



The Bradley Report and the Criminal Justice workforce

Tackling mental health and learning disabilities in the Justice system

In April 2009, The Bradley Report (*Lord Bradley's review of people with mental health problems or learning disabilities in the criminal justice system*) was published. The Report, commissioned by the Secretary of State for Justice, made some 82 recommendations.

The Bradley Report can and should lead to major changes in the way individuals with mental health issues and those with learning disabilities in the criminal justice system are supported and treated. If implemented, it can not only improve the mental health of offenders but also make communities safer and ultimately reduce the costs to the taxpayer.

Thirty of the 82 recommendations have direct implications for the criminal justice workforce. This Skills for Justice and Sainsbury Centre for Mental Health briefing paper outlines four key areas where significant activity is needed to develop the Justice sector workforce to meet the ambitions and aims arising from the Bradley Report.

We highlight the changes needed in the approach to training individuals across criminal justice agencies, and make recommendations as to how to take the work forward.

In November 2009, the delivery plan for meeting the challenges outlined in the Bradley report was published (*Improving Health, Support Justice: the national delivery plan of the Health and Criminal Justice Programme Board*), and both Skills for Justice and Sainsbury Centre welcome the strong focus on skills and workforce development, and look forward to working with government and employers on developing these approaches.

Why focus on the workforce?

Criminal justice agencies rely on the skills, knowledge and understanding of their workforce to deliver effective and efficient services to offenders, victims, survivors, witnesses, and the public at large. Around half a million people work in the Justice sector, which is under constant scrutiny, from politicians, inspectorates, the media and the public. High standards are demanded within a constantly changing and challenging environment. A flexible and highly trained workforce is key to achieving those standards. The four key challenges for the criminal justice workforce to implement the report's recommendations are:

Training in mental health and learning disability awareness: practitioners across the system need learning and skills development in mental health and learning disability so they can recognise and deal appropriately with people who have mental health and learning disabilities.

Working together, across agencies: criminal justice services need to join up their thinking and tackle the issues of mental health and learning disabilities through multi agency approaches, such as those in Public Protection Teams, so that as individuals go through the system they are treated both consistently and fairly. We also need to explore ways of working better with organisations in health services and social care, to ensure that referrals and diversions are made at the right time.

Communication and information sharing: agencies need to share information better and faster. They

require a better understanding of what information is needed by each agency and when, so that individuals are not constantly reassessed and re-diagnosed, or shuttled between services due to lack of information. This would also ensure a reduction in duplication of effort and maximise efficiency.

National workforce planning: we need a centralised national strategic approach to provide impetus across the sector to work together, and to ensure that high standards of performance and service delivery will be met by a highly trained and flexible workforce.

1. Are people across the Justice sector receiving the appropriate and right amount of training in terms of mental health and learning disabilities?

The Bradley Report identified a number of areas of good practice in this area, but made the point that there is not yet a consistent approach. There is a great deal of investment in the skills of the workforce across Justice, but inspectorate reports highlight repeatedly the need to meet the mental health needs of offenders, and those at risk of offending. Skills and knowledge are needed at all levels to ensure fair treatment of vulnerable individuals and to enable diversion from offending.

We support the recommendations in the Bradley Report on training for policing teams, the judiciary, court staff and all those dealing with individuals at risk of offending. We believe that better understanding and awareness of mental health issues will support wider efforts to ensure that people are treated in the most appropriate way, and diverted from the criminal justice system where possible.

The Government's Delivery Plan states that: 'Training and development will focus on all front-line criminal

justice staff across the pathway and also health staff working within these areas. This will ensure that there is appropriate staff competence at the interface between health services and the criminal justice system. Where possible, training should be delivered jointly between services to encourage partnership working, and developed in conjunction with service users' (para 2.33). As a response to this, we would like to see the adoption of a shared approach to tackling the needs of offenders and vulnerable people, based on the level of contact with individuals.

This could be delivered through a tiered framework approach with initial awareness raising and understanding of referrals delivered across the board to all those in contact with individuals, at Tier 1. This would include those working in frontline and public facing roles, for example: court clerks, police community support officers, neighbourhood policing teams and immigration officers. More specialist learning and development could be embedded into training at higher levels. Tiers 2 and 3 may be more appropriate for those requiring greater understanding of the needs of offenders and

The tiered framework approach

Tier 4
specialist training for those in
Criminal Justice Mental Health Teams

Tier 3
understanding the needs of and working
with individuals, issues of dual diagnosis

Tier 2
knowledge and understanding of range
of referrals and treatments

Tier 1
general awareness raising and assessment skills

how to deal with them, such as prison officers, youth offending team workers and offender managers, while Tier 4 training might be more suitable for staff in the proposed Criminal Justice Mental Health teams.

The development of a tiered system of learning and development reflects current good practice in substance misuse and also within the Children's Workforce Common Core operating in England. Both of these approaches identify the key competencies and skills required and outline a set of joint standards to which all individuals working in those areas must perform.

A joined up and joint approach of this type would deliver significant changes and improvements in the way those working with offenders, in all agencies and at all levels, tackle their needs in terms of mental health. It would also meet the ambition in the delivery plan of establishing 'a minimum standard of awareness and understanding across criminal justice agencies' (para 2.34).

2. Are we working together to support people with mental health needs?

We believe that the most effective solution should not be for each service to train in silos but for a shared approach to be implemented across the criminal justice system. Joining up the development and delivery of training packages, pooling training budgets and carrying out joint local workforce planning and commissioning could all help to establish long term links and to improve understanding among justice and health agencies. We would also recommend engaging with the third sector, with service user groups and with community organisations in delivering and commissioning training. We support Lord Bradley's call for courts to work closely with health and local authorities and develop planned service agreements. Such

service level agreements should have a strong focus on skills and training through commissioning standards.

But working across justice agencies alone will not be enough and we would encourage joint working across other sectors and public facing roles, such as those in health care, education, housing and social work. Employers in the Justice sector have seen the benefit of multi agency approaches to training and development through extensive project work across England. A recent project – Joining up Justice – delivered formal learning and development opportunities to individuals across the South East. One of the additional benefits of the project was the informal learning and understanding that participants gained from working with people from other agencies and gaining an understanding of the challenges of working that they faced.

3. How can we communicate information more effectively and efficiently?

The Bradley Report recognised the need to share information better and faster across all the agencies involved in offender health care, improving the understanding of individuals across Justice about what non-criminal justice agencies need from them and why, accounting for the differing needs of agencies and also meeting the needs of those going through the criminal justice system.

Agencies need to work together on developing communication and information sharing protocols that take into account the different needs of each agency but still deliver timely and accurate information about an individual, based on proper risk assessment and an understanding of the bounds of confidentiality. Sharing information may have an impact on commissioning strategies, which may affect the delivery of externally commissioned programmes, such as rehabilitation

and resettlement. Consideration should be given to the role and responsibilities of third sector organisations in this case.

Skills for Justice have worked with Justice sector organisations across Scotland to provide joint training and development about information sharing. The benefit of this approach was the multi agency delivery, by the sector, to the sector, bringing enhanced awareness of the information needs and demands of agencies across Justice, as well as building long term links between individuals and agencies. This approach should now be replicated across the UK's other jurisdictions.

Ensuring that all public services coming into contact with vulnerable individuals work to consistent standards, and that they have the right communication channels and information to hand, will ensure better outcomes for all.

4. Working together, leading from the top

Skills for Justice and Sainsbury Centre support the establishment of the National Programme Board and the National Advisory Group for implementing the Bradley Report. We recognise that without this valuable national focus it will be hard to implement change. But change will not happen unless the workforce is adequately prepared to deliver it. We recommend that the NPB and the NAG think widely about individuals' skills needs and the overall planning and makeup of the workforce.

People-planning should be at the heart of the national delivery plan. The development of national workforce guidance and the use of national occupational standards would enable consistency in performance and assessment across Justice, health and other local services.

We believe that this national lead, combined with a collective approach to dealing with mental health among offenders, and a shared core of training and development, is the right way to tackle this issue. Delivery of this kind, at a range of levels appropriate to need, would be of tremendous benefit to those working in the Justice system, as well as those in contact with it and ultimately the wider public. An approach of this type could deliver real change in the way we tackle the needs of individuals with mental health issues or learning disabilities in Justice.

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