

PRISON SERVICE JOURNAL

SEPTEMBER 2010 No 191



Race in Prisons

Equality Progress? — Slow, but Sure

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A Practitioner's View

Zahid Mubarek — the name will sit with me for the rest of my life. A young man, serving a short sentence in HMYOI Feltham, who I never met (and who was murdered by the hands of a racist Robert Stewart) in March 2000. A young man who has been an inspiring factor for me as a BME staff member, who has sent the past decade trying to support equality on the 'shop floor'.

In the years succeeding Zahid's death the Prison Service has had many successes in ensuring the safety and the equality of service for all offenders. But, the journey is nowhere near its end. It has been 10 years since his death and some elements of the service are unrecognisable from that time. My experience of the 1990's and very early 'noughties' saw overt racism as fairly common place. Even something as basic as considering how people's needs may have differed was unthinkable in many establishments. So what has actually changed in the last 10 years?

I have seen so many improvements that have taken place from dealing with foreign national prisoners to reporting racist incidents.

Manjit Sandhu (HMP Bullingdon)

The Race Equality Officers

REOs (formally Relations Liaison Officers) have had a fundamental part to play in developing the understanding of staff and prisoners, with regards to the equality agenda. Prior to Zahid's death RRLO's were lucky to get the mandatory minimum eight hours (PSO2800). Now almost everywhere has a full time equality officer on hand to give advice to everyone living, working in and visiting the prison.

At times those carrying out this role have felt it to be one which is lonely, even career limiting at times. Some of the REOs I have met over the years have spoke of being alienated by their colleagues and mistrusted by prisoners. Despite this, those who have done this role have educated, instigated, investigated, integrated and celebrated to bring staff and prisoners along the road to equality and understanding. REOs have answered thousands of questions, debated hundreds of topics and questioned dozens of

outcomes, all in an attempt to ensure all prisoners have a fair chance in prisons. But it's not been all smooth sailing! REOs have often been seen as the 'guru' for anything with race in the title. This has enabled some of the wider staff group to ignore their professional responsibilities in this area, leaving the REO to deal with any and every race related issue. This remains a challenge in many establishments to this day, one which the Race and Equalities Action Group will have to bear in mind as it develops its strategies to manage the wider equality agenda.

S.M.A.R.T.

Another useful tool in the fight to ensure fairness is the use of monitoring data. For the past 10 years establishments have been using a data monitoring tool called Systematic Monitoring and Analysis of Race equality Template (SMART). This tool has continued to be developed over that period and is effective in offering data analysis for main service delivery activities. In recent years establishments have been measured against any disproportionality highlighted by the SMART tool. But, this has turned out to be a double edged sword. On one hand it has meant that attention has been paid to areas where it appears there is inequality, but on the other hand, this has become somewhat of an end in itself, rather than a tool which can display potential for unfair treatment. I have sat in a prison manager's meeting where the governor announced 'it's all about the numbers', meaning that the SMART data had become a target, failing to understand the real benefits of using the monitoring data. Again NOMS needs to consider this issue and perhaps find a way of keeping the issue of disproportionality high profile, whilst not making numbers the focus of people's efforts.

Prisoner Involvement

If I were asked to highlight just one factor which has led to the progress made by NOMS (in race equality) over the past ten years it would have to be 'the use of prisoner representatives (reps)'. Used properly these 'reps' can transform the delivery landscape upon which the prison equality work is based. Engaged and trained correctly, they are often extremely enthusiastic, very creative and fair.

They have helped introduce an atmosphere of 'zero tolerance' of racism amongst prisoners and staff alike,

whilst helping eliminate the fear sometimes held by staff and prisoners that 'you can't say nothing these days'.

In prison I have witnessed white inmates ridicule other white inmates for using what they believe to be prejudice words.

Mark Wallace (HMP Bullingdon)

I have seen prisoners who I had trained as reps in a local prison at the early part of their sentence, support others in open prisons some years later, still with the same commitment and enthusiasm. I have literally, just come from a cell here in Bullingdon, where a prison rep is showing another prisoner how to ask for 'Magic Powder' (a shaving aid), in a way that will ensure his cultural needs are at least listened to.

It was decided that race equality needed to be promoted more to prisoners to make them aware of the services provided by our team, so we started by introducing ourselves to all prisoners who entered the establishments and gave talks on a daily basis during the induction process.

Mark Wallace (HMP Bullingdon)

Both of those prisoners felt they have a voice, which has a chance of being heard. Very different from how they might have felt ten years ago. Prisoner race equality reps have helped raise the expectations of all prisoners held in our jails today. They (with NOMS blessing) have sent a message that they can be used to communicate how fairness is seen and felt by all prisoners.

I am very grateful for the opportunity I have had to do this kind of work in prison and although it sounds bad to say, this has been the best job I have had in that it has given me the confidence to know that I can do a job that makes a difference. I feel confident now to apply for jobs outside that before would not have passed the thinking stage.'

Mark Wallace (HMP Bullingdon)

Training prisoners to fulfil this role has provided me with many highlights in my career in NOMS. Long live the prisoner rep!!

The NOMS Single Equality Approach

As we enter further into a world of strict limitations on budgets and resources, we are faced with the challenge of expanding the success and management difficulties already faced by race equality into age, religion, sexual orientation, gender and disability will not be easy, but we need to ensure that all those equality strands have an equal place at the 'ensuring fairness' table.

As we have learnt from previous experience, fairness doesn't happen by chance. It takes deliberate actions to improve the life chances of the disadvantaged and now we have the challenge of ensuring that fairness with the same or less resources. Prisons are looking to save millions of pounds to support the government in reducing the national debt and this means finding ways of working smarter within those constraints. Some difficult questions have to be answered like, how do you up-skill the current prisoner race reps into equality reps, with no staff available to train them? How do you ensure that the care

plans for aging prisoners are effectively managed, whilst hardly having enough staff to deliver a reducing reoffending regime? Difficult questions — yes, impossible situation — no. Maybe we can't be as good as would like to be, but we can be as good as we need to be and for now that is our target.

Equality Impact Assessments

Race equality impact assessments have proved difficult to conduct in a meaningful way in many establishments. It has been a challenge to get staff to see them as anything more than a bureaucratic exercise, invented to keep those who work in the 'ivory tower' busy. Ensuring staff understand the real service delivery benefits has been a major objective of REAG over the past year and there is some evidence that that objective is being achieved. Recent conversations with staff in Aylesbury Young Offender Institution indicated that their impact assessment programme has been developed to manage the equality risks as they see them and whilst I can't say

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that's true of all of our establishments, I do believe that we can set ourselves a target of using impact assessments as a precise tool and not a blunt instrument.

Leadership

The Race Review (NOMS 2008) pointed to the importance of 'Leadership' if race equality is to be attained. In my experience this is definitely true. I think my biggest successes in developing an equal system came when I worked in HMP Brixton. I have since spent quite a bit of time considering what elements made up that success and I think one of the biggest contributing factors was the prison's leadership. I was lucky enough to work with a governor who gave me one hundred percent support. All staff knew that they were expected to engage with agenda and be prepared to talk about what they had done, or will be doing to ensure equality where they worked. All of this was quite a contrast to my earlier experiences in a prison where senior managers actually instigated racist jokes or paid total 'lip service' to the merest notion of caring about fairness.

Race Equality Prisoner Forums

Ten years ago talking to prisoners in groups and exploring their needs would have been seen as pandering to a 'prisoner's union', today it forms a key part of business objectives for all prisons and provides valuable information towards conducting needs analysis. The conducting of impact assessments, the completion for MQPL (Measuring the Quality of Prisoner Life) surveys, safer custody and other prisoner related areas either mandate or recommend as good practice, the collection of prisoner's views.

Monthly consultancy meetings were being held and BME forums were being held monthly too and prisoners would attend to air their concerns and give suggestions as to where and how the prison could make improvements when it came to R/E issues.

Manjit Sandhu (HMP Bullingdon)

How useful are these forums? When these forums were introduced and became wide spread the prisoners who attended took some time to understand their true purpose. We (the facilitators) would have to constantly stop the discussion traversing into 'we've got no ping-pong balls on 'A wing', steering the discussions back to matters of race equality. In 2010 many establishments now have functional meetings, with prisoners either co-facilitating or even facilitating themselves.

Racist Incident Reporting Forms — RIRFs.

When I first joined the team a lot of prisoners had no faith in the racial complaints process and thought of it as just a paper exercise.

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The system devised to address one of the concerns raised by the CRE. When they came to call the Prison Service found it very difficult to give them substantive details and figures regarding the number of racist incidents that had taken place in prisons over a given

period. So, the Service devised a specific form and a computer-based logging system. I remember thinking that this was real progress, a dedicated form and a database which was both confidential and secure (rather than the paper log book previously used). Boy, did we create a monster!! Whilst the form and database did appear to help reporters confidence it also gave some licence to pass on their responsibility. Staff have used the form to counter accusations of racism made by prisoners, somehow thinking that if I say 'he called me a racist', will insure against any future allegations that might be made by the prisoner.

I think it is totally counter productive for the RIF forms to be used by staff who have been accused or pre-empt being accused of being racist.

Mark Wallace (HMP Bullingdon)

Another major draw back of the RIRF system has been the tendency for staff to pass on any race related issues to the REO. This action may be to absolve them

of their individual responsibility to engage with the race related issue, or it might be because of a fear that they may 'get it wrong'. Either way it does not help us encourage staff to not fear the issue of race, but to embrace it and question when necessary and that is a continuing challenge for the future.

Managing an uncertain future

NOMS now applies a broader equality approach, which encourages prisons to look at wider equality risks such as disability, age and sexual orientation etc. Of course all of this takes time and effort and with resources being cut further and further, establishments will need to manage their major risks and alert others of what they can't manage due to those resource constraints. REAG/NOMS still has a great challenge ahead if we are to get establishments to use equality impact assessments as a tool to address equality based risks. It will need to develop an integrated approach which eventually see real ownership of fairness across all the functions in a prison. For that to take place those who have been central to the progress made need to continue to work on this, but it will also require the wider audience to stand up and be counted. If the past ten years is anything to go by, we can progress equality and if I write something similar in ten years, I hope it is still showing forward momentum. Good luck to those trying.

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