



Race Equality

**Probation Institute
Position Paper 2/23
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Introduction

This Position Paper is written in 2022/23 at a time when the Probation Service is making strenuous efforts to establish a unified service following the partial privatisation in 2014 reversed in 2021. Workforce pressures across the justice sector and wider public sector accentuate the challenges for the justice system seeking to balance risk and rehabilitation within a culture of equality and positive attitudes to diversity. Attention focussing on race equality has recently shown that there is a huge challenge facing Probation and the wider justice sector to be seen to consistently address race equality effectively. This is an extended Position Paper - significantly longer than previous papers - recognising the scope of this challenge.

Section 1: The meaning of race equality

The purpose of this Position Paper is to contribute to work which seeks to achieve race equality in rehabilitative work in the justice system. We hope that the audience for the Position Paper will include practitioners and managers across the justice system. We use the term Black, Asian and Minority Ethnic groups throughout. The use of terminology in this paper is not definitive. Language is fluid, limiting and never perfect. There is a significant but not exclusive focus on the work of the Probation Service in the paper.

In [Section 8](#) we identify twelve principles for working towards Race Equality in the Justice System.

For many layered reasons, the potential for racism to occur is particularly high in the justice system. These reasons, which concern power, process and vulnerability are explored more fully in [Section 2](#). The justice system is one of the significant points at which the effects of racism across many aspects of the lives of Black, Asian and Minority Ethnic people - including education, health, housing, social care, employment - combine to create further and wider racial disadvantage. The [Black Lives Matter](#) Movement, driven by the unlawful killing of a black man by police in Ferguson, Missouri, USA, in 2020 highlights the magnitude of the problem. The Prisons and Probation Service Inspectorates Reports on Race Equality in 2020 and 2021 in the UK demonstrate that there continues to be a severe challenge to achieve race equality in England and Wales.

Organisations and individuals in the justice system have, in our view, an absolute responsibility in their professional roles, to act to achieve race equality in the justice sector and in wider sectors where discrimination occurs. This responsibility is unending. Between early 1980 when monitoring of the race and ethnicity began in Probation, and the mid 2000's the commitment to achieving an organisation respecting race and ethnicity was more discernible - strongly led by the Association of Black Probation Officers. It is clear now that the task is massive and requires continuous renewal.

More than thirty years ago a young black probation officer - Ian - provided anti-racism training for the London Probation Service. This training made a huge impact. Ian showed how racism occurs, combining prejudice and power; and how white, western, Eurocentric people come from many generations of using power and prejudice to their own advantage, against Black, Asian and Minority Ethnic people.

From these historical roots the white western Eurocentric is prejudiced by definition. In the justice system as in many other institutional structures, this prejudice combines with power to effect racism. Once we accept this legacy it becomes easier to understand the deep-seated structures underpinning racism - to stop denying the problem - and to try to become part of the solution. To do this we must listen to the lived experience of people of diverse backgrounds, continuously challenge our own behaviour, that of colleagues, and the behaviours of the institutions in which we work.

A justice system free from racism operating in an environment free from racism requires us first to fully understand the experience of Black, Asian and Minority Ethnic groups in the justice and wider systems. This requires us to listen, to hear, and to acknowledge the impact of this experience. It requires open conversations, honesty, and determination to make a difference. It then requires us positively to adopt proactive strategies and interventions to redress inequality and achieve equality.

Section 2: The impact of discrimination in the justice system - policing, probation, sentencing, prisons and courts

Discrimination pervades all aspects of society; this has an impact on the lived and known experiences of people, especially in minority ethnic communities, of all ages. It is not hard to find recent evidence of this discrimination in British society. Gregory (8 June 2022), reported on a study conducted by the Royal College of Nursing that racism was "endemic" in health and care. In their survey of almost 10,000 nursing staff white or mixed ethnic individuals "were more likely than black or Asian colleagues to have received at least one promotion since starting their career." This was especially evident in the 35-44-year age group where 65.9% of white and 64% of mixed ethnic respondents had been promoted compared with 38.3% of Asian and 35.2% of black respondents. Black respondents were more likely to report experiences of physical abuse than other respondents. Booth (20 June 2022) commented on a survey from the Chartered Management Institute, involving more than 2000 individuals, that "nearly three-quarters of employees (71%) from a black background reported feeling overlooked for opportunities, 66% from Asian backgrounds.

In the criminal justice system racial disparities remain evident. We continue to see the over representation of 'Black, Asian and Minority Ethnic' offenders in all areas of the system (Lammy 2017). In 2018/19, 67% of young people under the age of 18 arrested in London were from minority ethnic groups, compared to their white counterparts who made up 21% of young people arrested in the rest of England and Wales. (MOJ Statistics on Race and the Criminal Justice System 2018).

The risk of becoming a victim of crime is disproportionately higher for those from a Black Asian and Minority Ethnic background. Black, Asian and Minority Ethnic victims are also less likely to be aware of victims' support services than white victims, and may have lower levels of confidence in the criminal justice system overall, due to adverse experiences, and previous negative outcomes.

Young Black, Asian and Minority Ethnic individuals in particular are more likely to be victims of crime than average, with particular disproportionality for offences including serious violence, rape, sexual violence and hate crime. (MOJ Guidance for Commissioners 2021)

See [Appendix 2](#) for further statistics.

Section 3: Why it is everyone's job to work toward race equality?

The Equality Act 2010 says you must not be discriminated against because of your race. In the Equality Act, race can mean your colour, or your nationality, including your citizenship. Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies and Irish Travellers.

In his report on [the Death of Stephen Lawrence in 1999 Sir William McPherson \(1999\)](#) pointed to the systemic racism that he found to be *embedded in the systems, structures, laws and regulations of a society or an organisation*. It manifests as discrimination and unequal treatment in areas such as criminal justice, employment, housing, health care, education, and political representation. An equal, just and safe society is one in which all members take responsibility for eradicating racism.

Talking about race equality has become unpopular in today's British society. The apparent assimilation of people and cultures in British Society has had the impact of the idea that race or racism is no longer a problem in our society or institutions. The improvement in media representation of black and brown faces, the requirement for employees to attend unconscious bias training and policies that state we are an equal opportunity employer, have presented us with the illusion that there is no longer a need to think about or talk about race equality. The statistics from the justice system clearly demonstrate that failure to work toward race equality will further perpetuate the poor treatment of Black, Asian and Minority Ethnic people.

Microaggression is a term used for commonplace daily verbal, behavioural or environmental slights, whether intentional or unintentional, that communicate hostile, derogatory, or negative attitudes toward stigmatised or culturally marginalised groups. Microaggressions are often subtle or invisible to onlookers. Marginalised groups can experience microaggression numerous times every day. Cousins (2021) has compared it to receiving several paper cuts in the same day. The power in microaggressions is placed in the inconspicuous nature to the perpetrator who characteristically struggles to believe they hold bias or racist attitudes. Controversially, the recent report from the Commission on Race and Ethnic Disparities in March 2021 stated that the term 'institutional racism' should be applied only when deep-seated racism can be proven on a systemic level and not be used as a general catch-all phrase for any microaggression, witting or unwitting. This supports the idea that only deep-seated racism is a serious matter and reflects the lack of understanding of the impact of microaggressions.

In March 2023 the [Baroness Casey Review](#) was published. This is “an independent review into the standards of behaviour and internal culture of the Metropolitan Police Service.” This is a challenging and difficult report to read, pointing to failures in behaviour at many levels. It reminds us forcibly of the responsibility of all practitioners, indeed all staff in organisations in the justice sector to be vigilant and robust in their response to actions, behaviours, policies and practices which foster racial inequality.

Section 4: Engagement - the Heart of Practice

The value of reflection in practice has long been appreciated (Schon 1983), and to enable reflective practice workloads must be of a manageable size. When considering the core principles at the heart of rehabilitation practice Senior et al. (2016: 07) articulated the need for “relational co-production” within a framework of “diversity and human rights” with “emotionally literate practitioners.”

In the Report of the HMIP Race Equality in Probation Inspection March 2021 HMIP inspectors noted that:

“Many Black, Asian and Minority Ethnic service users have experienced racism, discrimination and disadvantage in their lives and as they have progressed through the CJS. Many ethnic minority service users do not feel that probation staff have a good understanding of their culture, religion, heritage or experiences. Some felt that probation staff were reluctant to ask about their experiences. Probation staff need to find ways of sensitively discussing these issues as part of their assessments and work with service users.”

Justin Russell, Chief Inspector of Probation asked:

‘How can you help someone if you don't know what their life is like?’

Having conversations with people in the justice system about their life experiences as Black, Asian and Minority Ethnic members of the community is essential to understanding their behaviour, including offending behaviour, making assessments and co-producing and enacting sentence plans that are defensible in an organisational context and meaningful to the person on probation.

Many practitioners and managers find having conversations about race uncomfortable. This seems to stem from a fear of saying the wrong thing or being seen to be judgemental. Practitioners in the justice system have uncomfortable conversations with people under supervision all the time - about domestic abuse, sexual offending, violence, drug abuse, adverse childhood experiences etc. The skills of listening, empathising, and challenging sensitively are all endemic to the role and, combined with an openness and curiosity about people's individual experiences, are key to engaging with people in an effective and holistic way.

Therefore, it is essential that all practitioners

- can discuss cultural issues with service users
- feel confident and comfortable to talk about race
- promote safe/learning and inclusive spaces
- promote allyship
- be clear that you and your employer will not tolerate racism.

Essential and sometimes sensitive conversations about race include the basics of good engagement skills

- Always explain what your intervention is about - a court report, an initial assessment, a review or an on-going supervision appointment
- Take as much time as you can
- Be aware of differences in role, power, gender, age, race
- Be professionally curious
- Listen carefully and actively and reflect back to check your understanding
- Accept resistance and try to understand the reason behind a reluctance to disclose
- Note 'nuggets' of information when they arise and make judgements about when to pursue those important and sensitive themes
- Develop empathy by use of questions which help both practitioner and service user to examine ideas thoughtfully
- Be comfortable with silence and allow people time to formulate their answers
- Be prepared to admit when you don't know something and make a commitment to find out
- If you make a commitment, be sure to follow it through
- Be confident. If you are in an interview with someone and you are interested, engaged, relaxed and apply the basics of engaging an individual and the basics of interviewing skills then there is no wrong way to approach this subject matter
- Seek feedback - from the service user, your colleagues or your manager and use the feedback to develop skills and confidence.

Services users language and attitudes

- Service users may express racist attitudes and these present risk to people close to the service, strangers and to you and/or your Black, Asian and Minority Ethnic colleagues
- Challenge language and attitudes being calm but firm, explaining why you and your employer cannot accept the behaviour.

Section 5: Systems and processes which exacerbate racism within organisations

The term 'institutionalised racism' was used with reference to the policing of the death of Stephen Lawrence (1999). McPherson pointed to the systemic racism that he found to be embedded in the systems, structures, laws and regulations of a society or an organisation.

The recent partial privatisation and reunification of probation without doubt created a very turbulent time for managerial staff and front-line practitioners alike. As a result, practitioners are currently dealing with extremely high caseloads and there is an acknowledgement that the service is very short staffed. In such an environment it is essential to guard against factors which will have a negative effect on black and minority service users and staff.

As an example of institutionalised racism where staff are under pressure, supervision sessions that are just good enough may be considered acceptable. Operating in this way is likely to diminish opportunities that promote racial equality for service users and therefore we would always encourage better than satisfactory.

The HMIP report found that under Transforming Rehabilitation (subsequently reversed) equality and diversity was given a higher profile but many of the previous resources were removed, further exacerbating levels of existing less than effective practice. That report also highlighted that this issue is not just problematic for service users, but also for staff within the probation service. The majority of ethnic minority staff who responded to the HMIP survey admitted they do not feel safe raising issues of racial discrimination. They indicated that they were not confident that any concerns or issues they did raise would be dealt with appropriately.

As part of the Exceptional Delivery Model (EDM) operated under Covid conditions probation supervision became mainly remote, conducted via the telephone and this has remained a part of new ways of working. Dominey et al (2021) found that this mode of communication negatively impacted on the supervising officers' ability to 'read' their service users as the communicative elements of body language and tone were diminished or reduced. This form of contact makes supervision more challenging and therefore likely to make important conversations, for example those about race more difficult to embark upon, and more likely to be ignored. Since the removal of the EDM elements of remote working remain including some phone and door-step supervision sessions.

(Dominey J, Coley D, Devitt KE, Lawrence J. 2021. Putting a face to a name: Telephone contact as part of a blended approach to probation supervision. Probation Journal. 68(4):394-410.)

In June 2023 the Probation Institute published a Position Paper on [Remote Working](#) which emphasises the importance of seeking the views of service users in choosing remote contact.

Recruitment

Many organisations in the justice system strive to recruit fairly and without bias. Nevertheless, bias in the justice system over many years has resulted in career opportunities being impacted for Black, Minority Ethnic people seeking employment in the system.

"The National Probation Service encourages applications from people with lived experience and we believe this can make a difference to our service user outcomes. A conviction does not necessarily mean you cannot become a probation officer." HMPPS Recruitment Guidance.

There is extensive training available to assist in anti-discriminatory recruitment. Nacro offers [a one-day course on recruitment](#).

External Scrutiny and Public Concern

External, independent scrutiny is one of the methods by which organisations try to identify and eliminate systems and processes which exacerbate racism.

In the Prison Service Independent Monitoring Boards are made up of members of the public who are independent and unpaid. IMB members visit an average 2-3 times per month. Their role is to monitor the day-to-day life in their local prison or removal centre and ensure that prisoners and detainees are treated fairly and humanely.

Police and Crime Panels scrutinise decisions made by the Police and Crime Commissioner - their meetings should be in public, and the Panels must also hold public meetings.

The Probation Service is the only part of the publicly funded justice system which does not have an independent, external scrutiny process. This is particularly important in the area of race equality where black and minority ethnic people are under-represented in decision making roles.

Two Serious Further Offence Reviews (SFO) in 2023 reporting on tragic killings have brought the attention of the public to Probation in harsh detail. The issues highlighted by these SFO Reviews should have been more transparent at earlier stages and attracted greater attention by both government and public alike.

Section 6: Service delivery and some further practice Issues

In some important areas of service delivery there is information that indicates less equal treatment for Black, Asian and Minority Ethnic individuals.

- HMI Probation found that in pre-sentence reports where custody is recommended this recommendation is almost consistently followed in relation to Black, Asian and Minority Ethnic individuals whereas for other groups the courts imposed a greater proportion of alternatives to custody in such cases.
- HMI Prisons found that the Black and Minority Ethnic, and Gypsy, Romany, Traveller prisoners, had low expectations of rehabilitation and release support, but their perceptions about the support they were receiving were still better than the RRP support actually provided. Case file assessments showed that rehabilitation and release support provided to male Black and Minority Ethnic and Gypsy, Roma, Traveller prisoners was often insufficient or poor.
- The Working Chance report on barriers to work for Black, Asian and Minority Ethnic women on release from custody indicates that these women say that they were rarely asked by probation about their employment aspirations. ([Worst Case Scenario Summer 2021](#))

There are also examples of positive practice and we are keen to identify more examples.

- Recognition of the importance of probation regions recruiting volunteers from diverse communities 2022
- Recognition by National Audit Office and subsequently Ministry of Justice of the need to change the contracting process for funding small organisations working with Black, Asian and Minority Ethnic service users in the community.

- Support for migrant women at the intersection of criminal justice and immigration (Hibiscus) <https://hibiscusinitiatives.org.uk/>.
- The Equal Treatment Bench Book gives Judges important information about the lives of disadvantaged groups and makes suggestions for how they can be helped with the Court process.
- The London Borough of Lewisham's youth offending team is using data, external facilitators and workshops to embed cultural competence within its service - [Tackling Disproportionality](#).

Section 7: Professional Development and Resources

The importance of professional development cannot be overestimated with regard to race equality. All practitioners, managers and leaders should receive race equality/anti racism training including unconscious bias, and in our view this should be repeated at least every two years and recorded as part of a required Continuous Professional Development (CPD) scheme.

Continuing Professional Development opportunities should include the findings of research, statistical surveys, lived experience reports and HMI recommendations regarding race equality. We would recommend the considered use of external trainers in the field of race equality as there is significant experience, knowledge and expertise in this area in the independent sector.

[Race Equality First](#) offer a range of courses.

SEEDS

As an example of training that supports race equality the SEEDS 2 learning programme in probation takes a person-centred and relational stance to working with people and managing staff rather than a specific anti-discriminatory approach. It encourages practitioners and staff to have conversations in relation to diversity of all kinds. This runs as a thread throughout the learning materials and cultural intelligence principles are promoted.

Resources

Resources for self-development are also helpful - a few examples below:

- [The Open University Race and Ethnicity Hub](#) is accessible to all
- ["Why I am no longer talking to white people about race"](#) by Renni Eddo-Lodge
- ["Brit\(ish\)"](#) by Afua Hirsch
- ["Natives - Race and Class in the ruins of Empire"](#) by Akala

Section 8. Principles for race equality in the justice system

The Probation Institute has developed the following twelve principles for race equality in rehabilitation practice in the justice system:

1. The justice system is one of the significant points at which the effects of racism impact on the lives of Black, Asian and Minority Ethnic people - therefore strenuous and consistent efforts must be made to counter this impact throughout the system.
2. As citizens and as members of the justice community we have a responsibility to recognise and challenge racism in all settings.
3. All initial training and continuous professional development offered by agencies or learning institutions should include stand-alone training on race equality, including unconscious bias, and embed this in all learning opportunities.
4. All employees also have a personal responsibility to keep themselves informed about the impact of racial inequality in the justice system.
5. Within their organisations, practitioners and managers should always be alert to systems and processes which impact negatively on Black, Asian and Minority Ethnic people and bring their impact, with evidence, to the attention of the organisation.
6. Organisations must support Black, Asian and Minority Ethnic staff when raising concerns and complaints about racism to management.
7. Safe spaces are essential to provide opportunities to disclose concerns about the experience of racism in the workplace.
8. The Pre-Sentence Report is the one of the most important opportunities to take positive steps to achieve race equality in the justice system. Therefore, in preparing and presenting all assessments, diversity factors and experience of discrimination and disadvantage must be fully assessed and captured throughout.
9. The role of Offender Managers in prisons and Probation Practitioners on release are critical points to address race equality, support and build confidence in Black, Asian and Minority Ethnic service users; requiring time, planning, professional interest, collaboration, consistency.
10. Decisions regarding recall and breach must be subject to monitoring and scrutiny to avoid bias.
11. Particular attention must be paid to the cumulative impact of discrimination against Black, Asian and Minority Ethnic individuals as victims, defendants, and convicted offenders.
12. Grant funding is essential for voluntary organisations in the community working with minoritised groups.

Appendix 1: Race Equality reports and plans current at the time of writing

A number of reports and plans have recently been published between 2020 and 2023.

The [Probation Race Equality Action Plan Programme](#) was established in 2021 to respond to the challenges evidenced by the [HMI Inspection Report Race Equality in Probation in 2021](#). This programme of work is centralised and it is important to support efforts to ensure that its impact reaches all staff and service users.

The experiences of adult black male prisoners and black prison staff - HM Chief Inspector of Prisons <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2022/12/The-experiences-of-adult-black-male-prisoners-and-black-prison-staff-web-2022.pdf>

Minority ethnic prisoners' experiences of rehabilitation and release planning - HM Chief Inspector of Prisons <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/Minority-ethnic-prisoners-and-rehabilitation-2020-web-1.pdf>

The Criminal Justice Board for Wales published the [Criminal Justice Anti Racism Action Plan for Wales](#), in December 2022.

The [Police Race Action Plan Improving policing for Black people](#) - was published in 2022 by the National Police Chiefs Council and the College of Policing.

The Lammy Review "[An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System 2017](#)" highlighted the disproportionate experiences and outcomes for Black, Asian and Minority Ethnic people in the United Kingdom. In May 2021 MOJ published "[Supporting BAME Victims of Crime - Guidance for Commissioners](#)"

Appendix 2: Statistics

A. Statistics from "[Race equality in probation: the experiences of black, Asian and minority ethnic probation service users and staff](#)" A thematic inspection by HM Inspectorate of Probation March 2021

- **241,350** Number of people under probation supervision
- **14%** Proportion of the population of England and Wales that is non-white
- **27%** Proportion of the prison population in England and Wales that is non-white (31 March 2020)
- **9%** The Probation Court Ordered Probation Caseload that has ethnicity missing
- **38** The number of stop and searches per 1,000 black people conducted by the police compared with four (**4**) per 1,000 white people (April 2018 to March 2019)
- **X 3** The likelihood of a black person being arrested by the police, compared with a white person (April 2018 to March 2019)

B. The 2021 annual report from HMI Probation commented on their report from 2020 entitled [Race equality in probation: the experiences of black, Asian and minority ethnic probation service users and staff](#): Original comments below:

Contextual facts:

- "In the 100 cases of ethnic minority people on probation that we inspected, there was little evidence that probation staff had spoken to them about their ethnicity, culture, religion or experiences of discrimination."
- "Of the 30 probation staff from our survey who had raised an issue of racial discrimination, only two felt that the process and outcomes had been handled fairly."

Key findings, People on probation:

- "Minority ethnic people on probation often entered the probation system having experienced overt acts of racism from mainstream society and the wider CJS."
- "Subtle racism had been normalised to some extent and was seen to be 'just how it is.'"
- "There was a lack of cultural understanding (and sometimes interest) within probation services and a reluctance to discuss related issues."
- "Inspectors heard distressing stories of inappropriate behaviour towards ethnic minority staff, including instances of stereotyping, racist and sexualised language, and false allegations."

- “Ethnic minority staff were not always consulted or supported to work with individuals who had committed race-related offences.”
- “Many surveyed staff did not feel that it was safe to raise issues of racial discrimination at work and lacked faith that complaints would be handled appropriately. Inspectors heard serious complaints had been downplayed, ignored or dismissed repeatedly.”

C. [The Prison Reform Trust](#) publish an annual review of prison facts entitled Bromley Briefings Factfile, the Winter 2022 issue is referenced. Details reproduced verbatim, each fact is referenced in the original:

Black, Asian and minority ethnic people in prison

Over a quarter (27%) of the prison population, 21,537 people, are from a minority ethnic group. 13% identify as Black/African/Caribbean/Black British; 8% as Asian/Asian British; and 5% as mixed/multiple ethnic groups. If our prison population reflected the ethnic make-up of England and Wales, we would have over 9,000 fewer people in prison—the equivalent of 12 average-sized prisons.

The economic cost of such Black, Asian and Minority Ethnic over-representation in our prison system is estimated to be £234m a year.

Black people are 53%, Asian 55%, and other ethnic minority groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates.

Black men are 26% more likely than white men to be remanded in custody. They are also nearly 60% more likely to plead not guilty.

Black and Asian people in prison are more likely to be serving long sentences than other groups. 17% of people in prison on a life sentence identify as black, and 8% as Asian. 15% of people serving a determinate sentence of over 20 years identify as black, and 12% as Asian. People from ethnic minority backgrounds serve a greater proportion of their determinate sentence in custody than white people. In 2020, black people spent the highest proportion of their sentence in prison (67%), followed by those of a mixed ethnic background (66%), white (60%) and Asian (58%) prisoners.

Muslim people in prison

There are now two and a half times more Muslim people in prison than there were in 2002. In 2002 there were 5,502 Muslim people in prison, by 2021 this had risen to 13,724.147, representing 18% of the prison population, but just 5% of the general population.

Muslim people in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. In 2021 37% were Asian, 29% black, 19% white and 10% mixed. In 2021 only 153 people, 1% of Muslim people in prison, are currently there for Islamist extremist terrorism related offences. The number of Muslim people in prison for terror offences peaked at 185 in 2017.

Black, Asian and Minority Ethnic people in prison often report more negatively about their experience in prison and relationships with staff. Fewer said they felt safe at the time of the inspectorate's survey, fewer had a member of staff they could turn to for help, fewer said staff treated them with respect, and more said they had been bullied or victimised by staff. Responses by Muslim people in these areas were even worse.

Experiences of Black, Asian and Minority Ethnic Staff in Prisons

The report of HMI Prison Service in December 2022 - [The experiences of black male prisoners and black prison staff](#).

Inspectors found that prison staff underestimate the cultural requirements of Gypsy, Roma or Traveller and Black, Asian and Minority Ethnic people in prison. A third of those interviewed said their ethnicity directly influenced their rehabilitation and resettlement planning, whereas almost no staff considered ethnicity to have any impact on their work. Discrimination complaints are inadequately investigated "all too often" according to the Prisons and Probation Ombudsman. Investigations are subject to long delays, staff lack training and confidence, and prisons often fail to collect the equalities data needed to conduct a meaningful investigation.

Although Black, Asian and Minority Ethnic representation amongst prison officers has been improving in recent years, prison officers remain less ethnically diverse than the prison population. In March 2021, 4% of HMPPS prison officers (bands 3-5) identified as black, 2% Asian, and 92% white, whereas amongst prisoners the proportions were 13%, 8% and 72%, respectively.

In the report of HMI Prison Service many black prison officers describe experiencing high levels of stress at work and discrimination that hindered their career progression. They are worried about being viewed by colleagues with the same suspicion that affected black prisoners and being accused of collusion or corruption.

Gypsy, Roma and Traveller Prisoners

[Minority ethnic prisoners' experiences of rehabilitation and release planning HMI Prisons, October 2020](#)

5% of men and 7% of women in prison said that they were Gypsy, Roma or Traveller (GRT) (HMI Prisons December 2022, compared to an estimated 0.1% of the general population in England. Inspectors found that most prisons they visited were still not aware of their existence or needs, which undermined attempts to provide culturally appropriate support and plans for resettlement.

Around one in seven (15%) children in STCs and one in twelve (8%) in YOIs are from a GRT background. They are more likely than other children to feel unsafe, to experience bullying, to report having a disability and/or health problems, and report having drug and alcohol problems.

Police Stop and Search

Government figures reveal:

- in England and Wales between April 2020 and March 2021, there were 697,405 stop and searches in England and Wales (excluding vehicle searches);
- there were 12.4 stop and searches for every 1,000 people, down from 24.8 per 1,000 people in the year ending March 2010;
- there were 7.5 stop and searches for every 1,000 white people, compared with 52.6 for every 1,000 black people;
- there were 38.1 stop and searches for every 1,000 people in London, the highest rate out of all police force areas.

Recall to Prison

"In 2019/2020, 17 per cent (4,665) of recalls were for individuals from a Black, Asian and Minority Ethnic background. Inevitably, proportions vary across organisations depending on their local populations. In London CRC, 42 per cent (843) of recalls involved individuals from a Black, Asian and Minority Ethnic background, compared with 7 per cent (26) in Warwickshire West Mercia CRC".

HMIP Thematic Review of Probation Recall, Culture and Practice 2020.

Being a Victim of Crime

- Over the 7 years period to 2020, the percentage of White people who said they were victims of crime went down from 17% to 13%.
- Men from mixed ethnic backgrounds (21%) were more likely to be victims of crime than men from any other ethnic group for the 3 years from April 2017 to March 2020.
- Asian people aged 75 and over (11%) were more likely to be a victim of crime than White people aged 75 and over (6%) Victims of crime - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures).

Court settings

- 12% of Magistrates were from a Black, Asian and Minority Ethnic background March 2020, representing a 4- percentage point increase since 2012.