

NQ6

Napo Quarterly

June 2017

**Women in Napo
Conference 2017**

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DISABILITY

It's not always visible

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NQ

This edition of NQ focuses on disability and brings together some of the key issues facing both members and clients in Probation and Family Court. With increasing workloads and poor ICT systems, both members and clients are being impacted on negatively in the current environment.

Katie Lomas, National vice-chair shares her experience of living with a hidden disability, and Lawrence Baker reveals the problems many of our members who use Assistive Technology encounter on a daily basis.

NQ investigates how people with disabilities fair when they come in contact with the justice system either as a client or victim of crime.

The guest interview for this month is the TUC's Huma Munshi, who speaks on the important role trade unions have in helping to put an end to disability discrimination and giving those with impairments a voice in the workplace.

We also have reports back from the Family Court Conference (where the theme was modern day slavery and radicalisation); Women in Napo (which had great speakers including Carolyn Harris MP) and Sarah Friday, national official, explores the impact Brexit could have on health and safety legislation in the UK.

We also hear from national vice chair Tina Williams who uses powerful member testimonies in her article on the impact of high workloads on professional practice.

Probation | Family Courts

napo

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Ian Lawrence writes

Through the Gate but to where?

The report by HM Inspector of Probation Dame Glenys Stacey could not have made it any clearer. The much vaunted Through the Gate service (TTG) that Chris Grayling boasted would revolutionise the world of rehabilitation has been an abject failure.

Of 98 cases observed by inspectors only two prisoners were found accommodation via these services. Save for a few pockets of good practice, and from the feedback reaching us from some rightly exasperated Napo members working within Community Rehabilitation Companies (CRCs) who have doubtless been doing their best to deliver the good intentions of the programme, probation providers are now facing the prospect of some serious directives from HMPPS to start delivering to an agreed standard.

Napo has moved swiftly in the wake of the HMI Probation report (<https://www.justiceinspectorates.gov.uk/cjji/wpcontent/uploads/sites/2/2016/09/Through-the-Gate.pdf>) to alert Parliamentarians to the fact that TTG resettlement services were introduced in 2015 to supposedly bridge the gap between prison and community, but that since then the services offered by CRCs across the whole probation landscape are making little tangible difference to the prospects of prisoners due for release.

As is now refreshingly the case since Dame Glenys Stacey took on responsibility for the inspectorate, the TTG report gets straight to the nub of the problem. It exposes the fact that the strategic priority of CRCs has been about ticking the boxes marked: contractual requirement, instead of sufficiently investing in what is needed to help clients step on to the road marked: recovery.

In a hugely damning indictment, the inspectorate found that prisoners upon release were no better served than eight months ago and worse still, that if Through the Gate services were removed tomorrow the impact would be negligible.

Staff are not to blame

Just after the publication of the report an Early Day Motion (EDM) was laid down by Plaid Cymru MP Liz Saville, who is also the Chair of the Justice Unions Parliamentary Group. This followed three highly critical reports from HMI Probation in the context of growing concerns that CRCs are not achieving the desired results expected under the Transforming Rehabilitation programme (TR).

There is a whole separate debate to be had regarding whose fault that actually is; but the ongoing wrangles between CRC owners and the MoJ over future funding arrangements speak volumes, especially in the context of what Napo has had to say about mis-sold contracts based on unreliable and hugely outdated statistics.

Despite the findings of the TTG report, the EDM does not criticise probation providers individually but calls for a review as to how TR has impacted on the delivery of services.

In particular it reflects how Through the Gate has attracted widespread criticism and it also recognises that the whole TR programme has been badly implemented and has left both CRCs and the National Probation Service in an impossible position, which directly impacts on staff and clients.

What next?

Prior to the calling of the General Election, Napo had made promising headway through the Justice Select Committee for the whole TR programme to be reviewed, and there were reasonable grounds to suggest that it was likely that this would have happened.

Napo has been highly critical of the operational shortcomings of the TR programme and for that I make no apologies. Nevertheless, I have had a number of opportunities such as a recent seminar organised by the Public Policy Exchange where I have made it clear that politicians and senior management need to listen more carefully to what the experts (that's our members) are saying about the post-TR world and how improvements to what is currently going on could still be achieved with the right level of investment and changes to the governance structure which would see failing CRCs revert back to a form of public ownership.

Make no mistake, Napo never had a problem with the concept of Through the Gate, but like many facets of TR, it was the failure to even pilot the programme or to even analyse the potential cost benefits which have led to the taxpayer unwittingly bankrolling a spectacular failure.

The evidence from the government's own inspectors suggests that politicians need to have a serious rethink before wildly embarking on a prison-centric rehabilitation agenda that will leave massive gaps in community provision.

Through the Gate is as clear a sign as any that grandiose social experiments have a huge price for the public as well as those that they are meant to assist.



Women in Napo Conference 2017



The Women in Napo conference always aims to inspire women to become more involved in their union and this year was no different.

The conference was attended by probation and family court members alike proving that wherever you work, we are all part of the Napo family.

Members arriving the night before the conference watched “Going Through the Change”, a film featuring local activist Brenda Proctor highlighting the activism of women during and since the Miners’ Strike. Incredibly moving and empowering, it set the tone for the following day.

Great Speakers

The morning session saw Carolyn Harris MP make a passionate speech about the impact incarcerating women has on their families and wider society. Attendees also gave examples of the damage they have seen when a woman is imprisoned for as little as a few weeks for relatively trivial offending such as non-payment of fines or shoplifting.

At 11am we paused to honour the life of Jo Cox with a minute’s silence that was broken with rapturous applause to celebrate the impact Jo continues to have even after her tragic death.

Carolyn – who was a friend of Jo’s – highlighted the need for women to continue to work together to campaign for tolerance and love despite a world intent on hate and destruction.

Next to speak was Dame Glenys Stacey, HM Chief Inspector of Probation. Dame Glenys spoke about the recent thematic inspection on women which highlighted some issues of deterioration in service provision since the outsourcing of probation through the TR programme.

Subsequent inspections have shown some improvements,

however, gender specific services provided in conjunction with local women’s centres have suffered due to changes in funding and some women’s centres have closed or face an uncertain future.

More of a concern was a lack of strategy for women’s services across the probation providers and the risk that funding will be further reduced if these services are not prioritised consistently.

Great Workshops

We had four workshops for attendees to choose from, repeated to allow everyone chance to attend two.

Emma Pearmaine from Simpson Millar spoke passionately about the need to protect vulnerable witnesses and support victims of domestic abuse in court.

Joy Doal of Anawim (a women’s centre in Birmingham) spoke about their approach to trauma in diversion from the criminal justice system. Joy also spoke of the challenges that women’s centres faced as a result of TR and funding changes and how many of the services they were providing in conjunction with probation have ended.

Rachel Goldhill of the University of Plymouth presented her research which evidences that post TR much of the specialist gender specific provision for women has been lost.

Sarah Friday (Napo national official), Jay Barlow (Napo national vice chair for the family court section) and I encouraged women attending to explore reasons why women are not as active in Napo as they could be and to share good practice in encouraging women to join and become active.

Women attending this workshop were asked to make two pledges at the end, one thing they would do to recruit a woman member and one thing they would do to encourage activism either from themselves or in another woman.

women + in napo



© Marion Kockelbergh

Women in Napo Pledges

During a workshop led by Sarah Friday, Katie Lomas and Jay Barlow, members came up with some pledges around recruiting women members and increasing activism

Recruiting women members – I will...

- Actively promote Napo to women not already in membership including PQiP learners, trainees, mentees and new starters
- Liaise with my branch chair and arrange a local office meeting to recruit new members
- Contact Napo HQ for posters and other promotional materials that can be used to help recruit new members

Increasing Activism – I will...

- Increase Napo's visibility by putting up noticeboards and wearing or displaying branded Napo merchandise – particularly when participating in Napo activities
- Prioritise attendance at local and national meetings and encourage other women members to do the same
- Ask branch to appoint a youth officer who can help recruit younger women



The final session of the day was a panel discussion on women's occupational health. Professor Myra Hunter of King's College London presented findings from the 2016 survey of Napo members which focussed on premenstrual and menopausal experiences. The discussions around menopause were thought provoking and we look forward to the recommendations from Myra's research which branches should be able to use with employers to secure improvements.

Janet Newsham of the Manchester Hazards Centre spoke about the specific issues facing women in terms of health and safety at work.

Finally, Sarah Friday of Napo discussed using the TUC checklist of gender and occupational health and safety to challenge employers. The issues of women's health and safety were of clear interest to members and we could have had a full day on that topic alone.

Great Outcomes

A session was held where attendees discussed priorities for WiN which was very useful and highlighted a few areas to focus on.

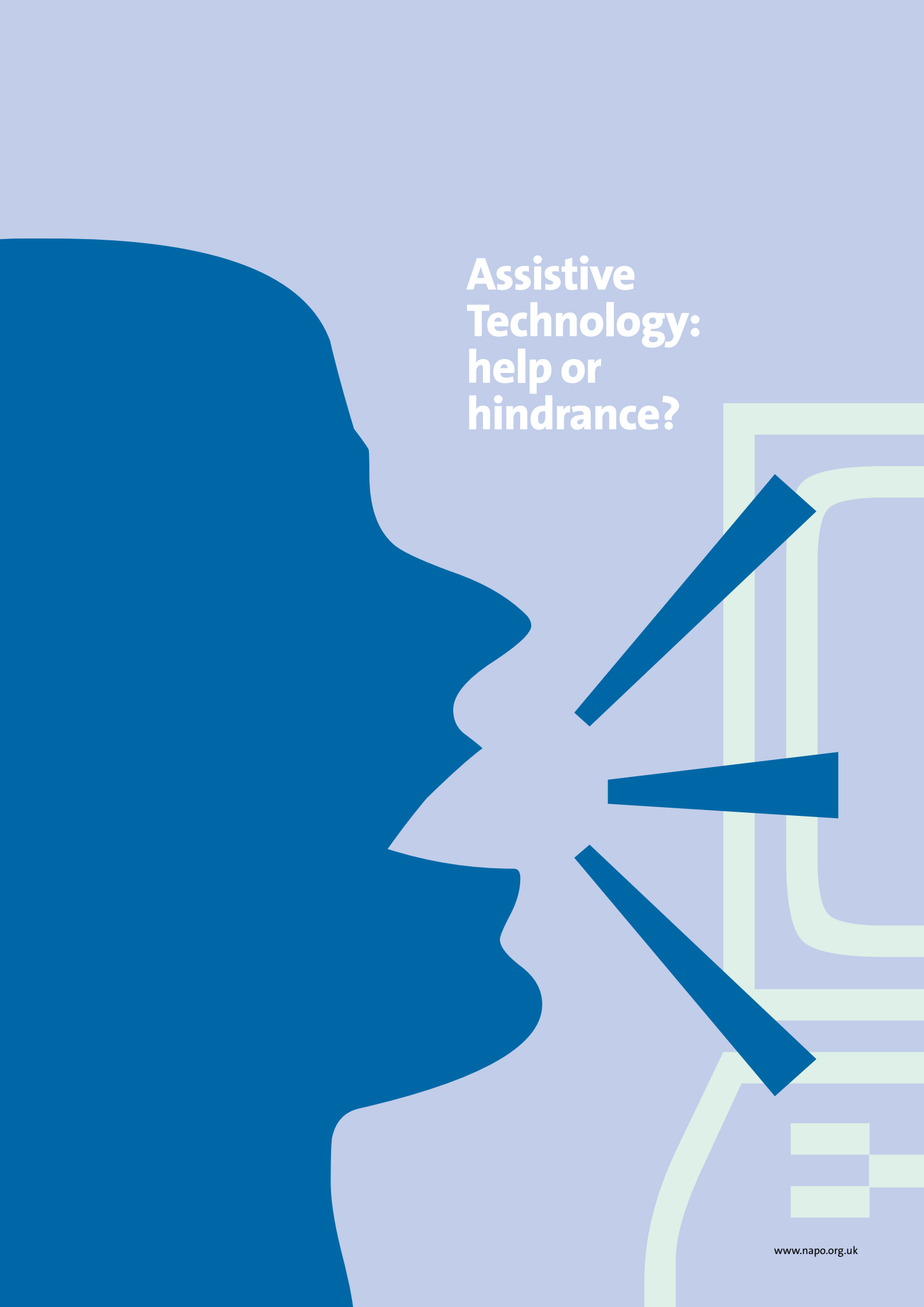
One of these topics of focus was women's health and safety in the workplace and the effects of ageing – topics touched on in the afternoon and by Carolyn Harris MP.

There was also an acknowledgement that the introduction of a new sickness policy in the NPS and some CRCs was having an impact on women, especially as they aged, attending vital health screening appointments.

It was inspiring to see so many women come together with a shared goal of being more active in Napo, I hope everyone went home with the same spark of motivation that I did.

KATIE LOMAS

NATIONAL VICE-CHAIR



Assistive Technology: help or hindrance?

Please pause for approximately three and a half minutes before reading anything further. When you begin to read, do so very slowly, then very quickly, with long pauses in the middle for no apparent reason.

If you are able to do this, then you would have some experience of working with Dragon NaturallySpeaking when completing work-related duties. This occurred this morning when I was asked to write about my own experiences of using Assistive Technology in an NPS environment (using Dragon to dictate this piece).

Having turned on the voice-activated software and giving clear instructions to begin dictation, there was a three and a half minute gap before the dictation box presented itself, thereafter, as I began to dictate clearly and efficiently, there would be long delays from me speaking to the text actually hitting the page, whilst at other times, it is almost instantaneous.

Using Dragon NaturallySpeaking to navigate is equally hit and miss. Some parts of the system can be navigated using voice commands, most however, cannot.

This simply means that I can be left in situ, not being able to move up or down in

a document or even get to a place where I need to dictate text because the system doesn't recognise voice commands. This is not equal access.

To overcome difficulties using Assistive Technology in a probation environment, oftentimes I rely on the assistance of a dedicated disability support worker. But aside from the identified difficulties above, what is less easily explained, is the stress and frustration that is caused when working every day, in a notably frustrating and inefficient way, be that navigating and completing work in NDelius, OASys, or any other application using Firefox.

Aside from the difficulties with Assistive Technology is a need for those responsible for the design of documents and applications to consider wholly and equitably the needs of disabled workers.

For the most part, the difficulties experienced by Assistive Technology users are not the result of problems with voice-activated or other related software, but the poor design of documents, the choice of browser, and failing to test (in a real world environment by actual practitioners), the efficiency or otherwise of any intended rollout.

Having been a probation officer for close to 15 years, it is fair to say that the

initial obstacles experienced when I joined the service still remain, despite some genuinely expressed desires by those within the organisation to bring about notable change for disabled staff reliant on Assistive Technology to complete work-related tasks.

Within the organisation, I am sure there are competent and capable practitioners with a wealth of experience working with voice-activated software and other related applications that could assist the organisation in the design of applications, documents, referrals etc to enable all staff, but particularly the disadvantaged/disabled to be able to work efficiently in the spirit of E3, rather than to continue to experience a disproportionately poor service and only limited access to probation computer systems and related documents.

I understand that there is a PI in the pipeline to address the disadvantage that Assistive Technology users face, if this can include a mandatory requirement for all documents to be equally accessible, this would be a great start in overcoming the disadvantage faced by Assistive Technology users.

LAWRENCE BAKER
NAPO MEMBER



Professional Values and Workload Pressures

Staff in probation and family courts have long been recognised for the excellent services they deliver. Increasingly however, members are reporting that excessive workloads are becoming a problem.

As part of Napo's Workloads Campaign, members were surveyed to find out the true extent of the problem. The response was overwhelming and the message was clear: the physical and mental wellbeing of members is suffering, as is their ability to deliver professional services.

Buckling under the volume of work

Members are buckling under the sheer volume of work they are expected to undertake.

For those who have workload management tool (WMT) facilities, ranges from 100% to 210% are not uncommon.

Administrative, managerial and unpaid work staff who do not have WMT facilities are also feeling the strain, but have no real mechanism for recording and evidencing this as being the case.

A CRC member offered the analogy of having a "finger in the dam with more holes opening up everywhere."

Not surprisingly, many members feel the need to resort to working 10-12 hour days, skipping lunch and even coming in on the weekends just to cope with the increasing demands.

"I work far too many hours, 50 plus hours a week to stay on top of things," said one family courts member.

Professionalism is suffering as a result. "There is no time to reflect and consider my practice. I feel totally frustrated that I cannot spend the time needed with the service users meaning that I am unable to properly provide the support necessary to enable rehabilitation to have the best chance of a positive outcome," explained a member in the NPS.

Working in a pressure cooker

Survey results indicate the situation is near boiling point and the health and wellbeing of members is evaporating. As one PBNI member said: "This cannot continue, it's like working in a pressure cooker."

High levels of sickness, deteriorating home life and feelings of professional inadequacy were common themes in the feedback from members.

"It affects my confidence because I don't feel as if I am achieving as well as I should be or that my performance reflects my ability or the standard of practice I deliver every day I am at work," said a family courts member.

More worryingly, a member in a CRC reported: "I work in an office where four out of 10 case managers are on long-term sick

as is the manager... Three colleagues have broken down in tears, one is drinking heavily and two have caseloads over 90."

Stress and anxiety is widespread. "I am so unhappy coming into work that I have panic attacks," said a member from a CRC.

"I am desperately trying to remain at work but my mental health is deteriorating after such a long time under significant stress and it has led to problems in my relationships at home," explained another working in the NPS.

Worryingly, a number of members cited work related issues as being directly linked to serious health complications including heart attacks and strokes experienced by themselves or colleagues.

Doing more than hoping for change

A CRC member said: "People dare not complain publicly. It's heads down and pray for a change." However, members are already doing more than just hoping for change.

Survey responses have allowed us to collate and evidence the issues which we will raise formally with employers and publicise wider as part of our campaign for change.

As part of the Workloads Campaign Napo has developed the 3Cs Campaign. Napo's 3Cs Campaign aims to:

1. Confront the issue of high workloads
2. Challenge the employers to address them
3. Champion professional standards

There are five campaign demands:

1. Implementation of an effective workload management tool based on realistic timings by all of our employers.
2. Training and guidance for managers on managing workloads and how to support frontline staff.
3. Workloads to be a standing item on all consultation and negotiating bodies and the establishment of local Workloads Committees.
4. All employers to acknowledge a duty of care for staff wellbeing and to carry out workload/stress audits regularly and also take remedial action.
5. Probation Operating Models to be audited to ensure they are fully resourced and properly staffed to allow client focussed work and maintain professional standards.



For more information on Napo's Workloads Campaign go to <https://www.napo.org.uk/workloads>

Members with specific concerns are advised to contact their local Napo branch for support and guidance.

TINA WILLIAMS
NAPO VICE CHAIR

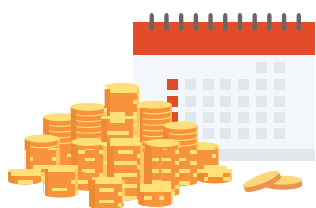
A CREDIT UNION OF YOUR OWN

Police CU is one of the largest credit unions in the country
Credit Unions offer non-profit financial services.

BANK	THE DIFFERENCE ?	CREDIT UNIONS
 <p>Can be privately owned & pay dividends to shareholders. Can borrow money to lend to customers. Will accept anyone to open an account.</p>		 <p>Owned by their members. Lend the money that members have saved. Only people sharing the 'common bond' can join.</p>

Credit Unions ethos

Set up by, and serving, people with a common interest, such as where they live or work. They offer loans, savings and sometimes bank accounts, and aim:



To encourage members to save regularly

To help members in need of financial assistance



To provide loans at competitive rates



Financial welfare:

33%

of people develop mental health issues where debt is a struggle

20%

of employees take time off work due to debt worries

58%

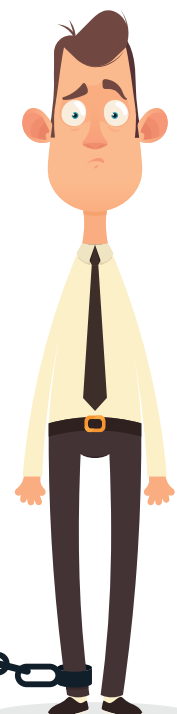
of enquiries† report severe anxiety and depression as a result of pay day loans

3 in 5

were receiving medical treatment as a result of debt problem

Source:
Chartered Institute of
Payroll Professionals

More than
91%
of people‡ reported health problems from
DEBT



Call 0845 371 7303 or 0121 700 1221 **Email** napo@policecu.co.uk

How we can help you - PCU benefits:

- ✓ £250 - £25,000 loans for any purpose
- ✓ Life cover** on savings and loans at no extra cost
- ✓ No fees or early settlement penalties
- ✓ Available to: serving and retired prison officers, prison staff, probation officers, NPS, CRC and family members*
- ✓ Consolidate your debts into one easy repayment from payroll (where available)
- ✓ Borrowers who fall into difficulty benefit from direct contact with their credit unions

Since PCU was formed in 2003:

PCU established

2003

More than
£200m lent



Payroll facility

Available in 30 forces
(including NOMS & MOD)



Membership grown from

10,000 to 26,000

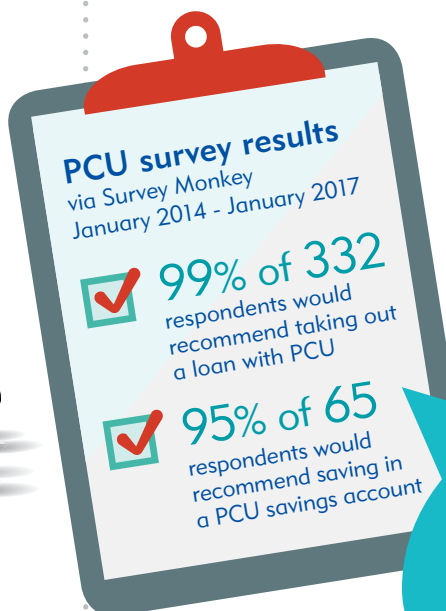
2017

Credit Unions - the big numbers:



70%

of the Irish
population
belongs to a
credit union



Thank you and your team for the help, advice and way you processed my application. I will recommend the PCU to my colleagues.

John M, POA member.
November 2016.

I've never taken a loan out before but it's been so easy and fuss free, I will recommend PCU to my family and colleagues.

Nina L, Police Officer.
November 2016.



Disability and (in)justice

Fair treatment for all is one of the defining principles of the UK justice system, but is it always delivered to clients and victims who have disabilities? NQ investigates.

In the UK, almost one in five people live with a disability.

For that 11.9 million, the likelihood of an encounter with the justice system is significantly increased.

The Chief Inspector of Prisons reports that 19 per cent (16,000) of the prison population have a disability. Home Office estimates of 62,000 disability motivated hate crimes taking place each year also make for startling statistics.

With so many of the population's most vulnerable people coming into contact with the legal system, questions have been raised about the efficacy of a system designed to protect and serve.

Victims of crime

Disabled people are significantly more likely to be victims of crime.

A recent report by Victim Support reveals that people with disabilities are three and a half times more likely to suffer serious violence with injury, and around one and a half times more likely to be a victim of personal theft than their counterparts not living with a disability.

Despite those alarming figures, only 3,629 disability hate crimes were recorded

by the police in 2015/16. This disparity between the Home Office estimates and actual reporting could have something to do with the perception disabled people have of the police and justice system.

Only 38 per cent of disabled people surveyed by the Institute of Public Policy Research thought the justice system was effective. The Equality and Human Rights Commission also discovered many disability hate crimes went unreported because 36 per cent of those questioned didn't think the police could do anything; 31 per cent thought the police wouldn't be interested; and 17 per cent thought the incident was too trivial to report.

Official figures show that there were 707 convictions for disability hate crimes in 2015/16 – something that the Director of Public Prosecutions, Alison Saunders, said meant any type of hate crime “will not be ignored.”

However, this figure represents less than one per cent of the crimes reported. Compare this with an 83.8 per cent conviction rate for racially motivated/religious hate crime and 83 per cent for homophobic/transphobic hate crime; it is clear that even though the CPS are

committed to tackling disability related hate crime, not enough is being done to punish those responsible – and more importantly – instil victims of crime with the confidence that justice will be served.

Clients with disabilities.

As of March 2017, there were 94,600 prisoners across the United Kingdom.

The Prison Reform Trust estimates that 36 per cent of those have a physical or mental disability making their life inside significantly more difficult than those without.

Twice as likely to develop a dependence on prescription medication meant for other inmates, feeling unsafe, worried and confused; 25 per cent of prisoners with a disability said they had self-harmed and 40 per cent attempted suicide.

Cuts and reforms to the prison service may have had an impact on the level of care inmates receive – those with disabilities being hit the hardest.

The Chief Inspector of Prisons Annual report revealed that 44 per cent of prisoners with a disability had been victimised by staff. Others reported



being threatened or intimidated.

The Prisoners Advice Service reports that on occasion prison officers have refused to push inmates in wheelchairs on the grounds that either the officer concerned hadn't been trained or felt that they might be seen as giving special favours to certain prisoners.

An aging prison population also poses serious questions as to whether the service is equipped to deliver care plans for prisoners with dementia, mobility and sight issues or those who are approaching end of life. At the end of 2016, the numbers of prisoners aged 50 and over was 169 per cent higher than in 2002.

More shockingly, research shows a disproportionate representation of people with mental health issues in the justice system.

Sixty-six per cent of prisoners have a personality disorder compared to just five per cent of the general population; 45 per cent suffer from depression or anxiety compared to 14 per cent of the general population; and eight per cent of prisoners have some form of psychosis in comparison to less than one per cent of the general population.

These statistics go some way to

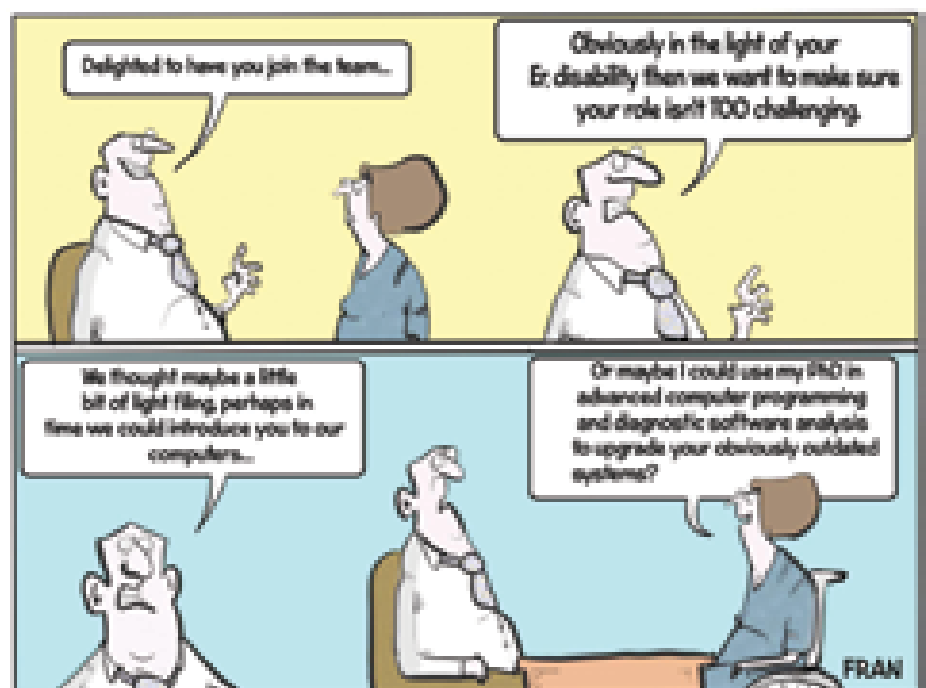
explain the rising self-harm and suicide rates across the country's prisons; and could be why between 2011 and 2014 there was a 20% increase in the number of male prisoners being transferred to hospital under the 1983 Mental Health Act.

Despite this, the use of hospital orders – court orders that allow defendants to be sent for medical care instead of receiving a prison sentence – has declined by more than 25% since 2011 for men and remains at a similar level among women.

Systematic cuts to mental health services over the years has seen the number of beds available for mental health patients in the UK slashed by about three-quarters since 1986-87 to about 17,000 meaning the overflow often end up in prison cells.

The criminalisation of those with mental health issues has contributed to the ever increasing numbers of those being incarcerated each year in overcrowded and underfunded prisons. And while the UK prison service may be feeling the strain, it is actual inmates who suffer as a result of failing mental health services both outside and inside of prisons.

TAYTULA BURKE





Modern Day Challenges: A Family Court Conference Report

There is always something very special about Napo professional conferences and this year's Family Court Conference on 15 June was no exception.

Thought provoking content and excellent speakers and workshop facilitators helped create a real "buzz" that was felt throughout the whole conference and provided plenty of opportunity to share ideas and to socialise during the breaks.

The event theme was "Modern Day Challenges" and the speakers addressed issues of "Modern Day Slavery and Human Trafficking" (Scott Cairns from Leicestershire Police Complex Investigation Team), as well as "Radicalisation" (Penny Logan from Principle Lawyer, Cafcass Legal Dept).

Ian Lawrence, General Secretary, opened the conference with a speech about right wing terrorism and radicalisation. He also spoke of the sad death of Jo Cox, the terrible fire in Grenfell Tower in London and the terror attacks over the past year.



Modern Day Slavery and Human Trafficking

Detective Sergeant Scott Cairns heads up The Human Trafficking and Modern Slavery Team (HTMS) which sits within the Complex Investigation Team at Keyham Lane Police Station.

DC Cairns explained that since 326 BC there have been attempts to abolish slavery. The Modern Day Slavery Act is two years old, but there are still 13,000 victims being exploited in Britain today.

The various definitions of slavery were explained to attendees and included: a person having absolute power and control of another person's life; a person being legal property of another and being forced to obey them; a person working very hard without proper remuneration and a system where people are bought and sold, held captive, forced to work and deprived of their right to leave or demand compensation.

DC Cairns then went on to explain the difference between people smuggling and human trafficking. Trafficking is an offence where people are moved in order to be exploited. Smuggling is when people voluntarily pay for a smuggler to bring them to a country illegally.

The exploitation faced by modern day slaves and people who are trafficked include: sexual exploitation; domestic servitude; forced labour; criminal exploitation; organ removal; forced marriage and forced benefit fraud.

Policing these crimes prove difficult

as victims often make poor witnesses but important work is being done to protect vulnerable people, pursue perpetrators and increase awareness and reduce the harm through improved victim identification and enhanced support and protection.

Radicalisation

Penny Logan gave a detailed presentation about radicalisation which had been taken from revised Cafcass legal roadshow training in 2016.

"Radicalisation" refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. In the family court this is currently associated almost exclusively with Islam and the Middle East, especially Syria.

"Extremism" on the other hand is vocal or active opposition to fundamental British values including: democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

Penny explained how the family court is concerned with four types of cases which are not always distinct and often overlap. These are: children who plan/attempt to travel to Syria; children at risk of being involved in terrorist activities; parents who plan/attempt to travel to Syria with children; and children who are at risk of being radicalised at home or through external influences.

Where these risks have been

identified there are two primary proceedings, the most common being S.31 and the second being Wardship.

Some of the reflections that were in Penny's presentation included:

- Some cases have had surprising results
- Is this a facet of child protection/ something entirely new?
- What tools and resources can be used?
- Don't be cowed by other agencies
- Evidential issues are difficult
- Case is in family court so the child's welfare is still paramount

Information about Cafcass and legal resources as well as agencies with responsibilities are provided within a PowerPoint on the Cafcass intranet. Contact me on jbarlow@napo.org.uk if you have difficulty in accessing it and I will send you a copy.

This conference was a really positive experience within an excellent venue. I would strongly urge those colleagues who did not attend to put the date for next year in their diaries as soon as we are able to let you know. It is too good to be missed.

It only leaves me to state a great big thank you to all who were involved in preparing, facilitating and working together to make the conference so successful and enjoyable.

JAY BARLOW

NATIONAL VICE-CHAIR

(FAMILY COURT SECTION)

Workshops

We had some really good workshops by: Alison Birch, Manager of After 18 which works with unaccompanied children and young refugees and Sheila Mosley from Cafcass who is also a trustee of After 18; by Mick Hudson who is the Police and Justice lead for the Child Sexual

Abuse Unit; by Leethan Bartholomew and Tracey Thomas from the Social Care Institute for Excellence and from Sarah Hewitt-Clarkson who is a Head Teacher and spoke about radicalisation in schools.

Impact of Brexit on Occupational Health and Safety

Writing this article during the general election campaign, *Sarah Friday* explores the impact Brexit could have on health and safety legislation.

Since the triggering of article 50, Theresa May has offered assurances that existing workers' rights will continue to be guaranteed in law through The Great Repeal Bill by a simple "lift and shift" of legislation.

However, pressure from her right-wing backbenchers and Parliament's ability to remove or revise legislation previously determined by EU directives has fuelled speculation that a deregulatory government might want to make changes.

What could change?

The "six pack" of UK health and safety regulations

These are the most widely quoted health and safety regulations that came into effect after the European Commission issued six directives collectively known as the "six pack".

The main set – Management of Health and Safety at Work Regulations 1999, also known as the Management Regs – place a legal duty on employers to carry out risk assessments to ensure workplace safety.

Other regulations in the "six Pack" cover heating, lighting, ventilation, safe use of computer equipment, rest breaks, manual handling and personal protection.

The risk assessment principle is based on prevention, through limiting, or elimination of hazards and thereby minimising risk to workers.

There is concern that as a consequence of Brexit we could see the end as we know it of the principle of risk assessment. Although "good" employers may see the benefit in continuing with the process, others may decide to remove the need for a formal risk assessment.

Rather than accept a lift and shift of the Management Regs around risk assessment, we should campaign for improvement. Moving away from the "cost-benefit" factor the "six pack" focuses on, we could go back to the "so far as reasonably practicable" qualification set out in the Health and Safety at Work Act.

Display Screen Equipment (DSE) Regs

The loss of free eye tests for DSE users could be another negative change as a result of Brexit. As well as campaigning to defend the regulations around this, we should also push for them to be updated to include new forms of technology, such as laptops and other mobile devices that have come about since the 1990s when the current regulations were written.

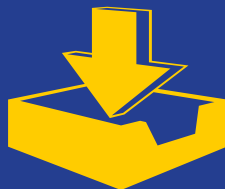
Working Time Directive (WTD)

The Working Time Directive currently states night workers should be able to access free health assessments and only work a maximum of eight hours.

The regulations also allow for a mere 20 minutes rest break when the working day exceeds six hours, a maximum of 48 hours people can be required to work averaged out over a 17 week reference period and a requirement for 11 consecutive hours of rest in any 24 hour period – none of which are historically progressive. Individuals are able to opt-out and a number of Napo members have chosen to do so.

The WTD does not deal with the complexity of issues arising from EU directives that have brought more flexible working and zero hours contracts.

These issues that are rife within our economy and increasing rapidly need to be addressed as a matter of urgency.





New threat – Trade deals

It appears that TTIP (Transatlantic Trade and Investment Partnership) is now dead. What now looks likely is that post Brexit we will sign a trade deal with the USA. With this we should expect a lot of cut and paste from what was within TTIP.

This will be a significant threat to workers' health and safety rights, particularly in connection with chemical control, where the US has lower standards – and in the name of free trade we would have to mirror those.

We also need to consider the Investor State Dispute Settlement (ISDS). This could mean that if a government introduces a law around occupational health and safety which a corporation believes will impact their profit; they can claim compensation for this from the taxpayer through ISDS. It won't take many successful ISDS claims for governments to become reluctant about changing laws to improve worker health and safety.

This is where the big fight is going to be. The prospect of a UK/US trade deal is of serious concern. If this were proposed, trade unions would have to be part of a wider campaign against aspects of it that could lead to a worsening of standards, chemical control and environmental protections.

What will Napo do about it?

Napo will seek to get as much as possible from the regulations into local/national agreements.

Napo will also campaign with the TUC for more than a “lift and shift” of legislation – we want to see improvements. This is going to be difficult! Particularly as the changes are taking place against the backdrop of a chronically underfunded HSE. So we have to hold the Government to account and it is through the trade union movement that this will be achieved.

SARAH FRIDAY

NAPO NATIONAL OFFICIAL (HEALTH AND SAFETY)

Are you a practitioner and interested in writing for publication?

As practitioners we are routinely writing reports and assessments for different audiences, whether it's a court or parole report, a report for an initial child protection meeting, or possibly a post-programme report. These reports can often be two or three thousand words. Perhaps you have just finished a dissertation for a Masters qualification or are completing essays as part of your probation qualification (PQIP). Either way, as practitioners we can write!



Writing for publication is an opportunity to reflect on our work and contribute to research and evidence debates by providing a practitioner perspective. The practitioner perspective can add to the development of what we know, what is effective and areas for development and improvement.

The Probation Journal Editorial Board members include a mix of practitioners and academics and we are interested to hear from practitioners who are undertaking research in the field of probation or who are just interested in writing about their experiences of working in the field of probation and community and criminal justice. Writing for publication requires a different approach to writing for professional circles and can feel a bit daunting. There are different ways you can approach it.

Practitioner response pieces

These are short reflective pieces and are an opportunity for those directly linked with service delivery to respond to any article in the Probation Journal and comment on any practice related issues or implications for practice that the article raises for you. These pieces tend to be about 1000-1500 words. The March 2017 edition of the Probation Journal includes an article entitled '*Suicide and supervision: Issues for practice*' by Jo Borrill; and June 2017 edition includes an article by Will Hughes '*Lessons from the Integrated Domestic Abuse Programme, for the*

implementation of Building Better Relationships'. These are two potential papers that we would welcome practitioner responses. The March 2017 edition also includes two practitioner response pieces that are reflecting on their practice experience linked with articles that were published in our special edition on Children and Families in September 2017. Perhaps take a look at these to get a flavour of what a practice response piece might look like.

Adapting dissertations or assignments for publication

Writing a dissertation or an essay can be a challenge. Having laboured over analysing research results or burnt the midnight oil to meet that essay deadline can be exhausting. So then, revisiting it and adapting the work for publication can be the last thing you feel like doing. However, research that incorporates practice experience and knowledge is important. Adapting course work for publication enables your work to reach a wider audience and can broaden your skills and it can be an enjoyable and rewarding experience!

All submissions are double blinded peer reviewed by the Editorial Board (the reviewer will not know the assessor and the author will not know the reviewers). The Editorial Board are keen for practitioners to contribute to the Journal. We are very happy to provide help and guidance and can take a look at outlines or plans prior to submission.

If you see an article that is of interest and you would be interested in doing a practitioner response or you have completed a Masters dissertation or other research and would like to explore how it could be developed this work for publication then please get in touch via the Probation Journal email prbjournal@btinternet.com

EMMA CLULEY
MANAGING EDITOR
PROBATION JOURNAL

Twitter: @ProbationJnl

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Guest Interview: Huma Munshi

Huma's work aims to empower those with impairments to stay in work, get organised and seek justice when they are discriminated against.

Across the UK, more than 3 million people in employment have impairments.

While some are able to overcome the barriers which may have prevented them from working, there are still too many that face discrimination in the workplace, are denied reasonable adjustments or fall foul of troublesome sickness absence policies.

Huma Munshi leads on disability policy and campaigning at the TUC. Providing advice and guidance to unions and employers around disability and mental health issues – Huma's work aims to empower those with impairments to stay in work, get organised and seek justice when they are discriminated against.

The Equality Act 2010 says a person is disabled if a long-term health condition which prevents them from carrying out everyday tasks.

But as Huma points out: there is more to disability than meets the eye. "Someone who has a hidden impairment is still disabled but has a condition that is not immediately visible," she says citing conditions like dyslexia, autism and severe and enduring mental conditions.

Huma believes people who have hidden disabilities often experience "complex and overlapping" types of discrimination and inequality.

The stigma attached to some conditions such as mental health, or the need to prove they are "really disabled" discourages many people in the workplace from disclosing their conditions to their employers and asking for adjustments in an attempt to "fit in".

The Equalities Act was partly designed to end disability discrimination, but with so many disabled workers still being treated unfairly, is the law robust enough to deal with issues that arise in the workplace?

"That's a really interesting and important question," says Huma. "I think the Equality Act indicates that somebody is disabled if they can't carry out everyday tasks, but forgets that people may have fluctuations in their conditions."

"In regards to mental health this is particularly pertinent because someone may have depression or anxiety that may be debilitating at some point; but it's not debilitating overall because the person may still be able to be highly and fully functional for long periods of time," Huma explains.

Because the Equality Act is also quite specific in the type of conditions that are covered, Huma believes some people are not getting the protections they need. "There have been stories in the news recently about men affected by eating disorders. People don't usually see something like that as a mental health condition or understand why the person might need changes or support in the workplace."

Huma describes this sort of misunderstanding as a "two pronged issue" saying: "There is one issue with the law being not entirely effective, but there is also a wider societal issue. The stigma around some conditions makes people too ashamed to speak up and ask for changes in the workplace."

To remove some of the stigma around mental health and other impairments,



Huma says: “There is something to be said for making sure disabled workers themselves are at the forefront of any changes. Just like any other equalities movement it should be ‘nothing about us without us.’”

“Workplace stress is the number one cause of mental ill health” Huma says referring to a recent TUC health and safety audit. Adding how important it is for unions to raise awareness of the need to talk about stress with the employers, Huma says: “This includes looking at things like workloads and bullying and harassment.”

“There is a belief that there is something abnormal about someone having a mental health condition, but it’s actually usually a very normal response to huge adversity,” Huma says adding: “Unions also have a really important role in collective bargaining for disabled workers’ rights and making sure mental health is part of all policies like sickness absence, dignity at work and health and wellbeing.”

The TUC have a lot of different resources that can be accessed by unions who are trying to organise reps and disabled workers. “We often bring union reps together to talk about these types of issues and share good practice,” Huma says.



Understanding the need to make sure campaign work is “outward facing” Huma says: “We are currently doing lots of blogs, press and videos to ensure our campaign work reaches all different types of unions and wider society as well, because we are only really effective if we can spread the message out to different groups.”

TAYTULA BURKE

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Disability: know your rights

Do I qualify as “disabled”?

The law says you are disabled if you have a long-standing condition which impacts on your ability to do everyday tasks.

My disability is not immediately obvious, am I still covered by the law?

Yes. The legal definition of disability includes conditions and illnesses that are hidden. This includes, but is not limited to:

- Mental health conditions including depression, bipolar, obsessive compulsive disorders and schizophrenia
- Conditions such as dyslexia, autism and epilepsy
- Progressive conditions such as arthritis or Motor Neurone Disease
- Chronic conditions such as diabetes and asthma
- People with cancer, Multiple Sclerosis or HIV as automatically considered disabled from the time of diagnosis

What is the legislation that covers me?

The Equality Act 2010 makes it illegal to treat someone less favourably because of their disability. This includes recruitment, access to staff benefits, grievance and disciplinary procedures.

The law also requires employers to make reasonable adjustments in the workplace. Reasonable adjustments remove a barrier preventing someone with a disability from doing their job. This may include installing a ramp, modification to equipment or adjusting working hours. These adjustments must

enable the worker to carry out the job and be deemed “reasonable” for the employer to do.

How do I get reasonable adjustments at work?

- Speak to a Napo rep explaining the difficulties you are having doing your job and what adjustments would overcome them. If you are already involved in procedures like sickness absence or capability as a result of your condition, it is vital you tell your Napo rep as those procedures are also subject to reasonable adjustments.
- Your Napo rep will organise a meeting with your manager where you will have to disclose your condition. Make sure that any adjustments you agree with your manager is fit for purpose.
- Remind your employer that the Access to Work Scheme (www.gov.uk/access-to-work) offers financial support for reasonable adjustments
- You may have to provide medical evidence of your disability and be referred Occupational Health.

If your employer still refuses to make the adjustments, you have a case to take them to tribunal, but you will need to exhaust all of their internal procedures such as grievance etc.

Your Napo rep will be able to support you through the entire process including any deadlines for submitting a claim.

If you need help with or further advice, contact your branch or email info@napo.org.uk





The Civil Service Pensioners' Alliance (CSPA) is recognised by the Cabinet Office and other Government Departments and Agencies as the body that represents all retired civil servants. CSPA lobbies and campaigns on behalf of all pensioners through such affiliations as the Public Service Pensioners' Council and the National Pensioners' Convention on such issues as the value of the State Retirement Pension, Universal Pensioner Benefits, social care and health service provision.

Through a joint exercise in cooperation with the Napo National Executive Committee, Napo retired members are being invited to join the CSPA, to not only participate in a wide range of membership benefits and services which include a highly competitive annual travel insurance scheme, but also to participate in the Alliance's lobbying and campaigning agenda.

NB: CSPA membership costs £24.00 per annum for single membership or £33.60 for joint membership. For the first six months however Napo Retired members are being offered free membership of the CSPA.

Further information about joining can be obtained from the CSPA as follows:

Mike Duggan, General Secretary, CSPA Head Office,
Grosvenor House, 125 High Street, CROYDON, CR0 9XP
Telephone: 020 8688 8418
Email: enquiries@cspa.co.uk
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FOLLOW US ON:

Being the owner of a hidden disability...

Most people can't tell but my body hides a secret. Sometimes people might look askance as I wriggle in my seat after only a few minutes or stand to stretch in the middle of a meeting. Those closer to me might notice me cancelling plans at short notice, or avoiding certain activities. They may even notice that I book extra leave after a holiday to recover from it.

Over 11 years ago, after years of problems with my back I was diagnosed with Psoriatic Arthritis (PSA). This is an auto-immune condition which gives the lucky owner the skin disease psoriasis and also inflammatory arthritis.

Like many conditions PSA manifests in different ways for different people and no two PSA owners will have the same experience. I choose to refer to "owning" my condition and the disability it causes because it makes me feel better – if I own it then I'm in charge, not the disease. That's how I like to look at it and I know that others might not agree. I am fully committed to the social model of disability which would give the perspective that society's expectations and construct disable me but I cannot get away from the fact that I own a condition which creates a different set of challenges for me.

PSA can attack different joints and different parts of the joints. In my case all of my joints are affected, thankfully not always all at once. The disease follows a pattern of flaring and subsiding, or being more active or less active.

My spine was the first joint affected which caused significant pain and mobility problems. Over time all of my joints joined in, even ones I never realised existed like joints in my skull, my ears and in between my ribs.

As I navigated the process of trying treatments my world began to get smaller. I carried on working (with a few periods of sick leave when flares left me unable to do anything or toxic treatments left me susceptible to awful infection) but other activities had to give way to allow this.

Over a period of years I tried every

treatment offered, even participating in drug trials but no drug can cure an auto-immune disease – yet. Instead I have learned to live with PSA, making sure that I can do the things that I want to do, even if I can't always do everything.

Living with constant pain and limits to my mobility can be tough. I have had to adjust my approach to almost everything. I am grateful to be able to continue working but I have had to make changes to allow me to do this.

I use Assistive Technology to reduce the amount of typing I do and I have a specific chair set up to ensure I sit properly with plenty of support. The usual rhythm of probation work helps me because getting up and seeing clients allows me to stretch and move about. Staying still for too long leaves me stiff and in pain, on the other hand walking too much and repetitive movements are also painful, it's all a balancing act.

Carrying things can be very difficult,

as it places additional pressure on my joints. Driving hours to get to prisons can be tough so I have to build in rest to allow me to recover. My Napo role is different every day. All day meetings can be tough, hence the wriggling in my chair and getting up to stretch. Travelling all over the country is exciting and interesting but can be tough on my body so I plan in more restful days in between trips to recover.

I still manage to exercise and live my life outside of work but I have to take care to plan in rests and prioritise activities. Being in pain uses lots of energy and fatigue goes hand in hand with auto-immune disease (think of the heavy, exhausted feeling you get when ill in bed with flu).

Sometimes I get it wrong and have to cancel plans at short notice when I realise I've used up all of my energy for the week. I worry that this lets people down but my closest friends and family understand.



Christine Miserandino wrote about having a chronic illness and came up with a theory to explain the limits on energy that go along with it. She calls it the spoon theory. I recommend you search online for it if you want to understand the impact of chronic illness, or why the person close to you with a similar condition can't always keep to the plans you make with them.

Living with a hidden disability can be frustrating. Some people say "but you don't look ill" and I thank them for that, I work hard to keep as healthy as possible! Accepting that your life has changed is difficult, some describe it as similar to grieving for the loss of the life you thought you would have. Other people's reactions can make this harder.

Sometimes the fact that someone close to me has forgotten about my limitations is nice, it can feel like a compliment, but other times it makes things so much tougher. I try not to dwell on the things I can't do and over time I've tried to break the habit of complaining or even talking much about limitations as it makes me feel worse. This means that sometimes people do forget, or simply don't know and that can lead to awkward situations.

Embarrassment can lead to me pushing myself too far, and paying for it later. It is also awkward when people make assumptions. They may know someone with a type of arthritis and begin to offer all sorts of advice about treatments and lifestyle changes. Some people even try to tell me what I can/can't or should/shouldn't do. I am happy to answer questions about my condition and how I manage it, but often hold back as I don't want to have to correct well-meaning but misplaced advice.

Luckily I have some fabulous friends, family and colleagues who are supportive and always ready to cheer me up when I need it. Laughter and the odd dose of gin and tonic really help me to feel better after a tough day!

KATIE LOMAS
NATIONAL OFFICER



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Statement to members

NAME OF UNION: Napo

STATEMENT TO MEMBERS ISSUED IN CONNECTION WITH THE UNION'S ANNUAL RETURN FOR PERIOD ENDED 31 DECEMBER 2016 AS REQUIRED BY SECTION 32A OF TRADE UNION AND LABOUR RELATIONS (CONSOLIDATION) ACT 1992

Income and Expenditure

The total income of the union for the period was £1,220,598. This amount included payments of £1,153,712 in respect of membership of the union. The union's total expenditure for the period was £1,515,180. The union does not maintain a political fund.

Salary paid to and other benefits provided to the General Secretary, President and members of the Executive

The current General Secretary of the union was paid £70,924 in respect of salary and £1,500 in respect of Pension.

Irregularity statement

A member who is concerned that some irregularity may be occurring, or have occurred, in the conduct of the financial affairs of the union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the officials of the union, the trustees of the property of the union, the auditor or auditors of the union, the Certification Officer (who is an independent officer appointed by the Secretary of State) and the police.

Where a member believes that the financial affairs of the union have been or are being conducted in breach of the law or in breach of the rules of the union and contemplates bringing civil proceedings against the union or responsible officials or trustees, he should consider obtaining independent legal advice.

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF NAPO

We have audited the financial statements of Napo for the year ended 31 December 2016, which comprise the Income and Expenditure Account, Balance Sheet, and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) including Financial Reporting Standard 102, the Financial Reporting Standard applicable to the UK and the Republic of Ireland.

This report is made solely to the union's members, as a body, in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. Our audit work has been undertaken

so that we might state to the union's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the union and the union's members as a body, for our audit work, for this report, or for the opinions we have formed.

RESPECTIVE RESPONSIBILITIES OF OFFICERS AND AUDITORS

As explained more fully in the Statement of Officers' Responsibilities, the officers' are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Financial Reporting Standard's (FRC's) Ethical Standards for Auditors.

SCOPE OF THE AUDIT OF THE FINANCIAL STATEMENTS

A description of the scope of an audit of financial statements is provided on the FRC's website at www.frc.org.uk/apb/scope/private.cfm

OPINION ON THE FINANCIAL STATEMENTS

In our opinion the financial statements:

- give a true and fair view of the state of the union's affairs at 31 December 2016 and of its deficit for the year then ended; and
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice and the Trade Union and Labour Relations (Consolidation) Act 1992.

MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

We have nothing to report in respect of the following matters where the Trade Union and Labour Relations (Consolidation) Act 1992 requires us to report to you if, in our opinion:

Proper accounting records have not been kept by the union; or the union has not maintained a satisfactory system of control over its transactions; or the accounts do not agree with the accounting records; or we have not received all the information and explanations we require for our audit

PK Audit LLP
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REFORM BILL

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