An aerial photograph of a lush green landscape. A winding asphalt road curves through a dense forest of tall trees. A small stream flows alongside the road in some areas. The overall scene is serene and natural.

# **EXPLORING THE JOURNEY THROUGH THE CRIMINAL JUSTICE SYSTEM AND ITS IMPACT ON MENTAL HEALTH: A SERVICE USER PERSPECTIVE**

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**PREPARED FOR HER MAJESTY'S  
INSPECTORATE OF PROBATION**

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## 1.0 WHO WE ARE

Penal Reform Solutions (PRS) is an organisation that focuses on transforming penal culture, creating spaces which are meaningful, trusting and nurturing. Penal Reform Solutions strives to change the conversation around punishment, working with practitioners and service users and making them central to the change process. It is an evidence-based organisation, which draws on academic, practitioner and prison experience, both nationally and internationally. It has extensive experience in prison growth, professionalism and relationship work and specialises in service user involvement, supporting a variety of institutions within Criminal Justice (CJ). Our work is informed by research carried out in the Norwegian Prison System and PRS utilises this knowledge to support organisations to promote humanity, relationships and hope, in order to reduce social harm and promote social good, for all.



A photograph of a forest with tall, slender trees and dense green foliage. Sunlight filters through the canopy, creating a warm, golden glow in the center of the image. The text is overlaid on this background.

This piece of work is dedicated to Fletch, Lilly and  
all the participants who shared with us their  
experiences. We hope we did it justice and thank  
you for trusting us with your stories.



## 2.0 EXECUTIVE SUMMARY

The aim of this report is to critically examine the impact of the Criminal Justice System on service users who have experienced mental health issues. Sixty-seven participants participated in this work, including people who were referred by Bolton, Birmingham, Croydon, Durham, Exeter and Newport Probation Services, as well as people serving a prison sentence and those who have successfully completed their licence.

Telephone interviews took place with those in the community and letter correspondence enabled prison residents to be involved in this work. All interviews were carried out by consultants with lived experience, on behalf of Penal Reform Solutions. A creative project was also designed to increase the reach of this work, asking participants to convey the impact of the Criminal Justice System through poetry, drawing and 5 word poems. A sample of these have been used in this report to enrich the findings though a separate digital project will be carried out to provide an accessible medium for a range of audiences. The consultancy team analysed the data collaboratively and played a key role in this project, from design to implementation.

The key themes are outlined below and are discussed within the context of the individual's journey through the Criminal Justice System. These themes include;

### 4.1 RELATIONSHIPS

### 4.2 CREATING A SAFE SPACE

### 4.3 TRAUMA

### 4.4 HUMANITY

### 4.5 THE NEED FOR CERTAINTY

### 4.6 FAITH IN THE CRIMINAL JUSTICE SYSTEM

### 4.7 HOPE AND HOPELESSNESS

### 4.8 IN SEARCH OF MEANING

### 4.9 DIVERSITY AND INCLUSION

The findings form recommendations, which were co-created with the participants and lived experience consultants. An audio of the findings was also created and sent to all participants, to include them and highlight how their contributions shaped this work.

### 3.0 METHODOLOGY

This Project aimed to unearth the experiences of those who have been in contact with the Criminal Justice System, through the lens of mental health. The design of this work was co-produced with consultants who have lived experience and research training. It featured three methodological elements: (1) Telephone Interviews (2) Letter/Email correspondence and (3) the Creative Project. The rationale for this approach was to reach as many people as possible, including those in prison and those who had completed their licence. We were aware that talking about mental health can be challenging and wanted to create a number of ways to express these experiences safely.

The key research questions were:

1. How did the experience of arrest, prison (if applicable), a community order and local resources impact on your mental health?
2. Which aspects of good practice were there throughout your journey through the Criminal Justice System, which supported your mental wellbeing?
3. What would you suggest needs to change to support people with mental health issues?

An interview schedule was formulated collaboratively by the PRS team and a thematic analysis took place to gain a deeper understanding of the findings. The Creative Project allowed participants the freedom to depict their experience of the Criminal Justice System through words and art and an article featured in the Inside Time (June Edition, 2021) to extend this work to the prison community. For the purpose of this report, the creative element will be used to enrich the findings and the entirety of the Creative Project will be created over the coming months, to communicate the key findings through digital means.

67 people took part in this work, 58 of which identified as male and 9 as women. Only one participant was over the age of 60 and all were adults. 25 participated in the Creative Project (to date), though it is anticipated that more participants will engage this month from prison. Figure 1 outlines how the journey was captured, from arrest to end of licence, with the majority of the participants currently on a Community Order. Interestingly and worth noting, 9% of the participants disclosed that they are autistic or on the Autistic Spectrum. With respect to ethnicity, 70% of the participants were White British, though there was some variation across ethnic backgrounds, as shown in Figure 2.

A pie chart to represent those interviewed and their current place in their Criminal Justice Journey.



Figure 1: A pie chart to represent those interviewed and their current place in their CJ Journey.

ETHNICITY	
<b>WHITE</b>	
- British	47
- Irish	2
- Gypsy or Irish Traveller	3
- Any other white background	3
<b>MIXED or MULTIPLE ETHNIC GROUPS</b>	
- White & Black Caribbean	2
- White & Black African	1
- White & Asian	
- Any other Mixed or Multiple Ethnic background	
<b>BLACK, AFRICAN, CARIBBEAN OR BLACK BRITISH</b>	
- African	2
- Caribbean	3
- Any other Black, African or Caribbean background	1
<b>ASIAN or ASIAN BRITISH</b>	
- Indian	1
- Pakistani	
- Bangladeshi	
- Chinese	
- Any other Asian background	2
<b>TOTAL</b>	<b>67</b>

Figure 2: The ethnicity of those who participant in this Project.



# RELATIONSHIPS

*"My Probation Officer is my rock." (John)*



## 4.0 THE FINDINGS

The following themes emerged from the findings. Each theme begins with a broader view of mental health and then goes on to travel through the CJ journey, from arrest to licence completion, in order to encourage insight specific to the narrative.

### 4.1 RELATIONSHIPS

Relationships were found to be the strongest theme within the findings, with participants stating that being treated as an individual and feeling heard were important in easing tension and stress. People valued being taken seriously and feeling that someone understood their needs. It was also acknowledged that kindness and care were powerful vehicles to support people with their mental health, as this brought a sense of worth and motivation. For example, one participant stated that the Mental Health prison staff wrote a letter for release to inform other professionals in the community about their individual's needs, demonstrating individualised care by proactively considering ways that will ease stress upon release.

Consistency was also stated as important as it led to less stress, greater trust and allowed people to rely on professionals. To illustrate, one participant who had been allocated the same Probation Officer throughout his order stated; "my Probation Officer is my rock...her honesty and respect lifted me" (John<sup>1</sup>). It was clear that having 'someone on your side' was important for people and brought with it a safe space to be honest about their mental health, allowing them to address their needs collaboratively.

COVID 19 seemed to have taken its toll on the connections people felt, both in prison and in the community. For example, one participant said; "I am not alone in experiencing grief during the pandemic but prison is an awful place to deal with loss and empathy has been in short supply" (Steven). This disconnection was also felt due to local resources no longer being available. That said, some welcomed the lockdown, as it meant they did not have to attend the Probation Office and experience feelings of paranoia and stress due to their social anxiety and agoraphobia. For one participant the sheer effort and energy to arrive at the Probation Office due to their social anxiety seemed exhausting and hidden from view.

<sup>1</sup> All names have been changed to protect the identity of our participants. All participants were asked what they would like their name to be within this report and two participants specified their preference. These were Fletch and Lilly.

When tracing relationships through the journey of the CJS, participants invariably commented on the lack of relationships and compassion at the point of arrest. John stated that the lack of support by the police led him to; “want to continue to destroy myself,” expressing feelings of worthlessness. Filip stated that he was left alone for three days in police custody and whilst he saw a mental health professional during this time, the lack of engagement increased his anxiety, and left him confused. He stated: “(arrest) was the lowest point in my life.” Whilst he “briefly” spoke with a nurse about suicidal thoughts, he was then “left in my thoughts...I did not understand what was going on in my mind.” (Filip) .

Relationships were also absent in court, with no participant stating any significantly meaningful relationship during this process. One participant stated that his solicitor told him that they could not represent him as he did not have any money, only deepening a sense of abandonment.

Within a prison context, participants referred to the application process (normally a paper-based system whereupon residents ask questions) and how they asked for help regarding their mental health, though these requests were never replied. Participants also described rushed and shallow relationships, leaving participants feeling alone and consequently, withdrawing from prison life. Participants conveyed a sense of dis-connection with those around them more generally and a deeper sense of mistrust, which exacerbated their mental health issues and led to loneliness.

The abandonment felt at arrest and court often carried through to prison. Wilson described his experience when he informed a block manager about his Asperger's. He stated that; “a house block manager said; “I “better start taking some ADHD medication””, going on to say; “they just gave me anti-depressants to shut me up and fob me off.” Wilson described writing to the mental health team and being told he did not qualify for help (Wilson had been on medication for anxiety and depression for 8-9 years) and stated; “I asked to see a counsellor, which took five months to process only to have an appointment where they didn't show up...I sat in my cell full of anticipation and anxiousness.” This highlights how a greater understanding of mental health (and the needs of people more generally) may help deepen the relationship between correctional practitioners and service users in order to build trust and help support people with mental health needs, alongside the importance of keeping to appointments or communicating otherwise.

However, others commented positively about key-worker interactions in prison and Lilly commented that when an officer stopped and talked to them, it demonstrated that someone cared, even though these relationships were informal. She



stated: “just having a trained officer to chat to for 5 minutes to ask how you are doing and to talk to, really does make a big difference. It doesn’t have to be someone from the mental health team even.” (Lilly)

Several positive relationships were referred to during the interviews. Several stated that they felt that Probation were “on their side”. To illustrate, Filip stated; “she has taken into consideration my view and has given me the feeling that I have a voice ...(this) impacted massively on my mental health.”

Others described a strong loyalty to local resources, who supported them in crisis. Jane described how “wonderful” her experience of the Mental Health Crisis Team were even though she lived in a geographically isolated location. She explained; “The mental health team were fantastic, brought over a food package in spite of the distance...they were terrific, so so kind...They didn’t know me from Adam” (Jane).

The findings suggested that consistently good relationships seemed more evident when people experienced Probation and there was a clear theme that a disconnection from people (and society) was echoed in detached or superficial relationships at the start of the Criminal Justice journey. Whilst some conveyed a greater connection to professionals within prison, these were invariably ad hoc and viewed as “rare gems.” That said, the new key-worker scheme seemed to be shaping new opportunities, which help elevate tensions and anxieties, bringing with them information and reassurance. To illustrate, James stated; “I have met some fantastic prison officers and key-workers, some really do go above and beyond...they have all helped me long the way.” James went on by saying; “A kind word or gesture could be a lifeline for many men behind bars”. This highlights that even the smallest of acts, make significant impact.



An aerial photograph of a dense evergreen forest. The trees are mostly dark green, but one tree in the center is a bright yellow, standing out from the rest. The text is overlaid on the image.

# CREATING A SAFE SPACE

*"Courts are eerie places, everything feels  
unnatural and on edge" (George)*



## 4.2 CREATING A SAFE SPACE

Finding a safe space to reduce stress and ease tension seemed important for people, particularly within a prison environment. Whilst participants discussed the importance of a safe space from a relational perspective and the value of being seen and understood, safety was also linked to physical environments. One participant stated that having his own key to his prison cell, seemed to allow him to feel a sense of responsibility and freedom. Having his own cell also provided him with a “space to cry” and another participant commented that sharing cells threatened his safety, as privacy was compromised. One female participant stated that sharing a cell increased the intensity of her mental health symptoms, as she did not feel she had the freedom to cry. Another female participant stated that not having a private toilet was another space, where she could not be fully alone. This suggests that whilst loneliness and disconnection exacerbated mental health, having a private space to be alone allowed individuals the opportunity to be vulnerable and express themselves.

Other participants reflected on the unstable environment of prison more generally and how it was hard to be vulnerable in these spaces as there was an uneasy atmosphere. Several described “suffering in silence,” stating that they did have mental health issues when asked but did not feel safe to discuss the issues that were well documented on record. In several of these cases, professionals did not explore this further, even when they knew that an individual had mental health problems.

Creating safe spaces was discussed within the context of stability by others in the form of having a routine. One participant with Asperger’s explained his view, as below;

“I need routine...I need to know what I am doing...they tell me I can have a 15 min shower out of the blue and I go into a panic...it takes me 5 minutes to get out the door with my shower gel, shampoo, conditioner, razor, soap (etc)...The struggle is real for someone so particular such as myself!! I wish I was normal 😊.” (Steven)

When we asked Steven what he had learnt from his experience of the Criminal Justice System, Steven said;

“It’s ok to cry, its ok to be different...it’s not ok to deny someone help who is begging for it. My cell bell has been going off for over 4 hours before and all I wanted to do was talk to somebody, a listener<sup>2</sup>...it was the lowest point of my prison mental health life...(I) felt like I have been denied air to breath!”

<sup>2</sup> A listener is a person who resides in prison who is trained by the Samaritans to offer a listening ear.

This illuminates a feeling of struggle and desperation when asking to help and how strategies (i.e. pressing on a cell bell) are ineffective for both staff and residents.

Physical environments and surroundings were also described by participants at the early stages of arrest, such as police stations and court. There was a clear pattern that participants found these “distressing” and “traumatising”, contributing to problems for those who struggled with their mental health. It was reported that it led to people becoming closed off at a time when they needed to be open and honest, to receive the correct support. To illustrate, George mentioned that; “Courts are eerie places, everything feels unnatural and on edge and that doesn’t help with anyone’s mental health, even if you consider yourself to have good mental health” (George).

This suggests that the physical and psychological environment through the Criminal Justice journey brings with it a physiological reaction which is heightened for those with mental health issues (though felt by all). Spaces are invariably relational and cultural and so exploring how relationships can be built within these spaces may buffer some of their effects.



A photograph of a lush green park or forest. Tall, mature trees with dense green foliage form a canopy overhead. The ground is covered in green grass and some fallen leaves. The lighting is soft, suggesting an overcast day or filtered sunlight.

# TRAUMA

*"Under the blanket where the segregation staff  
couldn't hear my desperate sobs and gasps."  
(Fergus).*



**Paranoia?**

*The anger, anxiety and stress built in,  
Fear of crashing keys is long lasting  
I twist my neck like a violent vine  
For Safety in the snaking food line*

*Never knowing if I will exist once more,  
With a handle on the inside of the door  
My mother keeps saying that she loves me  
But is each visit another duty?*

*I try each day to find a positive thought  
One negative action makes my body taut  
Is the trust I once knew now undone?  
Has my prince of paranoia won?*

*Wishing my life away each season that falls,  
Just like a bored kid on their six weeks hols  
Those days are long gone but feel like they are back  
If I leave prison will I know fiction from fact?  
I left my dignity in reception upon my welcome,  
Do I trade in my sanity?  
In return for my freedom?*

**Paul**

### 4.3 TRAUMA

A clear theme from the findings was associated to traumatic experiences throughout the Criminal Justice journey. These experiences were related to the themes identified in the humanity theme as well as a feeling of shock, fear and panic, due to their experiences. There seemed to be a saddening acceptance around the exposure of trauma in participants' stories, with a sense that it was a normalised part of their life. This trauma still seemed raw and deep within those who were interviewed, as they conveyed experiences that had been buried away from view.

At the start of the Criminal Justice journey, one participant described the arrest process as “unbearable,” “shocking...full of worry and fear” (Filip), “exhausting, confusing, and frightening” and “scary” (Marcus). Also, Sammy reflected and shared how she did not see the enormity of the experience on her mental health until sometime after the experience. Sammy stated:

“It's only reflecting back I realised how bad it was...It traumatised me for a long time, how I was handled (in the Police station) and treated...I was disassociated, detached and suffering psychosis and anxiety. How they didn't notice...they interviewed me anyway. For months after I've had panic attacks and nightmares.” (Sammy)

Some described doing all they could to limit their contact with the System and had adopted a robotic coping strategy due to their frequency of court appearances, with one participant saying that when she goes to court; “I don't hang around...just get in and out.” (Maria)

In prison, others described how COVID restrictions had led them to experiencing more panic attacks, whilst Lilly explained having panic attacks in her cell in greater detail;

“There's times when you're pressing the buzzer and no one replies because it goes straight through to the control room because there's no one in the office, so then you're consistently pressing it because I was having a panic attack at the time and I just remember thinking god, it's really really difficult.” (Lilly)



*What it feels like  
To be locked up  
Behind four walls,  
Cant breathe  
As anxiety  
Chokes me  
And I gasp  
Pressing the buzzer  
5 minutes of air  
Please open the door.  
Nobody comes  
And I panic on the floor.  
Tears well up  
And I breathe deep  
Waiting the terror out;  
Chasing oblivion in sleep.*

***Lilly***

Lilly later submitted a poem to articulate her feelings in her own words, see opposite page.

Steven described how the environment itself was traumatic, with one participant stating; “The constant noise of prison forces tension on you, in an already hostile existence”(Steven). The term “existence” seems to be used here to describe a place of survival rather than growth or rehabilitation, depicting a relentless environment which is inescapable.

Reflecting on prison more broadly, one participant (who remains a serving prisoner on a 25-year sentence) stated that Prison is;

“the story of heartbreak...of how life as I knew it had ended. Heartbreak that manifested itself physically, triggering muscle weakness, exhaustion, insomnia and anxiety attacks. And the feeling you’re going to die...Distressed to the point that made you sob in the shower or under the blanket where the segregation staff couldn’t hear my desperate sobs and gasps.” (Fergus)

Whilst some described their emotive and painful experiences, others described a feeling of desensitisation, as they “got accustomed to witnessing self-harm”, highlighting not only primary trauma but vicarious trauma also. Fergus was explicit about the impact, stating; “seeing man’s inhumanity to fellow man (in prison), broke me”. Within prisons, traumatic experiences being witnessed on a daily basis seemed to be a common occurrence. One participant said that it was hard to manage their own feelings of suicide and self-harm but seeing it first-hand in others only heightened these feelings. Brian added; “At first it’s heartbreaking to witness people self-harm or try and take their own lives but it’s sad to say you get accustomed to all that, and view it as nonsense as most people are attention seeking” (Brian).

Fewer experiences of trauma were described during Probation, though one participant discussed the impact of discussing past trauma with Probation Officers, which seemed like a re-occurring pain for those who had numerous probation officers and had to return each time to their past. Cooper stated; “They are expecting a lot from me, there is no point bringing up shit from when I was a kid...this causes mental health problems.” As the picture built, it was clear that trauma and the re-enactment of trauma was laced through the fabric of the Criminal Justice journey for our participants. It did not seem to be discussed or resolved on any meaningful level and seemed to sit as a normalised experience, which appeared ‘everyday’ to those who were seen as ‘undeserving’ of positive regard on a human level.





# HUMANITY

"In my second night the staff played indoor cricket all night, using my door as the stump's. I was kept awake all night and questioned all the next day." (Marcus)



#### 4.4 HUMANITY

The significance of humanity (and the lack of it) was a key theme, which linked closely with the theme of Trauma. It seemed that small gestures of kindness symbolised acts of humanity that had disproportional effects, contributing to a feeling of worth, confidence and hope in those we interviewed. In contrast, experiences which were perceived as inhumane or indecent stayed with individuals and tended to undo the good work of others. Whilst a lack of decency contributed to disempowerment, showing care and consideration alleviated stress and caused people to see a softer and more compassionate side to the Criminal Justice System, which brought comfort.

When exploring the the Criminal Justice journey, the police station tended to be a place where there was a lack of humanity, with pockets of kindness invariably situated in mental health professionals, nurses or individual officers. One participant stated; “they just chuck you in a cell and interview you...that’s it” (Maria), indicating that the police station was not seen as a place where mental health could be either discussed nor supported. Marcus described his second night in police custody and the feelings of helplessness he experienced; “In my second night the staff played indoor cricket all night, using my door as the stump’s. I was kept awake all night and questioned all the next day. I told my solicitor about it and he was told it was the civilian staff” (Marcus).

Katie explained how they were “begging for a phone call” to let their family know they were alright, but the officers response was consistently that “they were too busy”. Katie also described how she “felt like scum” because of how she was treated; “just viewed as a “some sort of junkie...they speak down to ya” (Katie). She went on to say; “It was horrific...absolutely awful...it was disgraceful how I was treated...they were really nasty if I’m honest with ya.” She described how cold the police cells were and how she had to convince an officer to let her have a coat. Katie was going through drug withdrawals at the time of arrest and without any medical support, was “just left to go cold turkey”. Katie also needed to self-catheterise due to a bladder transplant and told us; “I was buzzing and buzzing (the cell bell) because I can’t go without one (a catheter) and I really needed to go to the toilet, and it took me well over an hour to get someone to go into my hand bag to give me a catheter” (Katie).

Throughout the research basic needs were not always met. For example, Matt said; “I said to the officer I felt really unwell, I think I am going to be sick, have you got a sick bowl or something? The officer told me I just had to throw up on the blanket and we’ll give you another blanket, not only did he say that to me but he wrote it in the custody records

that he told me that" (Matt). Phil explored the impact of feeling vulnerable within police custody, stating; "Whilst I was at the police station I felt like they were taking advantage of my vulnerability, this made me feel weak as an individual, which played on my mind and made me doubt myself. They are not the law, they are there to enforce it" (Phil). This seemed to create more distant relationships and build a growing resentment in the Criminal Justice System on broader levels. In contrast, one of our participants described acts of humanity in the police station after disclosing their autism to the staff. They described being released from the cell and allowed to sit on a chair and driven home, which led to feelings of being understood. Another participant explained how the police were "really nice and helped me through a really hard time". Charlotte explained that the officers gave her a ball to play with to calm her down as a distraction, which enabled her to manage her time in custody better and to not exasperate their mental health further.

Moving into a prison context, one participant described his feelings of worthlessness when "dehumanising cell spins" took place and personal possessions were disregarded and disrespected. One participant stated that an officer emptied a rubbish bin over his clothes, whilst another described an officer opening a tin of tuna over his clothes. One participant also described a situation which left him unsettled and upset;

"The prison officer told me in a small office, with three other officers standing over him and told me the quickest way to kill myself was to cut the vein on the inside of my thigh...I was not the only one he had said it to and if someone was really struggling, they could tip you over the edge" (Marcus).

Moving onto Probation, the consistent message was that probation staff were more attentive and understanding, playing a vital role when helping individuals. A participant shared their struggles with addiction, which was used as a way to a self-medicate and said; "Probation knew my struggles with drink and have played a key part in helping me stay sober and finding a healthier way to deal with my mental health" (Brian). Another participant spoke about how their probation officer understood the importance of being a father; "My Probation Officer is a super star, he worked hard for me to carry on living a normal life. I wanted to move back in with my family and the police blocked the move, however, my Probation Officer got the decision overturned so I could be a proper father and husband once again" (Les).

It seemed evident that humanity was not an anticipated nor expected feature of police custody and whilst gestures of humanity had a significant impact on an individual (and their mental health) through the CJ journey, an overwhelming sense of worthlessness resonated through these stories.



# THE NEED FOR CERTAINTY

"I didn't really know what was going on until I  
met my Probation Officer, who explained  
everything." (Cooper)





## 4.5 THE NEED FOR CERTAINTY

A clear theme from the findings was that of certainty. It was clear that having a greater understanding of the Criminal Justice System and its processes significantly helped those with mental health issues and that uncertainty contributed to confusion, fear and anxiety. Uncertainty seemed to occur when there were transitions between services (e.g. between prisons), as continuity lapsed and left individuals feeling anxious about the future. There were some practices that led to greater certainty, including regular meetings with mental health professionals, who took the time to explain decisions and information about their sentence/order.

When tracing the narrative of the Criminal Justice System through these themes, some participants stated that they did not know why they had been arrested, why they did not receive bail or what would happen in court. One participant stated that he waited 8 months for a court date and this heightened his anxiety. He reported that once he knew it was taking place, there was a sense of relief, even though it remained challenging.


Another participant (Fletch) said that after 18 months on bail, there was no communication apart from receiving a letter informing him of his upcoming trial (a trial which lasted 1 month). At this point he said that he was “feeling shell shocked,” an expression he also used when he was arrested and described the experience as “unreal”. Fletch went on to describe his journey, stating that upon his conviction, he received 13 years custody, and was in a state of “shock and confusion”. He said the process was a blur and when he spoke to his legal representative immediately afterwards, he had no memory of their conversations. Instead he found a “carpet blade” when in the interview room with his barrister, and upon entering the sweat box to be conveyed from court to prison, he began to harm himself by cutting his wrists. Fletch reflected that he was thankful that the journey was approximately 30 minutes, as any longer he probably would have “bled out”.

Another participant stated that he only fully understood his order at the point of Probation, because his officer went through everything with him. Within a prison context, one participant stated that sharing a cell with other residents created a sense of uncertainty, which led to him feeling unsafe. Another participant stated that he was informed he was moving prison 30 minutes before the prison transfer and told to pack his belongings within 30 minutes, otherwise he would miss the bus. This sudden influx of anxiety left the individual feeling confused and overwhelmed and he suggested that knowing the night before would make this process less challenging.

Certainty had a large impact on mental health as participants consistently stated that better communication would help throughout the process. Change seemed to cause real struggle, which could be seen from a conversation with Luke; “I was on remand for 8 months and going back and forth from court 4 or 5 times a month and always ending up with a new pad mate. It was a real struggle, as I didn’t know who I was going to get. It’s the last thing I need after having my life dragged out through court” (Luke).

It was evident that clear explanations, with outlined abbreviations and explained processes could help alleviate these issues, providing a space where questions could be asked, to relieve tension and help support those with mental health issues. Being kept in the dark only seemed to deepen a sense of anxiety and fear of the future, as several stated that even when the outcome was negative (or unexpected), knowing the outcome and explaining it was valued. This links closely with the notion of procedural justice and examining how procedural justice has been integrated across the Criminal Justice System may bring real benefits for all, including those with mental health issues.



A wooden suspension bridge stretches from the foreground into a dense forest. The bridge is made of dark wooden planks and is flanked by thick ropes. The forest is lush with green trees and foliage, with sunlight filtering through the canopy. The overall mood is serene and somewhat isolated.

# FAITH IN THE CRIMINAL JUSTICE SYSTEM

*"Alone and abandoned." (Matt)*



## 4.6 FAITH IN THE CRIMINAL JUSTICE SYSTEM

Participants described a lack of faith in the Criminal Justice System and belief that Criminal Justice organisations could help, which led to a greater sense of hopelessness, exacerbating mental health. When considering the journey through the System, inhumane gestures eroded any faith that the police service were there to help identify and support mental health issues. One participant commented that in court feelings of unfairness led to an overall wariness of authority. Other participants described this lack of trust and faith in the wider system, which became localised when they were in contact with a component of it. For example, in prison, a first-time resident was told by his fellow peers that the staff could not be trusted. The participant stated that this increased his paranoia and led him to shut down, as there was a genuine fear to open up because he felt that information would be used against him. Fergus described how his paperwork went “missing” and in one case, contributed to a mental breakdown, which led him to spend three years in the segregation unit in prison.

A lack of communication within the system seemed to lead to people losing faith. One participant mentioned that there was a mark on their file stating his difficulties with mental health but when being dealt with at the police station, nothing was mentioned and no support was offered. The participant stated plainly; “I felt alone & abandoned”. One participant felt that his lack of faith in the system was derived from the belief that the Criminal Justice System did not care about people who offended, as an individual. They said;; “I have been moved from Probation Officer to Probation Officer and I sit there wondering if the system has given up on me. I have no belief in the system or believe there is genuine care there for me or my mental health” (Jakob). Building a greater understanding and tailoring an individualised approach was viewed as important. To illustrate, Phil said; “There are days when I am overcome with fear to leave the house and my probation is aware of this and caters to my needs to help me with my supervision” (Phil).

Some showed empathy towards the current system and its lack of investment, stating; “The prison tried their best to help me but there seems to be a lack of support across the whole prison estate, as they are underfunded”. At HMP \*\*\* there were 2 mental health specialists to 2,500 prisoners” (Josh). These findings suggest that having faith in the Criminal Justice System brings with it hope to those who have offended. It would seem that this faith is built on relationships and focusing on the individual needs. It was clear that participants recognised this was near on impossible, based on the level of investment that is currently in place and as staff are stretched and processes become dated, faith might become increasingly diminished.





# HOPE AND HOPELESSNESS

*"The arrest experience made me want to give up on  
life." (John)*

## 4.7 HOPE AND HOPELESSNESS

There were certain elements of the Criminal Justice System that provided hope (or hopelessness) to the participants. One participant stated that gestures of humanity gave them hope and brought a sense of ease. Some described how new opportunities provided hope and brightened their lives, whilst a loss of hope was associated with the earlier stages of the Criminal Justice journey. John for example stated; “the arrest experience made me want to give up on life,” whilst another participant said that the experience of prison contributed to him feeling a lack of belief in himself. This hopelessness was extended to families, as one participant described being sent to prison and how his family stated that it was as if he had died.

It seemed that a lack of support and isolation seemed to extinguish hope, whilst positive relationships with Criminal Justice staff had the power to ignite and preserve hope. To illustrate, Fergus stated; “As the flame of hope and love was completely extinguished, it made me feel like I was going crazy and suicidal for a long time”. Losing hope or experiencing hopelessness seemed detrimental in an individual’s wellbeing. To illustrate, Oscar said; “after spending 5 years on bail I could feel my mental health deteriorating and my world coming to the end, I had gone from a young man to an adult by the time I was sentenced.” Brian mentioned how his time in prison changed him and gave him hope for a better future; “Once I was in prison, I managed to see a specialist for the first time and was diagnosed with bipolar. I was prescribed medication, and it was life changing.” It was clear that hope was situated in; receiving right support, people who showed a belief in change and being seen as an individual. In contrast, hope was dulled through loss and not seeing the end in sight. For example, Pete said; “The impact of prison has made me lose interest in my sentence, giving up on everything...I have a bad self-destruct to getting out and tend to just give up.” This individual has spent over thirty years in prison and is currently in segregation, having served twenty year (to date). As he wrote he said “I will write again when my mental state is better,” illuminating how segregation units may be used for those that have deeper unresolved issues or when people are hard to manage any other way.

A further observation from the data was associated with recall and how a deterioration of mental health seemed to lead to poorer compliance, which has particularly severe consequences for those on an IPP sentence. From those we spoke to who were serving an IPP sentence (or on licence in the community) discussed the heavy weight this places on their shoulders, to remain mentally well in order to avoid the terror of reliving an IPP sentence in prison. One participant stated clearly; “IPP is just cruel”.





# IN SEARCH OF MEANING

*"I gained an understanding (about myself)  
thanks to the teacher, who I owe my sanity too."  
(Wilson)*

## 4.8 IN SEARCH OF MEANING

A theme that emerged from the findings was that of doing valuable work that was meaningful for the individual. When considering the journey through the Criminal Justice System, after experiencing arrest Phil said he believed he had no purpose anymore, saying; “after being arrested I was led to believe this was the end and I can no longer go on to achieve anything” (Phil). This links closely with the sense of hopelessness experienced during arrest, when gestures of humanity and kindness seemed particularly valued during this uncertain time.

Meaningful work was mainly discussed in prison or whilst on probation. Within prison, the lack of meaningful work opportunities was discussed by participants, including jobs and educational opportunities, whilst more purposeful activities seemed to take place in the community, (though COVID has significantly impacted on this). Others found meaning working with animals whilst in prison and described how this brought a sense of responsibility, joy and connection. One participant recommended more “live stock” and how it has brought real meaning, at a time which was hopeless. More therapeutically intensive work was also described by Steven who was serving a lengthy prison sentence. He said; “A therapeutic community really opened my eyes and aided me in addressing some of my demons, the lessons I learnt during that time will stay within me always” (Steven).

COVID seemed to remove meaning within prisons, due to a removal of the majority of services. Steven stated; “COVID has led to a groundhog day existence. It has been mind-numbing and at times soul destroying”. This highlights how the pandemic has brought with it a greater dis-connection with a sense of purpose, a clear factor that has been found to support the rehabilitative process.

Whilst less prevalent, finding meaning in holistic wellbeing also featured in a small amount of our cases. This included the impact of a poor diet (in prison), poor exercise (due to COVID) and the benefits of yoga and meditation in promoting a healthy mind and body. COVID was noted to those who are currently in prison, with one participant stating; “The impact of the loss of gym and exercise from lockdown had a massive effect on those who used it as an escape or an opportunity to let of steam...having the gym taken and exercise restricted due to lockdown played havoc with my mind, those hour slots were my escape, they kept me sane and saw me through the day” (Karl). This highlights that coping strategies to help alleviate symptoms and self-manage mental health were compromised during the period of lockdown for some.





# **DIVERSITY AND INCLUSION**

*"No money, No Justice." (Fílíp)*



## 4.9 DIVERSITY AND INCLUSION

The need for a greater appreciation for diversity and inclusion was clear within the findings. After speaking with participants from ethnic minority background, individuals had a tendency to lack the belief in the support that is being offered to them in terms of their mental health. Those from minority groups spoke more prevalently about denying their mental health issues when asked by Criminal Justice professionals and instead were seen to “go off their own back” to seek support, away from the Criminal Justice System as they felt “let down” (Mo) by the system. A number of male participants spoke about issues associated with masculinity and the fear of appearing ‘weak’ or ‘vulnerable’, associating this with cultural factors as well as religious factors. One participant stated that whilst he was asked by a mental health advisor whether he suffered any mental health issues at arrest, he said he did not in order to escape the judgement and removal of pride, which was a reality for him.

Other factors seemed to intersect with race, which exacerbated a feeling of injustice further. Some participants discussed their feelings linked to conspiracy at the police station, which contributed to a sense of institutional injustice and inequality. One participant felt that the police wiped his phone contacts as an act of racial discrimination, whilst another stated that in court he was “judged on ethnicity” and this led to feelings of betrayal, resentment and hurt (Filip). Another discussed his lack of financial stability and how legal aid was removed because he could not fund it. This interaction between race and poverty fuelled a deep anger, with one participant stating plainly; “no money, no justice.”

The experience of arrest for an older lady of 63 was also described in detail. Jane explained how her alcoholism and mental health issues had brought with it a history of offending and she spoke with a sense of defeat, evidenced by the plain statement; “you can’t beat the system, they are bullies” (Jane). Jane described how she felt that the police viewed her as a “lost cause” due to her age, history of offending and alcoholism, leaving her feeling lost and only isolated further. She described her experience of arrest “by four officers in their 20’s..their demeanour was “bullish” and they accused me of taking cocaine...I lost my dignity when they asked me to take a drug test, as I has never been on drugs”. Placing this within the context of previous discussions around humanity, there seemed to be some practitioners who were able to adapt services to support the needs of service users (and in turn ease their tensions), whilst other factors brought about the likelier consequence of exclusion. The nature of the arrest or historical context of the individual seemed to create further distance, particularly if people were arrested for crimes associated with children or drugs.



In relation to gender, local services seemed to be engaged by more women (based on our small sample) and men invariably stated that they did not access services. One participant stated that doing work for the community had a positive impact on their mental health and aligned to her cultural values of community. A female participant identified that gender specific programmes (Together Women's Project) was helpful due to the support that they received, which included through-the-gate support. The findings suggested that gaining appropriate support, to meet their needs was of the greatest importance, with one participant reflecting that the only thing that worked well was the Mental Health Treatment Requirement.

However, a trusted relationship was said to be a vital key when accessing help within prisons, with one participant said; "I was struggling and didn't know why. I thought there was no support for me and after having a conversation with my Imam he went and scheduled an appointment with a mental health nurse" (Asad). This highlights the importance of peripheral and important relationships who can advocate and signpost individuals, depending upon which services they are accessing, meeting them where they feel safe and working from this position. Within a Probation context, one participant stated that due to his autism, this was generally prioritised over and above their mental health and this left several needs unmet. This highlights the complexities of co-morbidity and how a combination or collection of needs can sometimes be overlooked.

Exclusionary practice was also perceived by a number of participants, in different guises. One female participant explained that she felt discriminated against by the judge due to her gender, leading to a feeling of double deviance and disproportional punishment, as it was implied that a female should not be commit those crimes she was responsible for. Also, a different participant was informed by the judge that his autism was "irrelevant" even though his Pre-Sentence Report stated that it played a factor in his offending.

Lastly, another participant with literacy needs said that in prison; "I don't like talking to people outside of my own group and as I can't read or write I couldn't put an app in. I spoke with the travellers rep and he helped me deal with health care and get some pills" (Alfie). These findings highlight the complexity of bias and importance of raising awareness around diversity, which is meaningful and powerful for those who work on the frontline.



A photograph of a dirt path winding through a forest. Tall, thin trees line both sides of the path, their leaves in various shades of green and yellow, indicating autumn. The path is covered with fallen leaves. The word "RECOMMENDATIONS" is overlaid in large, bold, black capital letters across the middle of the image.

# RECOMMENDATIONS

*"I really hope that it will soon shift,  
And I will feel a little lift." (Sammy)*



## 5.0 RECOMMENDATION AND CONCLUSION

The following recommendations were co-produced with those who participated in this project. They vary in levels of ambition but all key suggestions feature here due to their significance and value-added potential.

### GENERAL

- It is proposed that all Criminal Justice staff are provided with training around mental health, diversity and the function (and value) of relationships in CJ work, including judges and solicitors.
- It is proposed that information is displayed, given and verbally explained throughout the Criminal Justice journey, in order to reduce the impact of uncertainty. This seemed particularly needed at the arrest and court stage, though transitions between services was also highlighted as important. Co-creating a process with service users where information is provided would enrich this work. Utilising the support of volunteers and local communities within these specific areas may help, in light of the limitations around current resources, alleviating some of the pressures that Criminal Justice practitioners are experiencing.
- Procedural Justice focuses on how decisions are explained, in a respectful, fair and decent manner. It is proposed that there is a review how this work can be applied consistently throughout the Criminal Justice System. In conjunction with this, to communicate the value of Procedural Justice and how it is being practically applied to a range of Criminal Justice Settings.
- To review how hard-to-reach populations are engaged with so that mental health can be fully realised and supported. This might include using digital technology, informal conversations and a variety of creative methods, with the support of those who have lived experience.
- To invest in supervision for all Criminal Justice practitioners to aid their understanding and build reflective skills that will increase their capacity to show kindness and empathy.
- To promote family ties and family engagement throughout the Criminal Justice System, as these meaningful links seemed to significantly help mental health recovery.
- To update resources that lack modern technological advancements, to improve efficiency and effectiveness across the Criminal Justice System.

## SPECIFIC TO POLICE

- To pilot new ways of managing those arrested who have mental health needs through action learning sets, which are multi-disciplinary (including the police, mental health professionals and volunteers). This might include reviewing relationships, processes and the physical environment.
- It is recommended that complex need and co-morbidity feature in induction training for police officers and support staff. It is proposed that this will not only improve compliance, but also reduce harm for both service users and staff (e.g. assaults and complaints).

## SPECIFIC TO PRISON

- It is proposed that there is a complete national review of the application system in prison, to improve information sharing and reduce anxiety in those who are residing in prison.
- To review how single cell allocations are assessed, moving towards a needs-focused approach as well as a risk-focused approach.
- To ensure that key-worker sessions are protected time (45 minutes a week per case) to ensure relationships are safeguarded, in order to reduce harm.
- Within a prison setting, diversity training is currently an online training package and it is recommended that this is reviewed in order to create a training experience which is inspiring, educational and practical for those who are working in challenging and busy conditions.
- To involve mental health charities and specialists within prison life more heavily, making mental health more visible in prisons, to reduce stigma and raise awareness. Several participants suggested involving those with lived experience, in order to bring insight, reduce stress and build hope across the Criminal Justice System.

## SPECIFIC TO PROBATION

- To share quality practice with other Criminal Justice Sectors to legitimise positive outcomes and approaches.
- To strive to deliver end-to-end relationships in order for the professional alliance to be safeguarded.
- To review how trauma is discussed with service users and the potential harm of this, in light of how temporary probation officer allocation currently is.



## CONCLUSION

This work provided a valuable insight into how the Criminal Justice System has impacted on those with mental health issues. Through the words of those who participated, this report aimed to illuminate areas of practice that brought hope, faith and growth as well as understand which aspects of practices were counter-productive.

The findings show the importance of relationships, humanity and compassion and how small gestures of kindness can bring with them large effects, which stay with people and play a part in their recovery. That said, it also acknowledges that acts of inhumanity erode hope and exacerbate feelings of worthlessness and isolation. Placing these two findings together it is clear that the Criminal Justice Journey is not a predictable road, which leads to the destination that we all hope it would; a safer community where social harm is addressed effectively and social good is nurtured. Instead it is a rather confusing place which lacks coherence and explanation, leaving the people who interact with it exhausted. Understanding the vision of the Criminal Justice Sector as a whole system and the roles each sector play within it may aid a deeper understand on why we collectively work within it, so that we can make the collectively impact we strive for.

Following a global pandemic, now is the time to reflect on the past and reimagine our new normal within Criminal Justice. This report will end on the words of Sammy, who sent us her poetry. This was the first time she shared her work with someone and summarised our findings beautifully on the following page.

### **Black Cloud**

*Every morning I wake,  
And slap on a smile that is oh so fake,  
Beneath that is a black cloud of grief,  
It only lays dormant and rears its head,  
Sometimes it's for long, sometimes brief,  
A sense of guilt and loss,  
It eats you up and is the boss.  
Don't ask me if I'm OK for I will cry,  
And sometimes I don't even know why ,  
I've never been quite this bad before  
Where I'm unmotivated and just want to close the door.  
Everywhere I go the black cloud follows and won't leave me be,  
Like Charlie Brown and Snoopy and me,  
It's a psychic parasite that thrives on the bad,  
It's triggered more when I see or hear something sad,  
This too shall pass, but when I don't know  
The voice in my head is a noisy crow  
It feeds off negative emotion,  
I'm yet to find the right potion,  
I really hope that it will soon shift,  
And I will feel a little lift,  
Where the sun shines through,  
And I will stop feeling oh so blue.*

### **Sammy**





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