 200717018

There also appears to be a problem with staff retention at HMP Leeds. In 2018 it had the highest number of officers leaving after one year in the post, according to the Ministry of Justice<sup>42</sup>. The same figures showed that Yorkshire and Humber have the second worst rate of losing prison officers overall, 15.3 per cent of all officers left during the 2018-19 financial year, a considerably higher rate than earlier years.

In researching this report, efforts were made to find statistics to get a clearer picture of overall funding for criminal justice in the area and the causes of this. However, the complexity of the system, the frequent changes of policy, and the changes in the needs of the agencies, means it is difficult to get accurate, like-for-like figures.

### **Pressure on police time**

Funding for the police may be secured or increased for political purposes, because it is popular among voters. For example, North and West Yorkshire Police has recently received increased funding, and promises for more police officers<sup>43</sup>. However capital funding – for infrastructure such as IT - has reduced.

Police officers pointed out that even if the police were to be adequately funded, if other agencies in the criminal justice system reduce services, this increases the workload of the police, because they are required by law to fulfil certain roles.

“All the partner agencies in the criminal justice system have experienced funding cuts in recent years, and the police have found themselves being drawn into non-police activities to be able to properly fulfil their duties.”

- *Senior police officer*

One example is over the care of people with mental health difficulties – a problem that was frequently mentioned in the evidence, and will be further discussed under a separate theme.

“The police say that the other agencies have reduced their input into mental health provision due to funding cuts and the police “seem to pick up out of hours provision”.

- *Senior police officer*

“Officers can find themselves spending their whole working day trying to get immediate help from the Crisis Team for an individual who is suffering a mental health crisis, whilst other officers are sitting and waiting for many hours in mental health units or A&E departments waiting for the person they are obliged to remain with until they are seen by staff.”

- *Senior police officer*

### **Probation**

Another service which was said to have been cut, requiring the police to fill in the gaps, is probation. A major shake-up was introduced in 2015 when probation was partially privatised and less serious cases given to ‘Community Rehabilitation Companies’ (CRCs), while the state probation service would deal with the serious cases. The initiative has since been abandoned and probation services are being brought back under government control. As well as disruption to probation, there was a knock-on effect on the police:

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<sup>42</sup> These figures were released by the Ministry of Justice in response to a parliamentary question, see <https://www.leeds-live.co.uk/news/leeds-news/number-prison-officers-hmp-leeds-16303387/> accessed 01/07/20

<sup>43</sup> <https://homeofficemedia.blog.gov.uk/2020/01/22/factsheet-police-funding-settlement-2020-21/> accessed 02/07/20

“This situation caused the police to have to invest police officers in taking on probation officer roles; the alternative was for the police to waste their time repeatedly arresting offenders whose behaviour was not going to be changed by prosecution and ultimately imprisonment, being the product of a variety of factors such as poor education, poor health and feelings of worthlessness.”

- *Senior police officer*

Thus, it is not just central government funding for police officer numbers that affects the service the police can give, but the health of the system as a whole.

## **Changes in Society**

Cuts in funding have come at the same time as the demand for resources has increased in some areas, reflecting societal changes. For example, prisons have had an increase in population which is blamed on an increase in the seriousness of the cases being brought to court, with more of the prison population serving sentences for violent, sexual or drugs related offences<sup>44</sup>.

“Funding for prison services has been reduced especially over the last decade yet the number of prisoners has seen a significant increase within ever increasing levels of violence, substance misuse and mental health problems.”

- *Paula Harriott, head of prisoner engagement at the Prison Reform Trust.*

There has been an increase in the reporting of historical sexual offences in recent years, which requires resources from many agencies within criminal justice, not least the monitoring of sexual offenders if they are released into the community.

“The registration and monitoring of sex offenders’ increases year on year. This essential work requires a corresponding commitment of police resources, yet there is no allowance made in funding, which means other areas of police activity are inevitably adversely affected.”

- *Senior police officer*

Other societal changes mentioned include an increase in crimes that involve technology such as mobile phones and computers. However the police also said that reports of burglaries have fallen, so societal changes do not always cause an increase in need for resources.

## **Third sector**

The use of the ‘third sector’ - charities and social interest companies that are independent of government but not the private sector and not able to run for profit – appears to have increased in recent years. There are many third sector agencies involved in criminal justice and related issues such as homelessness and addiction in the area (see figure two). Most of these services are dependent on short-to-medium term contracts, sometimes from government or local authority contracts. For example, the Witness Service– run by the Citizens Advice Bureau – is currently only funded until 2021.

Third sector organisations have done much of the rehabilitative work in the area, some taking on the aborted attempt to take the probation service out of government hands. Others rely on short-term grants from philanthropic bodies and private donations, which makes long-term funding precarious. For example WYCCP can only assure their support workers for 3 months at a time.

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<sup>44</sup> Story of the prison population, 1993-2016, Ministry of Justice.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/541667/prison-population-story-1993-2016.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/541667/prison-population-story-1993-2016.pdf) accessed 02/07/20

The third sector is said to have the benefits of “*flexibility, innovation, adaptability and value for money*”<sup>45</sup>, but it has been pointed out that this can lead to complexity and waste if the overriding strategy is not clear:

"The whole system needs streamlining. This applies to the streamlining of commissioning for services, as currently a lot of funds are wasted because of very little in way of joint up thinking. At present there is a 'silo commissioning' model, where funding is offered for different issues - housing, mental health, women etc. It would be more effective if there was a joined up co-commissioning model. There might then also be an easier pathway for our women to access the services."

- *Worker at a rehabilitative charity*

### **Physical conditions of detainees**

Several comments about the physical conditions of Leeds courts were made by the commissioners after their visit. The area where defendants are kept at Leeds Crown Court was described as “claustrophobic and dingy.”

“I confess to being rather horrified at the idea of a prisoner being expected to spend several hours, perhaps a whole day, in one of the holding cells where there is nothing but a concrete seat. It seemed particularly difficult to imagine having to sit there with no stimulus, no book, other than a Sudoku given by the prison authorities.”

- *Mgr Peter Rosser, on a visit to the holding cells at Leeds Crown Court*

There was a more positive response to the environment of Leeds Magistrates Court and HMP Leeds.

#### **Commissioners' reflection:**

*Underfunding and lack of resources is clearly placing huge strain on all aspects of the criminal justice system. Without a serious commitment to resolving these challenges through increases in funding (particularly for staff in prisons, policing, probation, health services and the third sector) and reducing the prison population (for example through sentencing reform, as recommended in the report A Journey of Hope), we will be unable to build a humane criminal justice system capable of living up to Pope Francis' call for us to recognise the “irrepressible dignity” in the face of the “wounded and often devastated humanity” represented by prisoners, ex-offenders and victims of crime.*

## **COHESION AND COMPLEXITY**

**“The complexity of the problem grows all the more as prisoners and staff struggle to cope with the varying pressures under which they are placed”  
Bishop Richard Moth, July 2017.**

**“Responsibility for reform falls upon individuals, government, businesses and communities” Cardinal Vincent Nichols, September 2019.**

<sup>45</sup> The Third Sector in Criminal Justice, Briefing paper, The Mary Corcoran and Anthea Hucklesby, University of Leeds. Available at [https://essl.leeds.ac.uk/download/downloads/id/654/third\\_sector\\_in\\_criminal\\_justice\\_briefing\\_paper.pdf](https://essl.leeds.ac.uk/download/downloads/id/654/third_sector_in_criminal_justice_briefing_paper.pdf) accessed 03/07/20

The complexity of the criminal justice system as a whole, and the lack of cohesion between the various agencies, was frequently mentioned as a difficulty for all concerned.

### **Complexity of the system structure**

The basic criminal justice system has a number of elements – courts, solicitors, police, probation, prison, etc. They are all managed differently with different accountability structures and different priorities. For example, the police are the responsibility of the Home Office, while the courts, prisons, probation and the Crown Prosecution Service are the responsibility of the Ministry of Justice. Such structures and accountability streams change regularly, for example these functions were all in one Government department until 2007. The regional boundaries tend to be different, and different regions have different responsibilities and criteria. This makes working with other agencies difficult for everyone in the system:

“The police would like to see greater consistency between local authorities because they find that they are having to do things differently depending upon which local authority they are working with.

- *Senior police officer*

Specific difficulties mentioned include a difference in how Leeds and Bradford Crown Courts operate, and the split between Witness Services and Victim Support, which means that some victims have different support mechanisms before the trial than during the trial, for example.

This seems complex enough. When considering the support systems surrounding the criminal justice system, it becomes more confusing. For example, the NHS provides mental health support, and the local authority provides social services who frequently interact with police. Together with all the third sector organisations, with their varied restrictions and referral criteria and capabilities, the whole picture is extremely complex.

One of the key ways this affects the people in the system is by making it difficult to navigate for staff as well as offenders, victims and their families. An issue raised by several interviewees was the lack of awareness of services that already exist, meaning that sometimes people are not supported despite the fact that the capacity to do so exists within the system.

“The [mental health] system is composed of many organisations, with limited capacity and complex referral processes; it can be difficult for those professionals within criminal justice, as well as offenders, to understand the myriad of symptoms exhibited, and ultimately which local service would best suit an individual’s needs.”

- *Report on Mental Health in Criminal Justice, Leeds*<sup>46</sup>

There are some regional bodies which have attempted to address the problem of cohesion and complexity. For example, the Bradford Community Safety Partnership, which was created following the 2001 riots, promotes inter-agency co-operation in dealing with anti-social behaviour and other issues.

The Police Crime Commissioners (PCC) have a role in bringing agencies together, though their powers are limited. For example, the West Yorkshire Police and Crime Commissioner’s Partnership Executive Group includes the Crown Prosecution Service, the five Councils including public health, the NHS, the prison and probation services, the Fire Service and the third sector. Its Criminal Justice Boards also bring together the Police, Crown Prosecution Service, courts, probation, prisons, the Legal Services Commission and Victim Support.

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<sup>46</sup> Mental Health in Criminal Justice, Leeds: A review. Dr G Kelly. Reducing Offending Board, Leeds, June, 2019

Another means by which the complexity can be navigated is through inter-agency training. West Yorkshire Police employs a full time Mental Health Officer to build relationships with the two mental health hospitals in Bradford, which has led to the police and NHS receiving training together about their work, which has directly improved the local use of resources:

“Mental health nurses had not appreciated the major impact on policing when a high-risk person was reported missing in Bradford; they had previously thought that one or two officers would be given the inquiry, drawn from a pool of 200 staff. They were astonished when they learned how low the number of police officers on duty was at any given time, and that the police response to a vulnerable missing person involved all those officers. As a result, on each occasion when someone is reported missing to the Police, the NHS staff now undertake a review of how the person came to be missing, and they look at staff and training to analyse how they could the situation can be improved by doing things differently. As a result of this partnership approach, in the year 2016/17 – 2017/18 the number of persons reported missing by mental health centres in Bradford has reduced by over 50%.”  
- Senior police officer

### **Reform fatigue**

Public interest in the criminal justice system makes it a target for frequent government reform, meaning there are often reorganisations and new policies to enact in the workplace. This complexity causes ‘reform fatigue’ according to one probation officer, that service having been particularly affected in the past ten years by the now abandoned initiative to form ‘CRC’s as previously discussed.

#### **Commissioners’ reflection:**

*The criminal justice system is a complex web of institutions, processes and support structures. The challenge of understanding and navigating this is not an academic one, but an everyday problem that affects the welfare of prisoners, ex-offenders, victims and families. Church teaching is very clear on the need to prioritise the wellbeing of the poor and marginalised and Pope Francis reminds us that this is not a political or ideological matter but “the key criterion of Christian authenticity”. When developing, organising and promoting services within the criminal justice system, a “preferential option for the poor” should be adopted as a key principle. This would mean a positive experience for prisoners, ex-offenders, victims and families particularly in terms of accessibility, navigating the system and outcomes.*

#### **ADDICTION, MENTAL HEALTH & WELLBEING**

**“This crisis requires an urgent response including better investment in staffing and support for those facing mental health problems” Bishop Richard Moth, February 2019.**

**“The rising number of people dying or coming to harm in prison reflects a continued failing of our criminal justice system” Bishop Richard Moth, February 2019.**

Addiction and mental health were frequently cited as issues crucial to understanding and supporting the criminal justice system. They were mentioned in a variety of ways: as a

mitigating or causal factor in criminal behaviour, as something the various agencies are struggling to deal with, and as an issue that the wider public is increasingly aware of.

## **Mental health**

Mental health problems are increasingly cited as a problem in society. The causes of this are complex. The success of the NHS in helping vulnerable people was described as “*outstanding*” by one police officer, who said this has consequences for the police and the criminal justice system as a whole:

“... but it has in turn increased the number of people with vulnerabilities who are being managed in the community - people who then generate increased demands on the police both in terms of protecting them from both being victims of crime and protecting them from being drawn by others into criminal activities.”

- *Senior police officer*

In response mental health professionals now work in the criminal justice system. A review found access to mental health support at every level of the system- at police stations, in the court process, in prison and in the community<sup>47</sup>. Significant developments in recent five years include the roles of ‘Liaison and Diversion’ officers based in police stations and courts, whose task is to identify vulnerable people within the system, involve relevant services, and conduct mental health assessments<sup>48</sup>. These mental health professionals within the system are not however intended to provide interventions or treatment, but instead to signpost to other services and provide support. Though this provision has become available, lack of resources was raised several times including by the commissioners’ visit to Leeds Crown Court:

“The mental health provision across the criminal justice system is inadequate and this impacts the use of limited police resources.”

- *Senior police officer*

“More ring-fenced resources to tackle the problem of addiction and mental health issues are [needed] ‘

- *Criminal solicitor*

As already explained in the ‘funding’ section, a lot of police time is taken up by people with mental health difficulties which may better be achieved through other services. A specific issue was raised in the care of people having a short-term mental health crisis. One police source said that the mental health team responsible for a distressed person may tell the police: “*the fact the individual is threatening self-harm or violence against others is simply one of the episodes that person has as part of their condition, so there is nothing the NHS can do to help the police.*” However because the police has a duty of care, they cannot leave the patient.

“Members of the public call the police to try and resolve a situation which cannot be resolved by the police because it is a medical crisis. In such circumstances the police have no lawful grounds to arrest someone who is exhibiting distressing behaviour due to a medical condition: even were a power of arrest available, it would not be the right thing to do to take someone like that to a police custody suite... This is the reason officers find themselves sitting with patients in A&E for hours on end, hoping the individual may eventually calm down. Thus it is that a lack of funding in the NHS leads to the completely inappropriate use and diversion of considerable amounts of valuable police time that would otherwise be utilised in

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<sup>47</sup> Mental Health in Criminal Justice, Leeds: A review. Dr G Kelly. Reducing Offending Board, Leeds, June, 2019

<sup>48</sup> *ibid*

answering other equally urgent calls for help from the public.”  
- *Senior police officer*

This appears to be an important gap in the provision of mental health services, with no short-term, non-residential care being available for individuals who need a safe environment for a few hours in order to recover from a transitory mental health episode.

In July 2020 the Sentencing Council for England and Wales, following a wide consultation in 2019, issued guidelines for sentencing offenders with mental health problems and or learning disabilities which become operational on 1 October 2020.

### **Prisoner care**

A significant problem for prisoners’ mental health care is that they are discharged from Community Mental Health teams on entry to prison, but when returning to the community, staff inside the prison may not refer back to the community team in time, as they may not know when the person will definitely be released<sup>49</sup>.

Improving mental health care could have knock-on effects on the offender’s life and their families, as well as reducing offending and so reducing the number of victims in society:

“Effective treatment of mental health (MH) disorders in offender populations can have far-reaching consequences in terms of re-offending, the economy, and ultimately, health and wellbeing, for offenders and their families. It is important that barriers to mental health services are minimal for whatever level of need, and that there are seamless transitions between services in custody and in the community to prevent deterioration at a period of disruption in someone’s life.”

- *Review of mental health services in Leeds*<sup>50</sup>

A greater understanding of the factors involved in offending behaviour, especially the impact of trauma, was said to have improved the treatment of offenders overall:

“The quality of support for offenders has been greatly enhanced by better awareness and training in personality disorder traits, mental health, brain injury and trauma.”

- *Probation officer*

### **Addiction**

Like the rest of the United Kingdom, the use of drugs and alcohol is frequently associated with crime in North and West Yorkshire.

“There is a huge correlation between drug misuse/addiction and re-offending rates. Drug addiction is evolving in a very fast way in all strata of society.”

- *Criminal solicitor*

Addiction may also be a cause or aggravating factor in serious mental health conditions, too. A rehabilitation service in Castleford pointed out that when people come off psychoactive drugs, they often find that their mental health improves:

“A lot of people with mental health problems - not all but a lot - once they stop the drugs, then things like anxiety and paranoia will reduce.”

- *Paul Swift, founder of rehab Reflections House, Castleford, and recovering addict.*

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<sup>49</sup> *ibid*

<sup>50</sup> *ibid*

Prisoners and ex-offenders from West Yorkshire surveyed by offender advocate 'User Voice' were almost unanimous in stating that addiction leads to reoffending – 97% of prisoners said it was a factor, with fewer attributing it to mental health, housing and education<sup>51</sup>. Given that most of the input into our inquiry is from the people 'of power' rather than the offenders themselves, this survey gives a voice to the prisoners and ex-offenders and what they consider to be important.

This 'User Voice' report criticised local addiction services, though it focused on those available through the NHS and government agencies such as the prison. Difficulties in accessing opiate substitutes such as Subutex were mentioned, and the short educational courses provided by prisons weren't seen as helpful:

"For those in prison, whilst services were regarded as more readily available it was felt that many courses could often be tick boxing exercises which did not address the roots of addiction."

- *User Voice survey of prisoners and ex-offenders*<sup>52</sup>

One development is the introduction of "drug recovery wings" in prisons nationwide. Locally HMP Wealstun has an incentivised "substance-free living wing" for prisoners who wish to stop using drugs and alcohol – which is commonly available in many prisons – which was described as "impressive" in its latest prison Inspectors' report<sup>53</sup>. Phil Pearce was taught about abstinence and addiction in a recovery wing in Preston prison.

Another former addict argued that not all addicts want to change. Therefore, to help people get clean from an addiction, identifying those who want to get off drugs is necessary. He argued that this is best done by people who have got clean themselves and who are able to set firm boundaries:

"[Addiction] recovery is for people who want it, not people who need it. So wheedle out the ones who want it... if you want to get clean, you want to get clean here, in a safe environment. If anyone uses [drugs] in this house... they're gone. In a safe environment, there's no 'us and them'. Safe environments need to be run by recovering addicts. You can't learn this [stuff] in a book. You've got to have lived this life.

- *David Hesketh, employed at Reflections House, Castleford, a recovering addict and ex-offender.*

There is a significant non-governmental source of support for addiction through '12-step' recovery, which was initially Christian in origin, coming out of the 'Oxford Movement'. The groups are run by recovering addicts themselves, and the solution for addiction is described as 'spiritual'. A twelve-step programme encourages participants to pray and meditate, take responsibility for their flaws, and make amends with the people they have harmed, among other spiritual practices.

Churches often still play a role in 12-step recovery because groups such as Alcoholics Anonymous often meet in them. There are sister groups for family and friends of addicts and alcoholics such as Al-Anon. There is a large network of such groups in the West Yorkshire, and a smaller network in the North Yorkshire.

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<sup>51</sup> Service user involvement in OPCC strategy development for reducing crime, offending and reoffending in West Yorkshire, January-October 2019, User Voice: only offenders can stop reoffending.

<sup>52</sup> Ibid.

<sup>53</sup> Report on an unannounced inspection of HMP Wealstun by HM Chief Inspector of prisons, 15-25 October 2019.

Several local Christian drug and alcohol rehabilitative projects use a '12- step' model, such as Reflections House in Castleford, Spacious Places in Leeds, and Alpha House in Halifax. Nationwide there are Christian '12-step' programmes such as Celebrate Recovery<sup>54</sup>, though they are not as common as in the United States. There is also a Catholic group associated with '12-step' recovery called Calix53, with the closest group being in Sheffield.

### **Prison as shelter**

For some individuals, repeat offending is related to the relative preference for being in prison to the challenges of the outside world.

“The fact that there is security [in prison] – a relatively ‘safe space’ – along with food, drink, a bed for the night, shelter, along with the presence of other people, is so often preferable to, initially being homeless, having to try and get a job, budget etc.

- *Clinical psychologist*

It was also pointed out that some use prison as a ‘rehab’ to try to get off drugs; but the set-up of the prison and the aftercare on release is not always useful for this purpose.

#### **Commissioners’ reflection:**

*Mental health and addiction have a profound impact on both the lives of prisoners and ex-offenders as well as the functioning of key institutions within the criminal justice system. It is disappointing to see that despite some improvements and innovation in recent years, restricted access and insufficient resources remain the reality for many people. Health care which seeks “the integral well-being of the person” is recognised by Pope Francis as one of the “fundamental pillars” upon which a nation should stand. If we fail to devote sufficient resources to mental health care and addiction services, we undermine the criminal justice system.*

## **RESTORATIVE JUSTICE**

**“Restorative justice and rehabilitation schemes cannot take place without the work of specialised support staff to carry them out” Bishop Richard Moth, July 2017.**

**“Paying for the wrong we have done is one thing, but another thing entirely is the breath of hope which cannot be stifled by anyone or anything” Pope Francis, November 2016.**

Restorative Justice is a process where victims and offenders can communicate following an offence via letters or a meeting. This gives an opportunity for the victim to discuss the harm done to them, or ask questions. The offender can better understand the impact of their actions and has a chance to explain their behaviour to the victim.

"Restorative Justice is a delicate and challenging process in some cases which brings together the victim of crime with the perpetrator with the ultimate goal of repair and moving forward for both parties."

- *Kate Brooksbank, West Yorkshire Service Delivery Manager for Restorative Solutions*

However this is not said to be a well-known concept amongst the general public but it receives considerable attention in Catholic reports on criminal justice. For example, in *The*

<sup>54</sup> <https://www.celebratercovery.co.uk/> accessed 29/06/20

*Right Road: A Catholic approach to prison reform (2016)*, the bishops called for access to restorative justice programmes for prisoners still in prison, rather than just when outside. Another report encouraged people of faith to get involved:

*'One practical way in which faith-groups might be able to accompany victims is to support a process of dialogue between victims and offenders through the facilitation of restorative justice... The Government should work to improve access to restorative justice for victims, integrating it more effectively into the sentencing process, but it should do so in close collaboration with victims and victim support groups'.*

- A journey of hope: A Catholic approach to sentencing reform, 2018

Caritas Leeds wished to examine the application of restorative justice in the region more closely. Services are available in our area through Restorative Solutions, who are contracted by the Police and Crime Commissioner in North and West Yorkshire. Restorative justice practices are also used in the Youth Justice Services.

The nationwide Code of Practice for Victims of Crime (2015) states that all victims of crime are entitled to be offered the option of Restorative Justice and allowed to make a decision about whether this is something they wish to proceed with<sup>55</sup>.

Interviewees said that there is evidence that the use of restorative justice improves the wellbeing of victims as well as reducing reoffending.

As mentioned above, some victims' advocates have criticised the criminal justice system for being focused on the needs and outcomes of offenders, rather than the victims or the witnesses. Restorative justice is seen by some as a way of addressing any imbalance:

*"Restorative justice offers a platform for raising questions by both parties, articulation of the impact experienced by the victim of crime, consequences and changes which needed to be made. The intention is that this may help the victim cope and recover from what has happened. It also benefits the perpetrator because it offers an opportunity to offer context as to what happened and why."*

- Kate Brooksbank, West Yorkshire Service Delivery Manager for Restorative Solutions

A challenge to the local system is that agencies may become a 'gatekeeper' to the service. The provider would prefer that the victim has more say in whether a restorative justice route is suitable:

*"Often those services working with victims and offenders can make decisions on their behalf. This is not helpful and we undertake significant amounts of work to allow people to make their own choices. For example: a probation officer may state that an offender has not done enough offence-focused work to be able to offer a victim any meaningful communication or explanation. While this may be true, this should not rule Restorative Justice out. A victim could take this information on board and decide how/if they wish to proceed. If what they want to do is explain the impact of an offence to the offender, the offender may not have to give any explanation to the victim, and by extension, the offence-focused work may not make a difference to that victim at that time. Ideally, the impact of the victim may actually encourage the offender to regard their offence-based work more highly and with more*

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<sup>55</sup> Code of Practice available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/476900/code-of-practice-for-victims-of-crime.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/476900/code-of-practice-for-victims-of-crime.PDF) accessed 03/07/20

sincerity.”

- *Caroline Rountree, West Yorkshire Restorative Solutions.*

**Commissioners’ reflection:**

*The criminal justice system tends to prioritise assigning guilt and administering punishment over efforts to repair the wider damage caused to victims, offenders and the wider community by criminal behaviour. Restorative Justice approaches honour the dignity of victims and offenders by creating opportunities for them to play an active role in the process of accountability and making amends. These carefully managed encounters often provide victims with more insight into not just what happened, but why it happened. At the same time, they can aid rehabilitation for offenders by inviting them to see their harmful behaviour not as something permanently defining, but as an action for which they have some power to make amends over time. The expansion and removal of barriers to Restorative Justice is of vital importance, if our criminal justice system is to facilitate restoration, redemption and healing for victims and offenders.*

**MINOR THEMES**

**“As Christian communities we must ask ourselves a question: If those brothers and sisters have already paid for the evil committed, why is a new social punishment put on their shoulders by rejection and indifference?” Pope Francis, November 2019.**

**“The resurrection of a person is never the work of an individual, but of a community walking together” Pope Francis, April 2020 (Good Friday ‘Via Crucis’ Meditation).**

These themes were less frequently mentioned in the evidence:

**Sentence reform**

The Catholic Bishops’ reports and prison reform charities criticise the use of short prison sentences due to the disruption they bring to the life of the offender and their family. A prisoner may lose their home, job and healthcare, and then be released without any of these things or any money to try and restore them.

We found evidence of some change in this area. This is detailed above in the area of youth offending, where police and the Youth Justice System are increasingly reluctant to pursue prosecution, but instead use restorative techniques or holistic approaches to dealing with the issue.

“The police are arresting and prosecuting fewer young people, as diversion from the criminal justice system is seen as a more appropriate and effective approach to individuals with complex issues; it is also a consequence of operational police officers simply being unable to cope with demanding workloads.”

- *Senior police officer*

Nationwide statistics suggest that short sentences are used less; in recent years, though the prison population has grown, this is due to longer sentences on average. In 1993, 54%

of the prison population had a sentence of less than 4 years – in 2016 that figure was 34%<sup>56</sup>. One reason given is “*crimes being dealt with by the courts have become more serious*”. In particular, the proportion of the prison population that is inside for sexual offences, violence against the person, and drug offences, has increased from two in five to three in five. Recent statistics show that overall, 28% of the sentenced prison population were convicted of violence against the person offences, 18% for sexual offences<sup>57</sup>. Assaults in prison have reached a record high – 20,965 took place in 2019.

## Rehabilitation

Rehabilitation was the main interest of academics interviewed by the inquiry, who do not think that enough opportunities are on offer, a view supported by some.

“Generally rehabilitation of offenders is not considered a major priority and therefore the focus of the system appears to be biased towards punishment.

- *Criminal solicitor*

“There’s been no rehabilitation in prisons for years, especially since they’ve privatised the prison system. All they are doing is locking you up. There’s no work, and then when you do find work, they’re paying you a pittance, so you never learn the value of money and how to look after money. There’s no life skills. They put you in workshops where you’re working for companies outside. [We need] more constructive, more realistic training, to survive outside. Especially when you’re going to jail and they’re letting you out homeless, and you’ve got money. Especially if you’re coming from a lifestyle of drugs and alcohol, as soon as you get out of jail, homeless with money in your pockets, you’re going to resort back to what you know, because that’s how you’ve survived, for years.”

- *Shane Wilson, head key worker at Reflections House, Castleford, who spent most of his adult life in prison.*

We did, however, find evidence of a rehabilitative attitude in some of the interviewees, and services available to assist people leaving prison. For example, North Yorkshire Youth Justice System said that it offers one-to-one sessions with a young person, plus various programmes offered to help prevent reoffending such as victim awareness and decision making, drugs and alcohol awareness, weapons awareness etc. The ‘Skill Mill’ was a third sector project praised for giving young people at risk of offending skills for employment.

For adults in the area, ‘Tempus Novo’ is a well-known project set up by former prison officers that offers employment to people leaving prison. However it is selective about the prisoners it chooses, only wanting people who are motivated to change.

Some opportunities for education and work-based skills were found on the visit to HMP Leeds, which has kitchens where inmates can learn catering skills and a workshop for building related trades experience. Prisoners spoken to said it was “a very helpful part of prison life, giving them a sense of hope and purpose.” All prisoners did work of some sort. Education however was limited as this prison usually holds people for short periods of time,

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<sup>56</sup> Story of the Prison Population: 1993 –2016 England and Wales; Ministry of Justice; July 2016. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/541667/prison-population-story-1993-2016.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/541667/prison-population-story-1993-2016.pdf) accessed 28/05/2020

<sup>57</sup> Offender management statistics quarterly bulletin October to December 2019. <https://www.gov.uk/government/publications/offender-management-statistics-quarterly-october-to-december-2019/offender-management-statistics-quarterly-october-to-december-2019-and-annual-2019> accessed 28/05/2020

but English as a second language was available for foreign nationals, and 'Functional Skills' in English and Maths. However, the latest prison inspection was negative:

“Managers had been slow to address long-standing weaknesses in education, skills and work, and the quality of provision had not improved since the previous inspection. There were insufficient activity places and many were not filled.”  
- *HM Chief Inspector of Prisons, in a report on HMP Leeds*<sup>58</sup>

Work and activity while in prison was mentioned as a source of purpose and meaning for inmates.

“Forensic units who have made the decision to let the individuals look after cows, sheep or even grow vegetables; have noticed a significant difference, in self-esteem, self-worth, having a sense of purpose and a reason to get up in the morning.”  
- *Clinical psychologist*

### **Sexual offending**

The commissioners met with several organisations involved in the rehabilitation of sexual offenders. The 'Circles of support and accountability' approach gives a supportive network of volunteers for an offender, which used to be provided by 'ReShape' in this area. Funding was stopped. Another interviewee however believed that this was due to an inability to demonstrate effectiveness rather than a lack of resources.

Another local service is 'Safer Lives', which offers support to people who have been convicted of a sexual offence with the aim of reducing reoffending.

### **Media and populism**

Academics interviewed believe that the attitudes of the general public towards criminal behaviour are a problem. They criticised politicians for supporting the view of the public, which is perceived to be that prisoners as dangerous and should be punished more severely:

“Prisons in some cases are being solely seen as a form of punishment informed by a context of 'penal populism' which in return informs political ideology and decisions made about criminal justice policies. Politicians tend to protect their interest and support the view of the electorate which seems to consider prisoners as 'dangerous', a 'risk' and that 'prisoners are not receiving necessary punishment within the current prison system'.”  
- *Alexandria Bradley, criminologist at Leeds Beckett University*

These attitudes make it harder for some employees in the system:

“Negative media portrayals of prisoners and 'lock-em-up' culture means some Probation Officers don't like to tell people where they work”  
- *Probation officer*

Three media representatives were interviewed as part of the inquiry. They blamed print media outlets for courting public opinion for the purpose of 'sales'. It appears that the attitudes of the general public are seen as a problem by some.

Social media is a new challenge, though it was mentioned in terms of a positive role in increasing awareness of mental health and other vulnerabilities. However comments on social media have also further upset grieving families.

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<sup>58</sup> Report on an announced inspection of HMP Leeds by HM Chief Inspector of Prisons 25 November – 6 December 2019.

Adele Robinson and a team from Sky News recently produced a “sensitive and very informative documentary” about the Circles scheme to rehabilitate sex offenders, that was said to have had a positive response from the public.

### **Hate crime**

Crimes based on racial, gender or sexual characteristics were not mentioned often in the evidence, except by representatives of the Bradford criminal justice system:

“The vast majority of these [hate crime] incidents are race related, and across the District the victims reflect people from all the communities living in Bradford – people who are white, black, Asian, Chinese, the whole spectrum. Fortunately, the level of hate-related violence is low, and most of the reported behaviour can be classed as ‘name calling’.”

- *Bradford council representatives*

Although hate crime was not a prevalent theme in the interviews, the Commissioners believe that it would benefit from a deeper examination than was possible in this Inquiry, alongside further investigation into racism and misogyny. For example, the work of the Lammy Review into the treatment of Black, Asian, and Minority Ethnic individuals has revealed many concerning figures. With 25% of the prison population coming from a BAME background despite making up only 14% of the total population and BAME defendants being more likely to receive prison sentences for drug offences than white defendants, there are clearly structural problems that require immediate attention. The Lammy Review has also highlighted similar disparities among the Gypsy, Roma, and Traveller population, with the GRT population estimated to make up 5% of the male prison population, despite forming only 0.1% of the overall population.

### **Personal responsibility**

An underlying or implicit tension in a lot of the evidence given is between systemic or societal causes of crime, such as poverty, child abuse or mental health problems, and on the other end of the axes, choice and personal responsibility for offending actions. As discussed, many professionals look at systemic factors first to work with an offender on changing behaviour. There were other examples where there was more emphasis on personal responsibility than systemic causes.

“Tony didn’t think any kind of support would have changed his offending as it was his way of life.”

- *Caritas Leeds commissioner, reflecting on visiting an ex-offender in the community*

The question of motivation to change was brought up on several occasions. When a prisoner is released early ‘on licence’ the aim is to observe his/her behaviour, and any sign of behaviour that puts the person at risk of re-offending is likely to lead to recall to prison.

“The challenges are, of course, that some people are harder to help than others; if an ex-prisoner chooses to breach a condition of his license then he may be arrested and returned to prison immediately.”

- *Bail hostel manager*

Encouraging personal responsibility is an area where churches were given a mandate:

“[For churches] promoting the sense of personal responsibility and the importance of the unity of the family (both blood and church) is so very important. At the heart of most criminal cases lies a sense of brokenness.”

- *Danielle Kingsley, criminal barrister and a Caritas Leeds commissioner*

**Commissioners' reflection:**

*In the report, 'A Journey of Hope', Catholics are called to "reflect anew on the complexities that lead people to crime and the difficult reality of prison life". The vast array of themes emerging from the conversations and visits made by Commissioners as part of this Inquiry give an indication of the issues that should guide future Catholic thinking and action in our Diocese. Some issues, like sentencing reform, demand that we take a more active role in shaping policies and influencing political decision making. Others like, public attitudes to criminal behaviour, demand that we shape and guide conversations in our families and communities towards Christian values of mercy and the common good.*

## Research Question Two:

### How can our Diocese at all levels better serve them and promote positive change within the system?

The ultimate purpose of this inquiry is to understand how the local Catholic Church can better serve the interests of the offenders, victims and their families in the area, and to promote and encourage them to do so.

Each interviewee was asked directly what they thought the Church could do. There were three very common themes in the responses: volunteering, fundraising, and raising awareness of the issues in the criminal justice system. Opportunities were also identified to use buildings owned by the Church. Finally, there were a number of difficulties identified throughout the themes that could be addressed directly by the Church or be a cause to campaign for.

### VOLUNTEERING

Many parts of the criminal justice system depend heavily on volunteers. This includes the **Police**, who recruit 'specials' and other volunteers to help them in their work. The courts rely on volunteers through the **Citizens Advice Bureau** to support and reassure witnesses.

There are a number of projects that aim to rehabilitate offenders and help them settle when leaving prison. **West Yorkshire Community Chaplaincy Project** is particularly sensitive to faith communities.

**Restorative Solutions** is also keen to recruit volunteers from the Church community, to provide restorative justice services in the West and North Yorkshire.

The rehabilitative charity **Tempus Novo**, does not require volunteers, but does seek employers who would be willing to offer work to people leaving prison, especially in North Yorkshire.

Most charities and agencies in the area (figure two) have opportunities for willing volunteers.

Another area is engaging in local **forums**, such as the Police's Independent Advisory Group and their Scrutiny Panels, which provides an opportunity to discuss the impact of policing on the communities of West Yorkshire. The Police and Crime Commissioners in both areas also have a number of forums that need volunteers.

### RAISING AWARENESS

Churches have an opportunity to educate and inform their members about social issues, who can then pass the information on to the wider community.

One method is to invite local charities, criminal justice employees or the victims and ex-offenders themselves, to visit congregations to talk about their experience. This has an additional advantage that relationships can then be built for future support.

"You could have people with lived experience come and talk at Mass... to allow people to understand what that sort of life feels like. There's no prejudging when

you have all the details. They'll be able to see that we're just people who've made mistakes. There's always good inside us, we just need to find the right people to help us unlock that... those people in the church could create opportunities for that person. Do they have a gardening company, work in a warehouse... could they meet up for a cup of tea? Just spending time with people. The opposite of addiction isn't always abstinence, it's sometimes company. People are lonely in addiction.  
- *Phil Pearce, support worker and founder of community organisation Lived Experience, a former drug dealer and prisoner.*

Another area where increased awareness was called for is in the variety of services available for people who need them. For example, restorative justice suffers from not enough awareness about what it is, or its benefits for the victim and the offender.

"In a pastoral sense, faith communities could benefit from pointing people in the direction of restorative justice as a way of reconciliation and restoration. Restorative justice itself chimes with biblical precedent, and that of the teachings of most faith-based organisations. Therefore it stands to reason that it should be encouraged by these organisations.  
- *Caroline Rountree, West Yorkshire Restorative Solutions.*

Another way to raise awareness is to engage with the media. Sharing content relevant to the themes in this report on social media is a simple way to do so. Writing letters to the local papers is another means by which Catholics can increase awareness of criminal justice issues.

## **FUNDRAISING**

Requests for funding was one of the strongest themes coming from our research. Many of the charities in the region rely on donations to provide their services. To encourage or facilitate giving in our churches is one way to address this need. Consistency and security of income helps charities to plan and to hire good staff –so annual commitments of funding may be welcome.

Phil Pearce mentioned a scheme whereby a group of people agree to put in a set amount each month - £25 say – and when it reaches a certain amount, to donate the lump sum to a local project, individual or cause. He wondered if this could be applied to church communities as a whole. It could be linked to smaller community projects or even individuals coming to church to talk about their work and raising awareness at the same time.

## **USE OF CHURCH BUILDINGS**

As well as a large pool of potential volunteers, another resource the Diocese may have easy access to is space. Church halls could be used by local charities or support groups. Churches can be ready to offer space for drug and alcohol addiction recovery groups; "*there's always a cry out for buildings that can be accessible for Narcotics Anonymous meetings.*" Twelve-step groups are self-funding but the offer of free or very cheap meeting space is one way of providing support.

There were two specific requests from interviewees:

Phil Pearce asked whether there is a space for a rehabilitative project that would encourage abstinence and provide social opportunities:

“Is there somewhere... people in recovery or a criminal past could come in and associate with other people? You’d need to find someone outside of church to manage that, they would just need a key.”

- *Phil Pearce, support worker and founder of community organisation Lived Experience, a former drug dealer and prisoner.*

Another specific request was for a drop-in where people could ask questions or get mentoring and support. This would not be easy at present due to restriction relating to Covid-19 pandemic.

## COMMUNITY WORK AND COHESION

Probation officers described Church community work as essential, including youth work. Several agencies talked about how it can contribute positively to reduce the likelihood of crime in a neighbourhood, as well as providing pastoral support to both victims of crime and offenders. The fact that ‘official’ organisations are frequently distrusted by ex-offenders leaves a gap that the third sector and the faith community can fill.

“Lack of trust in authority is often a massive issue for a family so community based organisations and people have a role to play.”

- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

“Many offenders would benefit from an independent (and therefore trusted) source of support, separate from the Probation Service”

- *probation officer*

Churches can be a place of social inclusion:

“Faith communities have a unique contribution to make. Because of the very nature of their set-up, faith-based organisations are likely to welcome victims and offenders equally into community.

- *Caroline Rountree, West Yorkshire Restorative Solutions.*

The potential for churches to make a difference to young people at risk of offending was particularly highlighted:

“These kids live in communities so a church group running a community centre or youth group, for example, can make a huge difference. We would be nowhere without them”.

- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

Churches can often do a lot to reach out to people with addiction, and they are often asked for support and help. However, without awareness of addiction and the behaviours that may go along with it, there is a danger that they could do more harm than good, so training and awareness is needed:

“What I think churches can do is stop being naive. Because what a lot do, with good intentions, is enable addiction, by giving [addicts] money. I think what churches could do is point them to the right services... Churches could come here [for training], they could find out about addiction.”

- *Paul Swift, founder of rehab Reflections House, Castleford, and recovering addict.*

It seems that the Church has a lot to offer to support and include ex-offenders. While this needs training and wisdom, we can offer genuine friendships and relationships with people who need them.

“All the research shows relationships matter; relationships that stand the test of time are ones which involve high challenge and high support; positive, nurturing

relationships which allow young people to make mistakes and learn from them.”  
- *Rebecca Gilmour, deputy service manager at Leeds Youth Justice Service.*

## AREAS FOR CAMPAIGNING

There were several specific local issues that could be targets for change:

**Mental health services for prison leavers** – a review of the system pointed out that prisoners with mental health needs may not get referred to appropriate services, because their release date is not always known<sup>59</sup>. While the system may already be attempting to address this, an organised attempt to observe and encourage the process may be possible.

**Political engagement** - Catholics can be encouraged to write to their elected representatives about the criminal justice issues in their area.

**Cohesion and complexity** – Local politicians and elected representatives can be encouraged to simplify the local system where possible, and to consider the needs of the system as a whole when enacting policy.

**Funding** – local politicians and elected representatives can be encouraged not to reduce funding for criminal justice without evidence that it will not further increase offending or have other adverse consequences in the region

## IDEAS FOR FURTHER DEVELOPMENT

Some areas of need could potentially be addressed by faith-based action directly:

### Place of safety

The police stated this is a significant need in the system that currently absorbs a lot of police time. There is a need for short-term, non-residential care for people in mental health crisis, who are already in the mental health system and who the NHS, do not provide for. At present police have to wait with them until they calm down due to duty of care and as their family or relatives feel they cannot manage the behaviour. This could be a potential project for a church community, via the provision of buildings, volunteers or funds. At the very least, further investigation could lead to other options to fill this need in our community.

### A directory of services

A need was mentioned for professionals to have more awareness of the services on offer in the area, one option being the provision of a flowchart:

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<sup>59</sup> Mental Health in Criminal Justice, Leeds: A review. Dr G Kelly. Reducing Offending Board, Leeds, June, 2019

“There needs to be better knowledge in probation and other criminal justice organisations around what services are available, how to find out about them and how to refer. A flowchart for probation could be produced detailing what symptoms determine which service is appropriate and a mental health champion could be appointed in each organisation, with up-to-date knowledge.”

- *Mental health in criminal justice review, Leeds*<sup>60</sup>

This could also be of benefit to the victims, offenders and other members of staff. The Church could create or disseminate a resource with detailed information on relevant services.

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<sup>60</sup> <sup>61</sup>. Mental Health in Criminal Justice, Leeds: A review. Dr G Kelly. Reducing Offending Board, Leeds, June, 2019

## CONCLUSION

Most public enquires and subsequent reports for follow up action are top down initiatives. This special Caritas Leeds inquiry into the Criminal Justice System was initiated in response to the moving story at the Caritas workshop of a Catholic mother whose husband was in prison and she felt unsupported by our Church. The research team of Commissioners and their interviewees are all experienced and locally rooted. The outcome is a well-grounded report worked up from our local Diocesan experience in the spirit of the Leeds Caritas approach.

This ground breaking and comprehensive piece of work responds to encouraging reports on criminal justice from the Catholic Bishops' Conference in recent years but it embeds an action response in the real potential for our Diocese, local parishes and personal Catholic engagement and at the same time compliments the Bishops' Conference calls for public representation for longer term reforms. The details of the report contain comprehensive information on how the complex criminal justice system currently operates but more importantly is a workbook for a programme in our Diocese for future committed action for **Justice and Mercy**.

This inquiry has been a challenging, interesting but worthwhile initiative which focused on a marginal group in our society. Apart from this report and the recommendations for action stated within, a range of on-line resources have been produced to raise awareness of the Criminal Justice System amongst the clergy and the lay faithful. It also includes a comprehensive local directory of services to support victims of crime, prisoners, ex-offenders and families. This should serve as a useful resource for sign-posting those concerned to the most appropriate services and highlight opportunities for both volunteering and fund raising.

For more information:

[www.dioceseofleeds.org.uk/caritas/criminal-justice-forum/](http://www.dioceseofleeds.org.uk/caritas/criminal-justice-forum/)

The group of Commissioners involved in this Inquiry is committed to continue with the work by focusing on the implementation of recommendations for action and monitor their impact.

***'I can do things you cannot; you can do things I cannot, but together we can do great things'*** Saint (Mother) Teresa of Calcutta.

For further information please contact Rev. Dr. Joseph D Cortis Coordinator for Caritas Leeds: [joseph.cortis@dioceseofleeds.org.uk](mailto:joseph.cortis@dioceseofleeds.org.uk)

## APPENDICES

### Appendix One: TIMELINE OF THE DEVELOPMENT OF THE INQUIRY

November 2018:	Attendees at the open Caritas Leeds event were contacted to see who would be interested in joining the Caritas Leeds Criminal Justice Forum.
December 2018:	Personal contact with people involved with the criminal justice system to explain this initiative.
January 2019:	Meetings held to develop a briefing paper for this initiative and strategy to implement it.
February 2019:	List of 15 Commissioners willing to take this initiative forward was confirmed and approved by Bishop Marcus Stock. A role descriptor was agreed with them together with a structure of 4 key themes and starter questions to guide the conversations with stakeholders and offer consistency of approach-for details please see appendix four. A press release was agreed and issued. A designated web site was set up.
March 2019:	Started focused discussions of commissioners with stakeholders, personnel and agencies working within the criminal justice system in the Diocese of Leeds.
November 2019:	A public hearing took place in Wheeler Hall, Leeds, offering the opportunity to listen to testimonies from a senior member of the probation service, two different charities focusing on rehabilitation and employment of ex-offenders, and a senior police officer engaged in supporting victims of crime. The audience made suggestions for the continuation of the inquiry.
December 2019	Evidence collected circulated to commissioners for a review and identification of gaps in the evidence.
January 2020:	Continued with meetings with stakeholders and /or visits.
March 2020:	A planned second public meeting had to be cancelled due to the Covid-19 Pandemic. A second review by commissioners of the evidence was carried out.
April 2020:	Completed the advertising, recruitment, selection process and appointment of a researcher on a part-time, fixed 6-months contract to analyse the evidence collected, draft a formal report, negotiate a set of recommendations for action with the commissioners and develop on-line resources to raise awareness about the criminal justice system and stimulate action and change.
July 2020:	The first draft report was reviewed.

- August 2020 Formal report finalised, on-line resources developed and launch event planned.
- October 2020: Launch of the Formal Report, recommendations for action and on-line resources linked with the Day of Prayer for Prisoners and their Families -11 October 2020.

## Appendix Two: PROFILES OF THE COMMISSIONERS OF THE INQUIRY

**Rev. Dr Joseph Cortis:** Co–Chair of the Commission and Coordinator for Caritas Leeds. Professional background in healthcare as practitioner and senior academic at the University of Leeds. Former Chair of Dewsbury and District Community Health Council, Chair of a Catholic Academy Council (secondary and post-16) and an educational Diocesan Trust Board. Trustee of Catholic Care-Diocesan registered charity

**Tom Chigbo:** Co-Chair of the Commission. Senior organiser for Leeds Citizens (a chapter of Citizens UK).

**John Battle:** Former MP for Leeds West. Current Chair of the Diocesan Justice and Peace Commission.

**Pat Brown:** Member of Christian Climate Action, Leeds Citizens and ACTA Leeds. An Alexander Technique Teacher and volunteer at the Leeds Youth Justice Service, for 17 years. Particularly interested in Restorative Justice.

**Jane Daguerre:** Chief Executive Officer for West Yorkshire Community Chaplaincy Project.

**Anne Forbes:** Now retired after years working in the public sector (OECD Paris; DOE) and in the charity sector for secular, ecumenical and Catholic organisations. Anne was the first CEO of the London-based Catholic Agency for Social Concern (now known as- Caritas Social Action Network (CSAN)). Has a particular interest in women in prison.

**Lucy Irvén:** Part-time parish administrator and facilitator for the Diocesan Refugee Support Group. Volunteer panel member for North Yorkshire Youth Justice Service.

**Danielle Kingsley:** A barrister with over 20 years of experience working within the criminal justice system. She has a background in education and is a serving school governor.

**Andrew Latimer:** (Commissioner until 26 July 2020). Barrister practising in Leeds and Manchester for 24 years.

**John Mazzucchi:** Former science teacher.

**Paul Monaghan:** Former forensic psychologist and prison visitor.

**Rev. Philip Rogerson:** Former Assistant Chief Constable, working in Birmingham, Barnsley and Sheffield. He led the national reform of police officer training; undertook international research on the Criminal Justice System and drug dependency; worked on projects to help asylum seekers and refugees across Greater Birmingham; and Higher Education governance.

**Mgr Peter Rosser:** Sacramental prison chaplain for a considerable number of years.

**Margaret Scally:** Had been a magistrate for 35 years and has a keen interest in the criminal justice system. Before retirement, she worked with Leeds Council for Voluntary Service and Bradford Council for Voluntary Service as Volunteer Bureau manager. This work brought her into contact with many voluntary projects relating to the criminal justice system e.g. Victims Support, Probation volunteers, Armley prison centre and projects relating to Bail Hostels and support for offenders appearing at court.

**Rachel Walker:** A marketing and communications consultant who has worked with, and also volunteered for, different Not-for-Profit organisations including Leeds Diocese's Growing Old Gracefully and Leeds Church Institute.

## **Appendix Three: EVIDENCE GATHERED AND PEOPLE INTERVIEWED FOR THIS INQUIRY**

### **Courts and Legal Sector**

Three visits to Leeds Crown Court which included meeting with the Liaison and Diversion Officer, witness service manager and the Recorder for Leeds

Two visits to Leeds magistrates' court

Two meetings with criminal barrister

One meeting with solicitor

One meeting with a solicitor who specialises in representing families at inquests

### **Prisons**

Two visits to HMP Leeds, meeting with senior management and a prison chaplain

One meeting with the head of prison engagement for the Prison Reform Trust

### **Ex-offenders**

Meeting with ex-offenders and clients of WYCCP

### **Police force**

Meeting with six police officers of different rank at West and North Yorkshire Police

### **Police and Crime Commissioner**

Meeting with commissioner and several members of his staff

### **Probation**

Meeting with two senior probation staff

### **Approved Premises**

Meeting with one manager of a local bail hostel

### **Youth Justice Services**

Two managers from local services

### **Third Sector**

Meetings with staff from:

West Yorkshire Community Chaplaincy Project

Life Experience

Tempus Novo

PACT

Together Women

### **Media**

Three journalists from the local, national and Catholic press

**Safeguarding**

Officer with the Diocese of Leeds

**Academia**

Two criminologists

One forensic psychologist

**Local authorities**

Two senior members of staff

**Victim Support**

One manager

**Restorative Justice**

Two practitioners and one manager of local services

**Sexual offending**

Meeting with representative of Safer Lives

## Appendix Four: GUIDANCE GIVEN TO COMMISSIONERS FOR INTERVIEWS

**This inquiry is a year-long research action project to:**

- Increase knowledge and understanding among Catholics of the United Kingdom's criminal justice system and the experiences of people in our Diocese who encounter it,
- Explore and reflect on different approaches to restorative justice,
- Encourage Catholics to take more action to support people encountering the criminal justice system and tackle any potential problems or injustices they may face,
- Make practical recommendations for action and change.

**As a Commissioner, you are asked to learn as much as you can, gathering evidence and testimony from your encounters with people in the Criminal Justice System.**

**Please use the 4 key themes and starter questions below to guide your conversations.**

### **Purpose**

- What is the purpose of your organisation, its guiding philosophy and your role within it?
- What are your responsibilities within the criminal justice system?
- Does your organisation have any key aims or targets? Who sets them?

### **Experience**

- What is actually happening?
- What is your personal experience of the criminal justice system?
- Describe a typical day/meeting/encounter.
- What is the experience of the people you serve or interact with?

### **Challenges and Successes**

- How have things changed over the years?
- How well is your organisation doing in terms of meeting its purpose and/or discharging its responsibilities?
- To what degree is your role contributing?
- What are the main challenges that make meeting your purpose more difficult?
- Can you share any notable successes or reasons for hope?

### **Change**

- One of our aims is to make practical recommendations for change. What do you think needs to change?
- How can the wider public and voluntary groups make a meaningful contribution to help?

## Appendix Five: SUMMARIES OF INSPECTION REPORTS OF THE FIVE PRISONS WITHIN THE DIOCESE OF LEEDS

### HMP Leeds

HMP Leeds is a category B prison though most inmates are category C. It has had some difficult inspections in recent years, and was previously described as 'unsafe', but the most recent showed improvement:

*Report on an announced inspection of HMP Leeds (25 November – 6 December 2019):*

Outcomes for prisoners against these healthy prison tests:

Safety: not sufficiently good

Respect: reasonably good.

Purposeful activity: not sufficiently good

Rehabilitation and release planning: reasonably good.

*“The level of need among prisoners was great, the environment required constant work and attention in order that minimum standards could be maintained and the operational context required real grip. Overall, though, we were encouraged by what we saw. Leeds could not yet be described as cultivating a rehabilitative culture as aspired to by HM Prison and Probation Service (HMPPS), but we could see some very important work being done and improvements were evident.”*

The Healthcare provider is Care UK.

<https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/03/Leeds-web-2019.pdf>

### HMP Wealstun

Based in Boston Spa, this category C prison houses men that are younger than the average prison population. Its most recent inspection found that the prison has problems with the availability of illicit drugs, and not enough purposeful activity.

*Report on an unannounced inspection of HMP Wealstun (15–25 October 2019):*

Safety: not sufficiently good

Respect: good.

Purposeful activity: not sufficiently good

Rehabilitation and release planning: reasonably good.

*“The prison was last inspected in 2015, on which occasion it was judged to be good or reasonably good in all four of our healthy prison tests. This recent inspection showed there had been a decline in two of those areas, safety and purposeful activity, in which we found that outcomes were now insufficiently good. The ready availability of illicit drugs undermined much of what the prison was trying to achieve. In our survey, 69% of prisoners told us it was easy to obtain drugs, and nearly a quarter of all prisoners said they had acquired a drug habit since entering the jail – a remarkable figure given the short time that many prisoners stayed there.”*

The healthcare provider is Care UK.

<https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2020/02/Wealstun-web-2019.pdf>

### **HMP New Hall**

This is the only women's prison in the area, and holds up to 425 people including long-term prisoners as well as a small number of young offenders and mother and babies, and open prisoners. Its last inspection was positive.

*Report on an unannounced inspection of HMP & YOI New Hall (25 February – 8 March 2019):*

Safety: good

Respect: reasonably good.

Purposeful activity: reasonably good

Rehabilitation and release planning: good.

*“New Hall remains a good prison, delivering effective outcomes for those held there. At the time of our inspection the prison was experiencing something of an interregnum with a temporary governor in post and new permanent governor about to be appointed. Our report highlights both the strengths and weaknesses of this prison. We trust the findings we detail will help the new governor to ensure momentum is maintained and continuous improvement sustained.”*

The healthcare provider is Care UK.

<https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2019/06/New-Hall-Web-2019.pdf>

### **HMP Wakefield**

This is a high security prison holding around 700 people categorised A and B, described as some of the “*most challenging and complex prisoners in the country.*” Its recent inspection found it was “*calm and had an atmosphere that spoke of good order, safety, security and decency*”

*Report on an unannounced inspection of HMP Wakefield (11, 12 & 18–22 June 2018):*

Safety: reasonably good

Respect: good.

Purposeful activity: reasonably good

Rehabilitation and release planning: reasonably good.

*“By any standards this was a good inspection, which was highly creditable given the complexity of the prison. The high standards, good practice and improvements that have been achieved were the result of hard work and dedication on the part of those who clearly took very seriously their responsibilities for the safe, secure and purposeful imprisonment of those in their care.”*

The healthcare provider is Care UK

<https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2018/10/Wakefield-Web-2018.pdf>

### **HMP/YOI Wetherby**

This young offender institution can hold up to 326 boys aged between 15 and 18. Very few have sentences longer than 2 years. 9% had children under 18. The institutions are inspected every year due to being young offender institutions. Wetherby is well below capacity at present. Recent inspections were positive.

*Report on an unannounced inspection of HMYOI Wetherby and Keppel (11-21 March 2019):*

#### **Wetherby:**

Safety: reasonably good

Care: reasonably good

Respect: good.

Purposeful activity: reasonably good

Resettlement: good.

#### **Keppel:**

Safety: good

Care: good

Respect: good.

Purposeful activity: reasonably good

Resettlement: good.

*“Overall Wetherby continues to be a well-led institution, run by a confident staff group delivering useful outcomes for children. We observed considerable initiative and energy and a very evident commitment to ongoing improvement.”*

Healthcare provider is the NHS

<https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2019/07/Wetherby-and-Keppel-Web-2019.pdf>

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## Appendix Seven: LIST OF REPORTS AND PUBLICATIONS USED FOR THIS INQUIRY

A journey of Hope: A Catholic approach to sentencing reform, 2018. The Catholic Church Bishops' Conference of England and Wales. Available at: <https://www.cbcew.org.uk/a-journey-of-hope-a-catholic-approach-to-sentencing-reform>

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Crime Survey of England and Wales, year ending March 2020: Confidence in the Crown Prosecution Service by selected personal and household characteristics.

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Pope Francis, Evangelii Gaudium 24 - [http://www.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium.html](http://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html)

Pope Francis, Misericordiae Vultus 20 - [http://www.vatican.va/content/francesco/en/apost\\_letters/documents/papa-francesco\\_bolla\\_20150411\\_misericordiae-vultus.html](http://www.vatican.va/content/francesco/en/apost_letters/documents/papa-francesco_bolla_20150411_misericordiae-vultus.html)

Rehabilitation and Probation in England and Wales, 1876-1962, Gard, R., 2014, Bloomsbury Press.

Report on an announced inspection of HMP Leeds (25 November – 6 December 2019)

Report on an unannounced inspection of HMP & YOI New Hall (25 February – 8 March 2019)

Report on an unannounced inspection of HMP Wakefield (11, 12 & 18–22 June 2018)

Report on an unannounced inspection of HMP Wealstun (15–25 October 2019)

Report on an unannounced inspection of HMYOI Wetherby and Keppel (11-21 March 2019)

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