



Somalis in the English Criminal Justice System

Scoping Study

Council of Somali Organisations

2016

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Context

The Somali community has often been under the spotlight in media coverage of violence linked to gang activities involving guns, knives and drugs and to the new associations with radicalism and extremist activity.¹ However, despite intensive media coverage focusing on Somali youths, the “community has been the subject of only limited single-issue research, focusing on specific areas such as healthcare and education”.² Due to the lack of studies specifically focusing on Somali youths, they remain poorly understood in the criminal justice system (CJS) and are among the most understudied ethnic minority groups in the UK.

Objectives of the study

The main objective of the scoping study is to identify the available evidence about Somalis in the criminal justice system. The specific objectives are as follows:

1. To identify what is known and what is not known about Somalis' experiences in the criminal justice system.
2. To identify gaps in current knowledge
3. To identify priorities for future policy research.

Selection of inclusion criteria

The inclusion criteria used in this scoping study related to studies specifically focusing on Black, Asian and minority ethnic (BAME) and Muslim participants. The scoping study identified 10 studies that meet the basic inclusion criteria, in terms of study topic, population and BAME and Muslim prisoners study design. The main limitations of the research lie in the lack of studies directly related to Somalis and the criminal justice system.

1. Shire Foundation (2009). *Becoming visible: The Somali community and substance use in London*. Adfam, London.

² Ibid.p.2

Estimate of Somali populations in the UK

According to a Muslim Council of Britain (MCB) report, Somali populations total about 250,000 (both foreign-born and British-born).³ However, research on Somali refugees suggests that the total Somali population residing in the UK is not known because of new asylum seekers and the arrival of European Somalis over the last few years, who have mainly migrated from Scandinavia and the Netherlands.

Another reason for inaccuracy is the absence of a 'British-Somali' ethnic category in the Census. It is therefore not possible to disaggregate the Somali population from the Census findings relating to the Black population.⁴

The Main Findings

Black and Muslim people in the criminal justice system

According to the Young Review (2014),⁵ Black, Asian, and minority ethnic men are over-represented in the criminal justice system. Evidence from the review revealed that young black and Muslim men aged 18–24 years have high levels of over-representation in the youth justice system.⁶ Similarly, a Freedom of Information request resulted in the claim that Somali youth offenders tended to be over-represented in Feltham Young Offenders Institute in Hounslow (at 63 out of 2,000 young offenders and approximately 600 ethnic minorities).⁷ However, this conclusion was tentative because the statistics that are available are mainly disaggregated on the basis of a fixed number of categories, based on race and/or ethnicity. In this case, Somali youth offenders are often counted as 'Black' in the criminal statistics. As a result, the extent to which Somali young offenders are over-represented in the criminal justice system is generally unknown in much of the analysis of these issues.

It is clear that the current information available on BAME offenders treats them as a homogenous group. Such generalisations do not account for the diversity among Blacks or Black Africans, or for the differences in socioeconomic status, access to resources, migration patterns and immigration histories that characterise various Black African ethnic

³ Muslim Council of Britain. (2015) *British Muslims in Numbers: A Demographic, Socio-economic and Health Profile of Muslims in Britain drawing on the 2011 Census*, Muslim Council of Britain,

⁴ Options UK (2010). *Understanding East London's Somali Communities*. Options UK.

⁵ Mullen, J. (2014) *The Young Review: Improving Outcomes for Black and/ or Muslim Men in the Criminal Justice System*

⁶ Ibid.

⁷ Abdi, M. (2013) *Youth Crime in the Somali Community*. Research Report. Evelyn Oldfield Unit, London.

groups. As a result, there is no official data that specifically shows the number of Somalis in the criminal justice system. Moreover, in the current ethnic monitoring system, 'Somali' is subsumed under race, i.e. 'Black' category, which makes it impossible to understand the Somali offenders' experiences of the justice system.⁸ Furthermore, the use of the generic term 'Black' by the Office of National Statistics can mask the heterogeneity within African and Black populations. Consequently, their needs remain poorly understood and there is a critical lack of data disaggregated by Black or Black African ethnic subgroups.

What types of crimes are Somalis involved in that lead them into the criminal justice system (CJS)?

Despite the paucity of the literature and research focusing on Somalis in the CJS, it is possible to identify some recurring themes in this area. The available evidence has indicated that the most common offences committed by Somali young people are robbery and violent and drug-related offences.^{9,10}

Causes of offending

There is no research that focuses specifically on Somali youth offenders. However, the available information suggests that there are two possible reasons why Somali youths become involved in crime.

One possible reason for robbery and gang-related crime is the association between poverty and neighbourhood. The Somali community perceives poverty or living in poor neighbourhoods as one of the first aspects to be associated with criminal activity. Similarly, criminologists point out that youths who come from disadvantaged communities are more likely to be involved in the criminal economy, especially in dealing illegal drugs, and it may be their perceived lack of legitimate opportunities for making money that leads them to crime. This also reflects the fact that Africans are concentrated in large cities, where risks of

⁸ Options UK (2010). Understanding East London's Somali Communities. Options UK.

⁹ Abdi, M. (2013) Youth Crime in the Somali Community. Research Report. Evelyn Oldfield Unit, London.

¹⁰ Samota, N. (2013) Somali youth in the criminal justice system. Conference report. Council for Somali Organisation & Black Training and Enterprise Group (BTEG), London.

the types of crime measured in the Index of Multiple Deprivation (IMD) 2010 (violence, burglary, theft and criminal damage) are high.¹¹

Another aspect that is perceived to be a cause of crime is school exclusion and academic failure.¹² According to Somali community members, Somali youths who drop out of or are excluded from their schools are more likely to become involved in drug dealing and gang-related crime. However, due to a lack of reliable empirical evidence, it is difficult to determine the roots of crime in the Somali community.

Are there any opportunities for rehabilitation for Somali offenders?

A joint conference report was prepared by the Council of Somali Organisations (CSO) and the Black Training and Enterprise Group (BTEG) (2013). Between 2012 and 2013, BTEG made a request to 31 youth offending teams across London whose caseload involved Somali young people. The report specifically identified the type of rehabilitation programme that was offered to Somali youth offenders. It was revealed that 52 young Somalis had received Youth Rehabilitation Orders (YROs), which are issued by magistrates and judges¹³; YROs offer a choice of 18 rigorous community options and are tailored to the circumstances of each case and each offender.¹³

Black, Asian and minority ethnic (BAME) groups and resettlement

Due to the lack of studies on Somali offenders, this scoping study includes research that focused on BAME and Muslim prisoners. There are three relevant studies and reviews: HM Chief Inspector of Prisons (2010) Report, the Young Review (2014) Report and 'Double trouble?': Black, Asian and minority ethnic offenders' experiences of resettlement (2010) Research Report. These three documents have provided valuable insights into BAME and Muslim experiences in the criminal justice system and resettlement provisions.

Focusing on Black and Muslim offenders, the two reports HM Chief Inspector of Prisons (2010)¹⁴, the Young Review (2014)¹⁵ have revealed that Muslim offenders are more likely to experience discrimination and poor relationships with prison staff members compared to

¹¹ Jivraj, S. and Khan, O. (2013) Ethnicity and deprivation in England: How likely are ethnic minorities to live in deprived neighbourhoods?. Centre on Dynamics of Ethnicity (CoDE), University of Manchester, UK

¹² Shire Foundation (2009). *Becoming visible: The Somali community and substance use in London*. Adfam, London.

¹³ Samota, N. (2013) *Somali youth in the criminal justice system*. Conference report. Council for Somali Organisation & Black Training and Enterprise Group (BTEG), London, p.8

¹⁴ HM Chief Inspector of Prisons (2010) *Muslim Prisoners' Experiences: A Thematic Review*, London, HMIP, A

¹⁵ Mullen, J. (2014) *The Young Review: Improving Outcomes for Black and/ or Muslim Men in the Criminal Justice System*. Clinks, London.

non-Muslim prisoners. Moreover, research commissioned by Clinks (2010)¹⁶ found that resettlement advice was viewed by prisoners as poor and that the current resettlement intervention tends to focus on sessions relating to generic offending.¹⁷ Although the three reports identified are an important step in redressing the lack of academic attention to Black and Muslim offenders and their resettlement experiences in the criminal justice system, the evidence also has its own shortcomings. First, the current research on Black and Muslim prisoners tends to treat British Muslims as a homogenous group. Consequently, the resettlement provision for all BAME and Muslim prisoners and ex-prisoners tends to be a generic rather than ethnically specific and it does not take an ethno-religious approach to all prisoners. A particular focus on the experiences of Somali offenders and ex-offenders has generally been omitted.

Gaps in the evidence base

In response to the needs identified in the scoping study, the following three recommendations are made for further research:

1. Since Black, Asian and minority ethnic and Muslim prisoners are an extremely heterogeneous group comprising subgroups with diverse ethnicities, cultures, religions, languages, immigration histories and socio-demographic characteristics, it is essential that researchers collect and analyse ethnically disaggregated data (quantitative and qualitative) as the basis for working towards filling the knowledge gap within this specific ethno-religious community, i.e. the Somali community. This is a particularly important gap that needs to be addressed on its own.
2. It is clear that there is a lack of evidence of the types of crime that Somalis commit and the roots of crime in the community. Further research is needed to explore why some Somali youth become involved in gang-related crime or robbery and to identify the root causes of these crimes.
3. As the Young Review (2014)¹⁸ has already suggested, it is a pressing priority to examine the specific needs of all Black, Asian and minority ethnic (BAME) offenders and specifically the diversity of the Muslim populations and their experiences of the criminal justice system and resettlement provisions. Thus, in the absence of a clear

¹⁶ Jacobson, J. Phillips, C. and Edgar, K. (2010) *"Double trouble"? Black, Asian and minority ethnic offenders' experiences of resettlement*. Project Report. Clinks and Prison Reform Trust, London, UK.

¹⁷ Ibid.

¹⁸ Mullen, J. (2014) *The Young Review: Improving Outcomes for Black and/ or Muslim Men in the Criminal Justice System*. Clinks, London.

'what works' knowledge base on specific ethno-religious prisoners, there is a need for qualitative research on Somali offenders and ex-offenders in order to give them the opportunity to express their views and their lived experiences of each stage of the justice system.

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