



SUMMARY OF RESEARCH

PRE-COURT DIVERSION GOOD PRACTICE CONSIDERATIONS TO SUPPORT PEOPLE FROM ETHNIC MINORITY BACKGROUNDS



COMMUNICATIONS AND POSITIVE LANGUAGE

- Consider verbal communication style.
- Open body language.
- Calm tone, pitch, and scale.
- Clear speech and positive eye contact.
- Friendly manner, building rapport and respect.
- Consider language barriers.



SUPPORT

- Perpetrator may also be a victim.
- Mistrust of criminal justice system and experience of Racism.
- Building an understanding of their needs.
- Challenge any bias and don't judge.
- Person-lead intervention plan.
- If appropriate ask their ethnicity and discuss anti-racism.
- You are supporting desistance and change to a better life and self.



COMMON CHALLENGES

- Racial Trauma.
- Substance use.
- Mental health and self-harm.
- Emotional management.
- Healthy relationships.
- Adverse childhood experiences and trauma.
- Education, employment, and training.
- Poverty.
- Parental responsibilities.



HIGHLY TRAINED PRACTITIONERS

- Anti-Racist Practice.
- Racial Trauma-informed.
- Gender-informed.
- Holistic / Needs-Led Intervention Development.
- Reflective Practice.
- Police in custody suite.
- Intervention Providers.
- Solicitors & Lawyers.
- Restorative Justice Mentors.
- Diversion specialists.



PROMOTING DIVERSION

- Be mindful of potential racial biases and engage in discussions to justify decisions, considering the experiences of ethnic minorities with racism in society and the justice system.
- Prioritise diversion for individuals under 18, involving services like Point of Arrest Diversion and Youth Offending Service, with a focus on family involvement.
- Tailor approaches for women, integrating them into community settings, considering parental responsibilities, and utilising women's centres/services where possible.
- Opt for the lowest level of diversion instead of escalating charges.
- Provide multiple opportunities for diversion, even for individuals with prior low-level convictions.
- Collaborate with independent Restorative Justice mentors or diversion specialists to assist in decision-making.
- Support the broader family unit and offer guidance on the benefits of diversion.
- Ensure legal representatives understand the advantages of diversion.



OFFERING DIVERSION

- You don't need admission of guilt – seek to support the 'whole' person and needs.
- Conduct diversion assessments within 48 hours, involving specialists like Restorative Justice mentor/ Diversion specialist.
- Document diversion as a positive outcome in data records and systems.



DEVELOPING INTERVENTION PLAN

- Needs led and holistic.
- Choice and control.
- Positive from arrest.
- Strengths-based approach.
- Don't over-burden / light touch approach.
- Weekly support for 3 months minimum and 3-5 interventions.
- Appropriate to developmental needs – cognitive, emotional, social, and educational.



INTERVENTION NEEDS

- Employment and training opportunities.
- Restorative Justice and community approach.
- Therapeutic support for mental health.
- Emotional and social support.
- Developing healthy relationships.
- Substance use support.
- Modular learning & support.
- Gender-based violence and abuse support.
- Education with no judgement.
- Reflection, discussion, and respect in support relationships.
- Sharing power and working together – experts through experience support.
- Specialist independent of statutory criminal justice system providers.
- Building positive pro-social identities.
- Developing responsibility and accountability for self and behaviour.



RESTORATIVE JUSTICE

- Include the Victim at all stages.
- Seek for the perpetrator to take responsibility for the offence and don't focus on admission of 'guilt'.
- Specialist intervention providers.
- Child first if child.
- Women specific.

