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delivered well, in practice.



HM Inspectorate  
of Probation



## Race Insights guide

Based on: Race equality in probation follow-up: A work in progress

**September 2023**

# Acknowledgements

This effective practice guide is based on information sourced while undertaking the thematic inspection *Race equality in probation follow-up: A work in progress* (HM Inspectorate of Probation, 2023). The inspection was led by HM Inspectors Trevor Worsfold and Avtar Singh, supported by a team of assistant inspectors, short-term placements, and operations, research, communications, and corporate staff. User Voice (a national charity that seeks to give a voice to people in the criminal justice system) undertook interviews with people on probation. The manager responsible for this inspection programme is Helen Davies.

In collaboration with Tammie Burroughs, effective practice lead, Trevor Worsfold has identified some of the key themes associated with effective practice, when working with and alongside Black, Asian and ethnic minority people on probation. We also consider how the Probation Service can engage with the concerns of Black, Asian and ethnic minority staff.

We would like to thank all those who participated in any way in this inspection; without their help and cooperation, the inspection and effective practice guide would not have been possible.

Please note that throughout the report the names in the case illustrations, and some details, have been changed to protect the individuals' identities.

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1st Floor Civil Justice Centre  
1 Bridge Street West  
Manchester  
M3 3FX

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# Introduction

## About this guide

HM Inspectorate of Probation has a duty to identify and disseminate effective practice.<sup>1</sup>

We assure the quality of youth offending and probation provision and test its effectiveness. Critically, we make recommendations designed to highlight and disseminate best practice, challenge poor performance, and encourage the Probation Service to improve.

Our thematic report, *'Race equality in probation follow-up: A work in progress'* (HM Inspectorate of Probation, 2023) demonstrates that there is still more to be done to ensure that ethnic minority people on probation receive an equal quality of service delivery to that of White people, and one that is appropriate to their needs. More also needs to be done to improve the experience and satisfaction of ethnic minority staff in their work in the probation service. This guide is designed to help managers and practitioners to reflect on how best to improve the experience of ethnic minority staff and people on probation. I hope this will be of interest to everyone working in probation services and seeking to develop their practice. We welcome feedback on this and our other guides, to ensure that they are as useful as possible to future readers.

I am grateful to all the areas that participated in our thematic inspection, and for their additional help in producing this insights guide. We publish these guides to complement our reports and the standards against which we inspect youth offending and probation.



### Justin Russell

HM Chief Inspector of Probation

## Finding your way



Tools for practitioners



Useful videos



Denotes reflection



Useful links



Denotes a task to undertake, alone or within a group

## Contact us



We would love to hear what you think of this guide. Please find current contact details via the [HM Inspectorate of Probation Effective Practice page](#).

<sup>1</sup> **For adult services** – Section 7 of the *Criminal Justice and Court Services Act (2000)*, as amended by the *Offender Management Act (2007)*, section 12(3)(a). **For youth services** – inspection and reporting on youth offending teams are established under section 39 of the *Crime and Disorder Act (1998)*.

# Background

This guide has been developed based on the findings from the *Race equality in probation follow-up: A work in progress* thematic inspection. We have drawn on evidence of effective practice identified while undertaking fieldwork in Bedfordshire, Nottingham, Walsall and Wolverhampton, Southwark, and Bradford and Calderdale. In addition, within this guide we share information from evidence-based reviews, resources, and tools, alongside reflective exercises to encourage those working within the justice system to consider how they may embed this knowledge into policies and practice. We do so recognising that we are not the experts, and we are continuously improving our knowledge and insight into this area. Consequently, the aim of this guide is to trigger conversations which seek proactive change in this area.

In this section we highlight the demographics of staff working within the Probation Service and people on probation and the significance of this thematic inspection, before providing a brief guide to the contents.

## Contextual facts

While practitioners working in the Probation Service are increasingly representative of the ethnic diversity of England and Wales, people in prison are more likely to come from ethnic minority communities. Black men in particular are much more likely to be stopped, searched, and arrested than White people, thus it is important for all practitioners to have a good understanding of the discrimination that ethnic minority communities experience.

<b>18.3%</b>	Percentage of the population of England and Wales that is non-white, from the 2021 census <sup>2</sup>
<b>28%</b>	Percentage of the prison population in England and Wales that is non-white <sup>3</sup>
<b>19%</b>	Percentage of those on court-ordered probation supervision <sup>4</sup> who are non-white <sup>5</sup>
<b>17.1%</b>	Percentage of Probation Service staff who are non-white <sup>6</sup> (31 March 2023) <sup>7</sup>
<b>14.9%</b>	Percentage of Probation Service staff in management grades who are non-white (31 March 2022) <sup>8</sup>
<b>53</b>	The number of stop and searches per 1,000 Black people conducted by the police compared with 8 per 1,000 White people <sup>9</sup> (April 2020 to March 2021)
<b>X 3</b>	The likelihood of a Black person being arrested by the police compared with a White person <sup>10</sup> (April 2020 to March 2021)

Given the importance of this subject and the discrimination experienced by ethnic minority people, throughout this guide we encourage staff and managers to take time to reflect on their own practice, and after each section we have included questions for reflection from both strategic and operational perspectives.

<sup>2</sup> Office for National Statistics. (2022).

<sup>3</sup> Ministry of Justice. (2022).

<sup>4</sup> Community and suspended sentence orders with requirements supervised by probation.

<sup>5</sup> Ministry of Justice and HMPPS. (2023a), Table 4.17.

<sup>6</sup> Percentage of those who have declared their ethnicity.

<sup>7</sup> Ministry of Justice and HMPPS. (2023b). Table 5d.

<sup>8</sup> Ministry of Justice. (2022). *Op. cit.* Table 1b.

<sup>9</sup> Home Office. (2022).

<sup>10</sup> Home Office. (2020).

We start by setting out our standards and expectations that we used to judge practice in relation to both staffing issues and service delivery. We then move to review what we learned from staff; what they wanted to see, and the positive developments they observed since the previous inspection in 2021.

We then move to consider examples of effective practice in organizational leadership, staff development and use of information that support inclusive cultures, effective service delivery and more equitable outcomes for both probation staff and people on probation. We include information on what we learned from people on probation and their suggestions for improving practice.

The final section considers effective practice in case management, including how to improve assessment and incorporate aspects of culture and faith into planning and delivery of services. We conclude with some principles of effective practice for working with ethnic minority people on probation.

# Our standards: what we looked for and our expectations

For the Race Equality Follow-Up Thematic we inspected against the following standards.



## Organisational delivery

### In relation to leadership, we expect that:

The leadership of the Probation Service supports and promotes the delivery of high-quality, personalised, and responsive services for all ethnic minority people on probation.

#### This includes the following expectations:

- There is a deliberate, strategic and informed approach to meeting the needs of ethnic minority people on probation.
- The operating model encourages personalised approaches with ethnic minority people on probation, taking account of their diversity factors.

Staff are enabled to deliver high-quality, personalised, and responsive services for all ethnic minority people on probation.

#### This includes the following expectations:

- Staffing and workload levels support the delivery of a high-quality service for all ethnic minority people on probation
- There is a strategy in place to ensure the workforce reflects adequately the diversity of the local population and meets caseload needs
- There is a strategy in place to ensure that all ethnic minority staff have equitable access to promotion opportunities and reward and recognition
- Arrangements for learning and development on race equality and diversity are comprehensive and responsive
- Managers pay sufficient attention to engagement of all ethnic minority staff
- There is a policy and process for complaints, and support for staff who feel discriminated against or experience any form of discrimination

A comprehensive range of high-quality services is in place, supporting a tailored and responsive service for all ethnic minority people on probation.

#### This includes the following expectations:

- There is a sufficiently comprehensive and up to date analysis of the profile of ethnic minority people on probation and any disproportionality to ensure that the organisation can deliver well targeted services



- Probation regions provide the volume, range, and quality of services to meet the needs of ethnic minority people on probation, addressing issues of disproportionality in the way services are provided.

### **In relation to information and facilities, we expect that:**

- Relationships with providers of services to ethnic minority communities are established, maintained, and used effectively to deliver high-quality services to ethnic minority people on probation.

Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised, and responsive approach for all ethnic minority people on probation.

### **This includes the following expectations:**

- The necessary equality and diversity policies and guidance are in place and reviewed regularly to enable staff to deliver a quality service, meeting the needs of ethnic minority people on probation and staff.
- The premises and offices enable staff to deliver a quality service, meeting the needs of ethnic minority people on probation.
- Management information systems support the production of management information and data on the needs of ethnic minority people on probation.
- Analysis, evidence, and learning are used effectively to drive improvement for ethnic minority people on probation and staff from ethnic minority communities.
- Service leaders capture the data they need to scrutinise potential ethnic disproportionality in service delivery and fair treatment of staff.

## **Case management**

### **In relation to advice to court, we expect that:**

Pre-sentence information and advice provided to court supports its unbiased decision-making, with ethnic minority people on probation assessed fairly and appropriately.

### **This includes the following expectations:**

- Pre-sentence information and advice provided to court is sufficiently analytical and personalised to the ethnic minority individual, supporting the court's unbiased decision-making.

### **In relation to case management when working with ethnic minority people on probation, we expect that:**

Assessment is well-informed, analytical and personalised, actively involving ethnic minority people on probation.

- Assessment focuses sufficiently on engaging ethnic minority people on probation.
- Assessment focuses sufficiently on the factors linked to offending and desistance for ethnic minority people on probation.



Planning is well-informed, holistic, and personalised, actively involving ethnic minority people on probation.

- Planning focuses sufficiently on engaging ethnic minority people on probation.
- Planning focuses sufficiently on reducing reoffending and supporting the ethnic minority individual's desistance.

High-quality well-focused, personalised, and coordinated services are delivered, engaging ethnic minority people on probation.

- The sentence/post-custody period is implemented appropriately with a focus on engaging ethnic minority individuals.
- The implementation and delivery of services effectively supports desistance by ethnic minority individuals.

Early outcomes are positive, demonstrating reasonable progress for ethnic minority individuals on probation.

- Early outcomes demonstrate that reasonable progress has been made in engaging with ethnic minority individuals on probation and meeting their individual needs.



## Reflection questions

Thinking about your practice as a leader or practitioner, alone or as part of a team discussion ...

### From a strategic perspective:

- How far does work with ethnic minority people in your area align with the standards and the expectations above?
- If there are any areas where these are not aligned, what actions could your area take to address this?
- Where they are aligned, how can your area ensure this practice is sustained?
- What is your area's strategy for working with ethnic minority people on probation?
- How reflective of the local population is your staff complement and what could be done to make it more representative?
- How reflective is the management team of the profile of staff? What needs to happen to make it more representative?
- What channels are there for managers to hear and respond to the perspectives of ethnic minority staff?
- How does the service locally identify and meet the needs of ethnic minority people on probation? What gaps have you identified?
- How would staff know where there is disproportionality in outcomes for staff or people on probation, and how is this communicated and addressed?

### From an operational perspective:

- Reflecting on practice in general with those from an ethnic minority background, what is effective in your area of work and what is ineffective in your area?
- Do training and development programmes equip staff to work in an anti-racist way and provide a culturally competent service?
- Do you know what services are available in the local ethnic minority and faith communities that might support the rehabilitation journeys of ethnic minority people on probation?

- How would ethnic minority people know they are welcome in your office and would get a high-quality service that meets their needs?
- How does probation in your area ensure that high-quality reports are prepared on ethnic minority individuals that enable the courts to make fair decisions?
- How do you ensure that people of different ethnicities and cultures are fully engaged in their assessments and plans?
- What needs to happen to ensure that ethnic minority people have full confidence in the work of probation in your area?

# Learning from staff

In the previous thematic inspection, *Race equality in probation: the experiences of Black, Asian and ethnic minority probation service users and staff* (HM Inspectorate of Probation, 2021), ethnic minority staff expressed concerns that any interest in listening to their concerns would wane as they had increased as a result of global factors. While they felt equal opportunities were promoted, less than one-fifth believed that there were equal opportunities in recruitment practices and therefore, they wanted greater clarity and transparency about how recruitment and selection decisions were made.

Support from middle and senior line managers was variable. Managers needed to be trained in how to address issues of racism and discrimination sensitively and confidently. Many ethnic minority staff were not consulted before being allocated cases of people on probation who had committed racially motivated crimes.

Formal development plans (known as talent management) only existed for middle managers and above, making it difficult for staff to know how to progress. Many ethnic minority staff felt that barriers are put in their way.

The majority of those who responded to our survey at that time did not feel safe raising issues of racial discrimination and were not confident that if they raised concerns the issues will be dealt with appropriately. Just over two-thirds had not raised an issue of racial discrimination with their organisation. Of the 30 people who had raised an issue, only two felt that it had been dealt with to their satisfaction. There were more formal grievances in raised by ethnic minority staff and managers in the Probation Service than by White staff, but their grievances were far less likely to be upheld.

The staff indicated they would like to see:

- Improved recruitment and career progression
- Better representation within senior management
- In-person training
- Better handling of racial discrimination grievances
- Data collection and analysis.



## Findings from the 2023 re-inspection

As part of the inspection fieldwork, the team conducted focus groups with middle managers and probation practitioners within the five delivery units attended. In addition, we sent a confidential electronic survey to all ethnic minority staff, of all grades, in the five locations. Ninety-seven people responded (which translates as a 54 per cent response rate, if the recorded demographics of the staff groups in these areas are correct,) and we undertook 25 follow-up interviews with individuals who requested them after answering our survey.

The main report provides a comprehensive overview of the themes raised within the survey, which covered a range of subjects including culture, representation, equal opportunities in recruitment and reward and recognition, raising and tackling discrimination, the allocation of cases involved in hate crime and/or which are racially motivated and the availability of services to address the needs of Black, Asian and ethnic minority people on probation.

Within the survey, we also asked staff what three changes they would like to see for the future and to comment on any positive developments they have seen since the last thematic report.

## Three changes for the future

We asked staff to identify three changes they wished to see in the Probation Service. There was a clear and consistent message in relation to these changes, in that ethnic minority staff wish to see:

- more senior managers from ethnic minorities, and a more diverse workforce in general,
- a more inclusive service culture,
- recruitment practice to work better for ethnic minorities.



## Positive developments

Staff were also asked to share any positive developments and areas of effective practice, of note there were references to the Tackling Unacceptable Behaviour Unit (TUBU), a focus on diversity events, and training involving people with lived experience, highlighted below.

Several respondents welcomed the TUBU, established in August 2020. Their aim is to change working behaviours for the better through:



A confidential helpline – to support staff who are experiencing any unacceptable behaviours (bullying, harassment, discrimination or victimisation). The helpline is available now.



A mediation service – to resolve workplace conflict



Climate assessments – a programme of activity is underway to regularly assess the situation in every area of the organisation by looking at the lived experiences of staff and identifying any issues.



A specialist investigation service – to enable managers to access trained investigators, advice or signposting for more complex and serious cases involving bullying, harassment, discrimination or victimisation.

Several respondents were also positive about the greater profile of events such as Black History Month, which stem from the Equality, Diversity, Inclusion, and Belonging diversity calendar. Some regions have used the calendar as a springboard for events such as learning lunches and cultural events.

*“Within the East Midlands there are regular ‘learning lunches’ covering issues around race/ethnicity as well as other topics linked to diversity and inclusion. They have been highly interesting and informative.”*



Another colleague highlighted lived experience input in their training:

*“Creative justice workshops<sup>11</sup> were also really insightful to hear from ethnic minority groups regarding their experience of probation.”*



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<sup>11</sup> For further detail about the creative justice workshops, see the “staff” section on page 13.

# Organisational delivery

Delivering effective practice on race equality both for staff and for people on probation requires an organisation that is designed to achieve that end. In this chapter we will look first at initiatives in recruiting, training, and developing staff. This includes both positive action to ensure improvement in the recruitment, progression, and support of ethnic minority staff, and development of all staff so that they are equipped to deliver culturally competent anti-racist practice, informed by the perspectives of ethnic minority people on probation and colleagues from different backgrounds.

The role of leaders at all levels in the organisation, both through the actions they take and the behaviours they exhibit, is critical to achieving culture change to bring about an inclusive environment, where staff feel that they can bring their whole selves to work and where people on probation of different ethnicities feel equally welcome. We will see how this has been modelled in one particular PDU. We will also see how the London Probation region through surveying and listening to staff is developing and implementing local action plans to promote a more inclusive organisational culture. In the West Midlands region, we will see how staff are encouraged to record and submit their experiences of inequality and discrimination anonymously, so that issues and trends can be picked up, and learning shared about how to improve practice on equality.

Developing a good understanding and sharing knowledge of the range of community resources available for ethnic minority people in each area is important to support desistance by ethnic minority people on probation. The appointment of a social navigator in Walsall to put people in touch with services in the local community is one way in which this is being taken forward. Given the concern that there is in some areas about the proportion of young Black and mixed-heritage boys in the youth secure estate who will leave and transfer to adult services, we include an example in Southwark of how probation is working in partnership with other local agencies to provide a multi-pronged approach to serious youth violence. We will also consider how a local grassroots community organisation in West Yorkshire, Muslim Women in Prison, is providing culturally informed services for ethnic minority people in association with probation and other services.

Finally, we will consider how the West Midlands region is using the new probation Equality Monitoring Tool to identify where there are disproportionate outcomes for different groups and conducting further analysis to understand and address why this may be.

## Staff

It is important that staff working within the Probation Service are representative of the communities they serve. Staff should feel a sense of belonging, receive training to support their practice and their wellbeing. They should be given opportunities to progress to ensure that there is meaningful representation at all levels, including within senior leadership.

The inspection team did see some positive examples during the fieldwork, including initiatives to recruit more diverse staff, lunches for diversity celebrations, specific training packages, and schemes to support progression highlighted below.

### **Example of effectiveness:** Recruitment campaign support, Yorkshire and the Humber

Yorkshire and the Humber region have developed a community outreach strategy. They are using data from the 2021 census to identify where there is under-representation of ethnic

minority groups within the Probation Service in the region, and planning outreach activities that seek to recruit to different roles. They employ a community outreach officer who has developed an outreach toolkit which includes guidance on how to deliver activities, including details of available resources and community contacts to support regional and local events. Local publicity materials have been developed, which will be supplemented by videos explaining the different roles available in the Probation Service, and events are scheduled and evaluated for impact.

### **Example of effectiveness:** Promoting opportunities to share different cultures, Southwark

Southwark have embraced diversity through lunches to celebrate specific events in the diversity calendar, shared by the Equality, Diversity, Inclusion, and Belonging (EDIB) team.

For example, for Black History Month, team members brought in food from African and Caribbean cultures to share with their colleagues.

Food can be a useful hook to support people to engage, as it helps to create a more informal environment and provides a topic of conversation for people to build connections to develop and strengthen relationships. In addition, when people contribute food and invest in sharing something from their culture, it suggests they see a real value in the relationships with those with whom they are sharing.

The Black History Month lunch was also used as an opportunity to share biographies and portrait photographs of team members, taken by Samson Adewole, a probation practitioner based in Southwark with a creative flare and passion for photography. Samson had interviewed his colleagues through the lens of their ethnicity, enquiring about their identity, how race and their culture has shaped them, and how this influences their work. He then made a display of his portraits, alongside a write-up of the interviews, and presented this during the team lunch.



 We spoke to Samson about the project; [you can read the full interview here.](#)

He explained what he hoped to achieve from the project was:

*"Just to remind everyone that there's no shame in speaking about race and diversity and cultural differences. You should always go there and speak to people and get to know [them] more ... and just be curious."*



Samson shared:

*"These little stories show how everything is kind of intertwined ... It's not always just about race or culture. It's diversity as a whole, finding little similarities and differences between people ..."*



*"It's about building a rapport with colleagues; they trust you, you trust them, and then things can get done, and it's the same with our service users."*



Cyntra Baptise, senior probation officer (SPO) based at Southwark, commented:

*"The biographies were moving; you feel like you just know the names of people you work with, especially as there are multiple teams here. The project allowed you to know a little more about life before and outside of probation."*

*It was about having whole conversations about diversity, not just one demographic but thinking about people's life experiences as a whole.*

*What works is the little things, like listening to each other, listening to understand and hear, and not make your own assumptions."*

In discussing the approach in practice with people on probation, Samson acknowledged:

*"It is hard work but it's hard work that needs to be done, it's stuff you cannot just ignore. You come from a position of power; just disregard diversity for a second, just being a probation practitioner with someone who's committed an offence, you've got that position of power over them and I feel like these things really need to be explored. Admittedly, it's probably easier for me as a Black man to address race and diversity with my people on probation, but it goes back to intersectionality, so it's about approaching the person as a whole."*

## **Example of effectiveness: Race-specific training**

High-quality and comprehensive training can enable practitioners to have a greater understanding of diversity and the issues faced by different groups. This can serve to promote team cohesion in addition to supporting more effective work with people on probation, equipping people with the skills and confidence to engage people of all ethnicities in a meaningful way. However, it is not sufficient to simply do the training; the learning needs to be embedded in future work.

While there is currently no training for practitioners on race issues nationally, during the fieldwork the Inspectorate team found some initiatives within the regions. Three were of note: the Breaking Mad therapeutic workshops in Bradford, cultural competence in Yorkshire and the Humber, and a creative justice workshop in the East Midlands.

### **Breaking Mad therapeutic workshops, Yorkshire and the Humber**

Yorkshire and the Humber region piloted a series of three therapeutic healing workshops for ethnic minority staff on behalf of the Probation Service, delivered by mental health professionals from a not-for-profit organisation, Breaking Mad.

The first workshop aimed to provide a safe space for attendees to explore and share their experiences of racialised trauma and reflect on their current mental health, considering the ongoing racial stressors in their everyday lives. The workshop was designed to bring members of minoritised communities together to heal from years of systemic oppression, the pandemic of racism, rife inequality, constant attacks on the psyche and historical wounds of intergenerational trauma. The workshop also focused on the impact of racialised trauma on the workplace experience and identity. As a result, more attendees felt confident at recognising and managing the effects of racialised trauma and were more likely to report or seek support when experiencing racism.

The second workshop aimed to equip attendees with tools to manage wellbeing inside and outside of the workplace. Attendees had the opportunity to have open and honest conversations about their current wellbeing and share their ways of maintaining self-care.



Attendees received evidence-based information about self-care and its importance through a racialised lens. As a result, more attendees were aware of how to use self-care strategies and felt able to discuss issues of wellbeing at work.

The third workshop explored the psychological factors that prevent people from progressing at work, looking at how workplace attitudes to race and lack of role models mean racially minoritised individuals are more susceptible to imposter syndrome. The workshop provided a safe space to allow people to reflect on their beliefs on capacity and success, and how the workplace impacts on these beliefs. Attendees were presented with some statistics and research on the contributing factors and strategies to help tackle these issues.

### **Cultural confidence when working with people on probation, Yorkshire and the Humber**

Yorkshire and the Humber region conducted Racism and Cultural Awareness “60-second survey” in May 2022, to explore the respondents’ identity, cultural confidence, experience of racism within the workplace, measure awareness of regional initiatives to address racism and promote cultural inclusion; and feed back any ideas for further improvements. Just under a quarter of staff in post responded.

In response to the findings, the performance and quality team has developed a workshop entitled ‘cultural confidence when working with people on probation’ which aims to:



- increase probation practitioners’ confidence to ask questions about a person’s diversity and cultural background
- increase understanding of racial disparity in the justice system and to help people take responsibility for their own learning and development
- increase understanding about the diverse needs of people on probation and to be more inclusive within probation practice.

The sessions focus on understanding the background and context to this work, encouraging people to use a range of resources to explore disparity and the impact, and developing strategies to have exploratory conversations and adapt personal practice accordingly. The workshop covers induction, sentence planning, risk assessments, and diversity considerations. For example, they provide tips on how to explain terms on the diversity and inclusion form, and suggested questions to help explore different protected characteristics, for instance:

**When somebody discloses their religion, you could say** *“That’s helpful to know, thank you; is there anything you would like to share with me about your religious practice so we can ensure your needs are taken into account when planning supervision sessions?”*

### **Creative Justice Workshop, East Midlands**

In February 2021, the East Midlands region commissioned Opal 22 Arts and Edutainment, a not-for-profit Black, Asian and ethnic minority-led organisation, to deliver a heritage-based project to promote excellence through spoken word, theatre, music, dance, literature, and visual arts. This was called the Creative Justice Workshop. The aim was to integrate the narratives of those with lived experiences of the criminal justice system and, in particular, those from an ethnic minority background into the training designed to address the findings from the Lammy report,<sup>12</sup> the previous HM Inspectorate of Probation Race Equality report, and the race survey to reduce staff anxiety and encourage conversations about race.

<sup>12</sup> [Lammy Review. \(2017\). An independent review into the treatment of, and outcomes for Black, Asian and Ethnic minority individuals in the criminal justice system](#)

The people on probation volunteers relayed their stories of interacting with the service from their personal perspectives and were given respect to tell their story as an integral part of the workshop. Of the 79 attendees, 99 per cent said they would recommend the workshop to colleagues. Feedback from the course indicated that many participants found it was insightful with many feeling others should watch the videos, which formed the basis of the training.

*"A powerful and informative session, and should be watched and viewed by all probation and prison officers."*



Many indicated they would take learning away regarding how they engaged with people on probation, which is summarised in the quotes below:

*"It is important to listen to understand and not to listen to respond. Those with lived experience have a stake in what happens to them ... we have a duty to ensure that we give them our best, as this can make or break an individual."*

*"I felt from watching the video a huge aspect of probation that I think probation officers and probation support officers often overlook is that a person on probation, when they leave prison, feels the need to reclaim their identity. They go through a process of mortification and they are stripped of all their identities and are now offenders. When leaving the prison environment, how are they supposed to navigate the world with these biases and judgements without support, understanding and awareness from their probation staff? When you also throw in other protected characteristics, such as a homosexual person or an Asian person they must reclaim their identity in a world that is not designed in their favour."*

Proactive steps people said they would take as a result of the training included:

- Consider how services are promoted with people on probation.
- Consider how people approach diversity within the OASys assessment.
- Be open to asking questions and showing understanding - people just want to be heard and, regardless of our time constraints, if we aren't able to offer that then we aren't doing our job.
- Make sure every meeting with a case is meaningful.
- Recognise diversity and differences.
- To realise I am not alone - I work for a diverse organisation and there are some fantastic, experienced, knowledgeable, and understanding people that I can talk to for advice on how to improve the service that I provide for the people on my caseload.
- Be more conscious of how we work with our people on probation of all races and religions.
- Don't be afraid to ask questions about someone's culture/experience of discrimination.
- The most important thing is about giving the time to explore, to ask questions, and to get to understand a person on a human level to enhance engagement with them.
- The need for personal and professional curiosity. Don't be scared, you cannot get to know someone unless you ask questions.

All of which could be viewed as positive tips for working with those from a Black, Asian and ethnic minority background.

Equally, the people on probation who participated shared how it was positive to tell their story in a safe manner without feeling judged.

*"It's important that we can talk about how the impact of probation affects us, especially when we feel we are not understood."*



## Example of effectiveness: Mentoring

In the previous inspection report we set a recommendation for the Probation Service to:



*Set regional targets for progression of ethnic minority staff to management grades, supported by positive action programmes where appropriate.*

A number of mentoring schemes were set up to support staff, whereby a mentee is guided by an individual who shares their knowledge, skills, and expertise to support them develop. We spoke to Ikra about her experience of being mentored. She has been with the Probation Service for 12 years, starting as a case administrator, then a PSO before qualifying as a probation officer in April 2020.

*"It came from the last inspectorate report that staff from the ethnic minority community did not feel so supported in applying for more senior positions. It was an objective for the probation service in Bedfordshire to start a scheme for mentoring ethnic minority staff. The mentoring sessions would take place over a maximum of twelve months either monthly or bi-monthly, whatever was needed. The mentor would be someone in a senior position who would guide you or signpost you as to how to reach your goals. I had just literally come back from maternity leave, but I thought it was too much of a good opportunity to just pass by. So, I signed up to the scheme and had to fill in an application form as to what I would get out of it and what I was looking for. I am not sure how they decided who it would be, but when I met my mentor, he was a White male. The first thing he asked me was are you OK or would you prefer a female? I said I am absolutely fine, if I have got any issues, I would have told him from the outset. It was nice to be asked that. He took my perspective into consideration so that was good.*

*I was hoping to get a bit of assistance in progressing in the probation service. I thoroughly enjoy my job, but I wanted to know how do I become an SPO, what do I need to do? My mentor had started off as a receptionist and over the years had made his way up to becoming the head of a PDU. He knew what to do, he said have you thought about becoming a practice teacher assessor for PQiP? I hadn't at that point, so he was telling me what it entails, what you should do, what kind of experience I would need. So, what happened in our office, we had an influx of new PSOs starting. He said why don't you help develop them and have monthly meetings with them about their cases or help them with application forms that they are not sure about, and become their mentor, so that when the opportunity comes up to be a PTA you can evidence your experience? I never ever thought about that, so I did that. I was really pleased as it made me feel empowered and that I could do this. It gave me reassurance and gave me*

*confidence. It went really well, and I fed back at the next mentoring session how it went and received positive praise."*

In discussing how they helped, Ikra noted:

*"I had six sessions in total. It has helped me develop my long-term thinking about where I want to be in terms of my career, what kind of avenues I want to go down; if training opportunities come up, which ones do I want to make the most of, which ones are perhaps not relevant. It has given me faith in my abilities, that this is not a faraway goal, that this is something that I can apply for in the near future. Maybe a PTA to start off with and probably, from then on, an SPO, but I am not in any hurry. I am really enjoying my job at the moment; if an opportunity comes up, I will apply for it. If I don't get it, then at least I will have the experience of the interview so I will know what to expect next time around. I feel a lot more confident in approaching these things and applying for these positions.*

*I feel that I can approach managers in senior positions a lot more easily now; it opened my eyes to see that managers are feeling the strain that probation officers are feeling as well, and that it is not just a them-and-us kind of thing, we are all going through this together. It made me feel that I can approach managers with issues that I have, or for any guidance if I needed it. They are a lot more approachable than what I would have thought before.*

*Before I used to think that SPO was the next level up, but there are so many more opportunities that are out there. Now I work with female cases only, so it has opened my eyes as to how I can go further afield in this specialty. I think being a probation officer and supervising people as we do, I am always going to be judged firstly as an Asian woman from an ethnic minority, so it is going to be like double trouble almost. In terms of staff, I don't feel I have been judged or will be judged. It is a very inclusive service, with people from all walks of life. I would recommend mentoring to others. I have approached a couple of colleagues. I don't think they realised the support that I got that they would have got, they did not expect that. It really opened my eyes to the avenues and the opportunities available."*

## **Leadership**

### **Example of effectiveness:** Inclusive culture led from the top, Southwark

The inspection team were impressed by the leadership in Southwark, which they described has led to:

*"A very positive inclusive culture, led from the top where people from different cultures feel valued, and there is evidence of a strong focus on developing staff."*

The Inspectorate identified a range of drivers which had resulted in a clear vision and strategy to drive inclusion, which was understood by all of those in the PDU and was clearly led by the Head of the PDU, Chantal Foster.

*I strongly believe that as Head of the PDU I have a responsibility to weave equality, diversity, inclusion, and belonging into everything we do as a PDU, for the benefit of colleagues and people on probation.*

~Chantal Foster, Head of the PDU, Southwark



Chantal developed a Delivery Plan for 2022-2023, based on contributions from all staff within the PDU at the Southwark business planning day. During the day the team set their collective value base (building on from HMPPS core values) including being:

*respectful and tolerant, collaborative, fair, kind, honest and transparent, and supportive*

The plan set clear expectations around specific delivery areas linked to diversity and inclusion, including equality, people, and learning and development, as follows:

### **Equality, diversity, inclusion, and belonging**

*Ensuring responsiveness and respect runs through the organisation and embed diversity and inclusion in practice and staff relations.*

#### Activity

- Embed the pan-London Equality and Diversity (E and D) plan.
- Focus on people on probation E and D recording and ensuring there are tailored interventions available for protected characteristics.
- Staff forums that promote our diverse and inclusive organisation (i.e. Black History Month and International Women’s Day).
- All managers to complete the Equality Works training.
- Assurance of completion of diversity and inclusion forms.
- Continue the roll-out of the “let’s talk” sessions.



### **People**

*Utilise reward and recognition to recognise good practice and increase staff engagement. Ensure all eligible staff are engaged with the competency-based framework process.*

#### Activity

- Staff are regularly nominated under the reward and recognition process.
- All eligible staff engage in the Competency-Based Framework (CBF) process, and this is recorded on SOP (HR system).
- All staff receive line management supervision, reflective sessions, and performance management support.
- PDU wellbeing champion to continue to lead on wellbeing activities
- Head of Service to continue to provide one-to-one surgeries.
- Head of service to continue to provide the ‘making the PDU a better place’ forum on a quarterly basis.





## Learning and Development

*Learning and development plans are implemented as a priority to support continuous professional development for all staff.*

Activity
<ul style="list-style-type: none"> <li>• Completion of mandatory training in line with the PS London Learning development plan 2022-23 for each grade</li> <li>• Utilisation of mentoring for Southwark PDU PQiP learners</li> <li>• Utilisation of the Southwark Local Authority training packages</li> <li>• Ensuring all staff have a single point of contact for their professional development</li> <li>• All eligible staff are engaged in the CBF process</li> <li>• Opportunities are provided for staff wishing to progress and develop</li> <li>• Shadowing opportunities are made available</li> <li>• Quality development teams and peer group learning are embedded</li> <li>• Roll out of SEEDS2 (skills for effective engagement &amp; development) training for all eligible staff</li> </ul>



The plan also included a visual of the PDU's intention, as illustrated below:



We explored some of the details of these expectations with the Southwark team, which are highlighted below:

- All of the management and team meetings within the borough commence with an EDIB agenda item, which illustrates the significance of this for all involved.

*"Chantal is consistent in her approach, and I feel like consistency is key within probation. In every meeting there is a 10-15 minute dedicated slot."*

*~Arta Avdija, SPO*

- There is an EDIB champion for the PDU, who also supports to cascade messages from the central EDIB team, when resources allow.

- Chantal holds monthly Head of PDU surgeries for all staff to discuss any matters they wish to raise. Chantal felt this was important as she was conscious not everyone would feel comfortable to share in an open forum.
- Southwark hold quarterly forums for “making the PDU a better place” which is an opportunity for all staff to provide feedback on things ‘within our gift’ to change. Changes implemented as a result of these forums are communicated to all staff.
- They regularly hold team events, such as diversity and inclusion lunches (Black History Month, International Women’s Day etc) to promote discussion, quizzes and mindfulness sessions led by the PDU mental health ally.

*“There is a celebration of difference and culture, people feel respected and valued. It starts with small things, like ensuring the leadership team say hi to everyone in the morning and notice who is not themselves, so you can maybe speak to them. It is just being human.*

*We still need to do more, for instance exploring other diversity issues such as menopause and health issues.”*

~Andrea Clifford, SPO

- There is a focus on learning, which helps to understand diversity.

*“Practitioners need the confidence to explore issues, Chantal has promoted workshops and briefings where people come and talk to us (so it is good to see the new head has started like this).*

*We are constantly learning; conversations are really important to support this. It’s not about hiding behind our screens; this job is about collaboration, we need to talk to learn from each other, it’s not good to keep in silos.”*

~ Humphrey Agbukor, probation practitioner

- The EDIB team were invited to undertake an assessment of the team culture, comparing experiences of White and non-white staff which was then used to develop a strengths-based action plan to enhance team performance, and actions commenced immediately.

*“For example, the assessment raised concerns regarding the allocation of some cases to staff, so in response the SPOs now hold a daily allocation meeting. This process will consider the personal circumstances of the person on probation and the practitioner, taking account of protected characteristics, experience, what exposure people need to develop their skills, risk, expertise, and learning needs.”*

~ Angela Clifford, SPO

- There is evidenced progression in reducing staff experience of racial discrimination with clear messages that racism will not be tolerated.

We asked Soraya Farhani-Cuesta, a probation practitioner based at Southwark, why she thought the PDU was such an inclusive office and how she considered race in her work; she explained:

*“I could tell you many things, such as the events that celebrate inclusivity, the big promotion of inclusivity by high-ranking staff, the support and protection offered, or even*



*the diversity in Southwark. But in reality, there is only **one** thing that makes Southwark such an inclusive office, **PEOPLE**, including you, asking for my opinion."*

*~ (the emphasis was provided by Soraya).*

*In my opinion race is another aspect of a person and needs to be considered the same way we consider education, relationships, lifestyle and associates or even finances; everything is important, and everything might be relevant to offending behaviour, so it needs to be considered.*

*An example being:*

*I ask all my people on probation if they have had any contact with Police since their last appointment. My main interest are cautions, warnings and/or arrests but I say "contact" as it gives me the opportunity to discuss "Stop and Search". We know that young Black males are stopped and searched more than other populations, it doesn't mean they have done something wrong but unfortunately, it happens. When I ask and discuss those situations, I consider my person on probation's race and acknowledge their struggle because of it. It also gives me the opportunity to discuss their behaviour and feelings on those situations and I learn more from the person and their view of the system.*

A common theme amongst practitioners at the office was the importance of being curious. When asked to share what tips she had for other practitioners, Soraya said:



*"Acknowledge the differences, don't be afraid, differences EXIST and it's a good thing; diversity enriches us all.*



*Be curious and ask questions (respectfully); that's the way we all learn, but also accept the answer and DON'T challenge culture. You can challenge actions but never a culture that you don't know."*

When Chantal was asked what in practical terms other PDUs take from Southwark's approach, she shared:

*"Have equality, diversity, inclusion, and belonging at the beginning of every agenda, make the space and time for those events and lunches, be bold and transparent about difficult conversations, and always be open to listening.*



[The Inspectorate interviewed Chantal regarding her leadership style, you can read a full overview of the interview here.](#)

## **Example of effectiveness: Equality, Diversity, Inclusion, and Belonging team, London**

Following on from the Civil Service People Survey results of 2021, the Probation Service in the London region felt that the existing corporate strategy with regards to Equality, Diversity, Inclusion and Belonging in the organisation was not producing the desired results as employees still felt left out, undervalued and under resourced. Because of these perceived disconnects in the general health of the organisation, London probation decided to put together a new Equality, Diversity, Inclusion and Belonging (EDIB) team to examine the underlying issues, as well as propose and implement solutions to promote an inclusive organisational culture where everyone will feel valued, and diverse needs will be met.

Diversity and inclusion officers designed a Diversity and Inclusion project which consisted of identifying the underlying issues and/or best practices with regards to equality, diversity,

inclusion and belonging in different business units. For this project to be effective and feasible in practice, it was decided to pilot it before rolling it out to the whole of

London probation. The Diversity and Inclusion pilot consists of five steps: online survey, interviews, plan creation, implementation and review. Establishing these steps was of importance to ensure the pilot was delivered in a timely manner and to enable the diversity and inclusion officers to assess the situation in different business units in order to create a personalised plan for each of them. To achieve this, both quantitative and qualitative research methods were used. The online survey and one-to-one interviews served as ways to collect up-to-date and in-depth data which reflected feelings, perceptions and suggestions of staff related to diversity and inclusion matters in their workplace.

Prior to selecting the business units for the pilot, diversity and inclusion officers examined and compared the results of related themes in the People Survey 2021 for each PDU. Following this, the PDUs were ranked from highest scoring to lowest scoring and together with the Equalities Board it was decided that the pilot should consist of one lowest ranking, one average ranking and one highest ranking PDU in order to be more representative of London probation. For each participating business unit, a report was produced that included the survey and interview results, an analysis of the data collected, and recommendations to tackle the identified issues and to improve feelings of inclusivity in each unit. The issues that arose were similar across each business unit leading to similar recommendations. The effectiveness of this initiative and the interventions that followed will be measured by subsequent results in the Civil Service People survey.

### **Example of effectiveness: West Midlands Tackling Discrimination Council**

The regional probation director in the West Midlands convenes and chairs a cross-grade, cross-experience Tackling Discrimination Council, which seeks to address and reduce the individual and systemic discrimination experienced by both staff and people on probation within the region. It represents the wider staff group and is a forum in which discrimination is actively recognised, and systemic actions to tackle it are identified and progressed, including monitoring the diversity pledges made by the director. The council introduced the **Equality Experience Form (EEF)**, which aims to empower individuals within the region to report experiences of inequality anonymously in a safe space. The aim is to shape positive and real change to eliminate discrimination and influence a positive workplace culture. The data from the forms is coded and reported to the council to plan initiatives and share learning to address the issues raised, some of which are incorporated in the regional probation director's revised pledges.

## **Services**

### **Example of effectiveness: Social navigator, Walsall**

Walsall was selected to be a part of the Local Citizenship Pathway Project (LCP), this is based on a model of Social Prescribing utilised in the NHS but adopted to the justice system to create opportunities for people on probation to access community activities and support. The aim being to improve health and wellbeing, offer equality of access to sources of support, enable individuals to develop their identity and connect with support. A key component of LCP is the appointment of a Social Navigator. The most recent Race Equality inspection report found that probation practitioners often lacked knowledge of community facilities that are run by or are designed to meet the needs of ethnic minority groups. This project is a good example of one way of integrating people on probation, inducing ethnic minority people, into support available in their local community.

The responsibilities of a social navigator include:

- Offering an additional holistic pathway to assist and support probation practitioners
- Mapping community resources and schemes as well as identifying gaps in service provision and feeding back.
- Establishing relationships between people on probation and services in communities.
- Developing an understanding of resources and schemes in the community, and how to access them.
- Offering a clearly defined and understood pathway to community resources and services.
- Where possible, connecting people on probation with peer mentors to support their attendance at activities.

The strategic objective being to:

*Give people on probation the opportunity to develop social and human capital which contributes to their sense of identity as a member of their community to reduce reoffending beyond their sentence end date.*

Whilst we acknowledge the benefits of supporting people on probation to access services, particularly for those people who face additional barriers, it was the mapping of services, including those for ethnic minority groups, which we identified as effective practice during the fieldwork.

Jo Unitt, social navigator based in Walsall and Wolverhampton at the time of the inspection, shared her tips for mapping resources including:

- Check if there is an existing directory of services within the probation office.
- Network – meet with the local council to outline LCP and find out local information about community activities.
- Groups tend to advertise on Facebook – find those groups.
- Online research can be beneficial.
- Contact commissioned rehabilitation service providers – one social navigator teamed up with a local CRS provider so they could assess whether referrals were better suited to a CRS provision or LCP. This also helped expand the network of contacts and communicate the message of what LCP does.
- Network with other local link workers and social prescribers to share knowledge of community groups and activities. One social navigator teamed up with NHS link workers and attended an NHS social prescribing conference.
- Contact local colleges and sports centres to see if they provide free services.

Examples of activities found by pilot social navigators included community gardens/shed project, boxing, football, free gym memberships, and faith groups.

The inspection team was impressed with the tenacity of the social navigator in identifying opportunities, updating a directory of services, and ensuring that probation practitioners were aware of the range of services for people on probation available in their area, including resources for those from ethnic minority and faith communities.

### **Example of effectiveness: Tackling violence, Southwark**

Southwark is a borough with a high prevalence of urban violence, including incidents linked to serious group offending behaviour. Southwark is aware of the disproportionate numbers

of ethnic minority young men in the youth secure estate who will be transferring to adult services, some of whom have been involved in this behaviour. The local council have engaged partners in an analysis of the drivers of such behaviour and recognised the multiple and complex needs of those involved to develop a specifically tailored plan to tackle the root causes through the Community Harm Exploitation Operational Group (CHE-OG), a multi-disciplinary initiative aimed to address this.

One strand of this is the Community Harm Exploitation Hub (CHEH), an approach to children and young adults, aged between 16 and 24 years of age involved in gangs, county lines, the drugs market, violence, human trafficking, modern slavery and other forms of exploitation.

It is managed by the Southwark Community Safety & Partnerships Team and funded jointly by the Mayor’s Office for Policing & Crime (MOPAC) and partner agencies. There are a range of partners involved including Youth Justice Services, the Probation Service, Met Police, Southwark Gangs, Early Help, Social Care, Leaving Care, Department of Work and Pension, Southwark Works (ETE services), St Giles (mentoring service) and Together (forensic mental health service).

Children and young people can volunteer to engage with the CHEH who offer a comprehensive support package to the volunteers and their families around accommodation, ETE, substance use, finance and health, to facilitate a more pro-social identity away from serious group offending.

The child/young person is offered a package drawing on:	The family is offered a package drawing on:
<ul style="list-style-type: none"> <li>• An allocated key worker</li> <li>• Weekly face to face contact and telephone calls, at a range of appropriate locations for the individual</li> <li>• Risk assessment and safety plan to exit the negative lifestyle they are involved with</li> <li>• Advocacy to assist with identifying and or identified issues</li> <li>• Matched mentoring</li> <li>• Mental health support, trauma, drugs and alcohol support including assessments</li> <li>• Assistance with benefits and employment from DWP</li> <li>• Additional access to advice for employment, education and training careers service</li> <li>• Intensive mentoring, counselling</li> <li>• A &amp; E triage service at Kings Hospital by Red Thread</li> <li>• Provision of emergency rehousing and relocation through housing utilising the SERVE programme for high-risk cases delivered by SHIAN Housing</li> </ul>	<ul style="list-style-type: none"> <li>• Working in partnership with existing services around the family</li> <li>• Diversionary interventions for younger siblings in a family setting</li> <li>• Benefits and employment support for adult family members</li> <li>• Access to support for those affected by adverse experiences, (e.g., domestic abuse, trauma support).</li> </ul>

<ul style="list-style-type: none"> <li>• GP registration (if required)</li> <li>• Resettlement work</li> <li>• Diversionary activities where required for physical health and self-esteem to build emotional resilience</li> </ul>	
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**Professionals receive:**

- Multi-agency training to raise awareness of contextual safeguarding and linked subjects, such as trauma-informed practice and County Lines
- Annual conference with partners and stakeholders to share learning from the CHEH
- Mobilising the community – the team will include existing voluntary provision such as mentors and resettlement workers where there is evidence of promising practice. It will also include community workers who the team have identified and developed.

Southwark PDU have an SPO and three single points of contact (SPoC) for the CHEH. The SPoCs receive additional training, have ongoing reflective discussions, and receive serious group offending updates which they share across the team. They also undertake consultations with colleagues around working with specific cases.

Arta Avdija, the SPO linked to CHEH, shared:

*“All of the professionals involved with the CHEH have a passion to change lives and help people, which is clear from their contributions to the hub. The shared responsibility across multiple agencies is beneficial in understanding the individual’s current circumstances, what is supporting their progress, and what is hindering them.*

*We are able to advocate for the young people and all panel members are held to account, as people are comfortable in challenging each other. For example, in one meeting we shared that one young man had been stopped and searched nine times in under five hours, and there were other cases heard that day, with more active intelligence, who had not been stopped. We were able to discuss the rationale and bring more awareness to issues such as disproportionality.”*

The work of the CHEH draws heavily on the concepts of contextual and transitional safeguarding, which you can read more about in the following HM Inspectorate of Probation Academic Insights:



- [Transitional Safeguarding](#) by Dez Holmes and Lisa Smith (2022)
- [Contextual Safeguarding](#) by Dr Carlene Firmin (2020)

**Example of effectiveness: Muslim Women in Prison**

The Muslim Women in Prison (MWIP) rehabilitation project is based at the Khidmat Centres in Bradford. It is a community-led, culturally and faith-informed resettlement programme that supports women primarily, but not exclusively, from HMP/YOI New Hall and Askham Grange prisons in West Yorkshire.

MWIP is a specialist frontline service that supports women to mitigate and overcome the huge challenges that they face in their journeys back into the community. In the process, MWIP has become only too aware of the need to work collaboratively at a very practical level with agencies including prisons, probation services, and allied criminal justice system (CJS) and community agencies to mobilise tailored input.

As part of its advocacy role, MWIP places heavy emphasis on evidence-based research, inclusion of lived experience voices, and the need for collaboration with academic and non-academic institutions to inform change in policy and practice. Thus, the project successfully straddles across the CJS, family, community, and allied agencies to unpack and evidence what a culturally and faith-informed holistic approach looks like on the ground.

MWIP is funded from charitable sources, such as the Lloyds Bank Foundation and Barrow Cadbury Trust.

In this video, Sofia Buncy, the director of Muslim Women in Prison, talks about this valuable grassroots service and why it is important for those working with Muslim women to have a good understanding of their cultural and faith context to work with them effectively.



[Video \(YouTube, 21:36\): Muslim Women in Prison Project: A culturally informed grassroots model \(HM Inspectorate of Probation\)](#)



## IT and facilities

### Example of effectiveness: Use of data and information to monitor disproportionality in the West Midlands

The West Midlands region has established an Equality, Diversity, and Inclusion (ED and I) Governance Board, which oversees the analysis of staff and service user management information to take action to address emerging issues, and mitigate disproportionality in staffing and service delivery; it receives quarterly data and information reports.

The West Midlands piloted the probation equality monitoring tool, which has been made available to managers and senior leaders responsible for reviewing disproportionality at PDU level. The tool provides evidence on how services are experienced by people on probation. A heatmap summarises whether there is evidence of disparity of outcome for each protected characteristic on each identified metric, e.g. unpaid work, accredited programmes, enforcement, housing, and employment, at national, regional, and PDU level. It is being used by the dedicated race lead and performance and quality team leads to inform their areas of work, including any disparity in services delivered by community partnerships.

A recent analysis of enforcement activity suggested that White people on probation had action taken for breaching their probation disproportionality, which led to a further analysis to identify whether ethnic minority groups were less likely to be referred to structured interventions, which proved not to be the case.

## Resources



HMPPS have published this overview of [Career Pathways](#) within the service, which may be a useful tool for internal staff to consider their career progression opportunities.



The Criminal Justice Alliance (2023) has published [Beyond a numbers game. Diversity and inclusion of Black, Asian and minoritised staff in the criminal justice workforce](#), which includes checklists of actions for employers to improve recruitment and progression of ethnic minority staff.



The West Midlands probation region have produced a [mentoring handbook](#) setting out the various schemes they have available.



## Tools



Book clubs may be a useful approach to further understanding and open conversations.

For example, the East of England leadership team shared that they are reading a book called *The Good Ally: A guided anti-racism journey from bystander to changemaker* (Reid, N. 2021) and are proactively engaging in conversations about it.

Some regions involved in the fieldwork, notably London and the East of England, proactively and routinely share diversity calendars, sent by the central team, and highlight various celebrations in order to support cultural awareness.



[Diversity and inclusion calendar, March 2023.](#)

In two offices visited during the fieldwork, Nottingham and Southwark, teams had shared personal biographies of themselves in order to promote cultural awareness and cohesion within the teams.



For those readers with access to the HMPPS Intranet there is a 'Diversity and Inclusion learning hub', which includes a range of resources, such as seven-minute briefings, recorded videos and reports specific to diversity and inclusion. All of the learning is searchable by the relevant protected characteristic, and you can filter for specific characteristics.



HMPPS have produced a [RAP Race Ally Tool Kit](#).



### Reflection questions

Reflecting on this section:

#### From a strategic perspective:

- What is your area's approach to outreach to underrepresented groups? How could this be better supported?
- What training and support there is in your area for supporting colleagues who have suffered racial trauma?
- How is mentoring of ethnic minority staff who would like to progress being promoted in your area?
- What plans does your PDU/Region have for undertaking assessments of the workplace climate/culture in relation to race equality, to make it more inclusive and to reduce instances of discrimination, harassment and bullying?
- What is your PDU/regions approach to helping ethnic minority children transition into adult services that are responsive to their needs?
- How is your PDU/region analysing data on disproportionate outcomes for ethnic minority staff and people on probation and turning this into information for action?

#### From an operational perspective:

- What opportunities are there for sharing stories about people's different backgrounds and cultures in your team/area?



- Are there opportunities for ethnic minority people on probation to contribute to training of probation staff?
- What behaviours do you think leaders should demonstrate, and what actions should they take that provide a clear commitment to addressing issues of race equality in probation?
- How are staff involved and supported in identifying and tackling discrimination and inequality?
- What structures are there in your area for supporting staff to identify and link ethnic minority people on probation into community resources that meet their cultural and desistance needs?
- What grass roots services are available or should be commissioned in your area to meet the specific needs of ethnic minority people on probation?

# Learning from people on probation

The HM Inspectorate of Probation's 2021 race equality thematic showed that many Black, Asian, and ethnic minority people on probation had experienced racism, discrimination, and disadvantage in their lives, *and* as they had progressed through the justice system. Many did not feel that probation staff had a good understanding of their culture, religion, heritage or experiences. Some felt that probation staff were reluctant to ask about their experiences.

At that time, about half of the people on probation interviewed said they had formed a good relationship with their responsible officers; the others were neutral or less positive. All the ethnic minority women interviewed said they would prefer a non-white responsible officer. Some men expressed a preference for a practitioner from a particular ethnicity who might understand them better. Others did not, with some thinking that people of their own ethnicity might be harder on them. The practitioner's approach to engaging with the person on probation was more important than their ethnicity.

Few people on probation were referred to services in the community that helped with their resettlement, and many had found out about such resources themselves.

The findings directly from people on probation Empowering People Inspiring Change (EP:iC) consultancy in 2021 suggested that:

- phrases like *BAME* are problematic
- most have experienced or witnessed racism in their lives
- most rely on family, friends or faith groups rather than probation
- probation officers do not always know how to open up conversations about race, ethnicity or culture.

Following the race equality thematic inspection in 2021, the East Midlands region commissioned a film of ethnic minority individuals talking about their experiences on probation. Some of the themes covered were:

*"A need for more knowledge and understanding."*

*"Probation staff need support to understand our perspectives."*



For the follow-up inspection, we commissioned the services of User Voice, a national charity created and run by people who have been in prison and on probation to give a voice to those in the criminal justice system. It surveyed 82 people from ethnic minority backgrounds to gather their perspectives on the service that they had received from probation.

We are grateful for the insights of these individuals, whose feedback we have used to inform our findings for the thematic inspection.

User Voice identified six issues from the feedback and has suggested solutions for each issue as illustrated below:

## People on probation felt decisions were made in isolation of their voices:

People on probation feel like key decisions are often made without them having their say



People want to have their say in how probation is run. They want a voice. A peer-led approach which increases the involvement of minority ethnic people on probation would serve to amplify their voices.

People shared:

*"I definitely think lived experience can help improve the probation system. I wish I had more of a say in how probation is run."*

## People on probation felt their religious beliefs were not taken into account:

People shared:

*"It's been difficult with probation as my probation officer is not able to talk about religion. I do think that probation should hear our experiences."*

*"My first couple of weeks on probation they tried to schedule meetings on Fridays but because of religious meetings I couldn't attend, and they were very understanding."*

The religious beliefs and practices of people on probation are not being taken into account



Probation practitioners need to take the time to speak to an individual about their religious beliefs and their cultural heritage. This cannot be in a 'tick box style' way. Such topics need to be discussed during an open conversation to better understand the individual and their needs.

People on probation who were from migrant communities or who could not speak English felt left in the dark:

Foreign national people on probation, for which English isn't their first language, are often left in the dark



The Probation Service should make better use of translation services and ensure support and interventions are both accessible and suitable for non-English speakers.

People shared:

*"The lack of language made everything difficult."*

*"I didn't have a translator and probation staff didn't know what to do with me."*

*"It is hard to make my voice heard because of language barriers."*

*"Probation needs to put more support in place for non-native people."*

People on probation felt the experience of practitioners varied significantly, which they felt could impact on their rehabilitation:

People said:

*"People need to understand that people of Black, Asian or ethnic minority backgrounds, we always get the worse end of the treatment ... we get harsher treatment, like if you compare it to any other person or any other race."*

*"They were very clear on what was expected of me and all my needs although I didn't have many [that] were considered. I was very lucky. She was very understanding. We work as a team; I have her phone number and call her every time I'm struggling. She's gone above and beyond."*

*"My new probation officer is more considerate, she's [done] more to adapt to my cultural needs. In the past I've been threatened with breach around Friday prayers, because I went to that instead of coming to an appointment."*

The level of experience of practitioners varies significantly, which can impact on rehabilitation.



It would be beneficial to provide in-depth training that involves both people with lived experience and staff of a minority ethnic background.

People on probation felt there was a lack of diversity in senior positions:

There is less diversity in senior positions.



Employ more people from a minority ethnic background into senior positions. Where this is already the case, it has been noted to foster understanding across the rest of probation staff.

People gave mixed views, but it was clear diversity was important:

*"It's not diverse, its only diverse in the security and reception, in the lower paid staff, you know?"*

*"It is important to have a mix of every culture. When you just have White race and no one knows any other background, who are they to judge you? it's not very diverse, mostly White I'd say."*

*"The office is diverse, it's very important. I'd feel uncomfortable otherwise and makes me question why. It makes me feel reassured."*

*"Office is quite mixed, multicultural. Criminals come in all different colours, size, and shape, it's very important to have representation to*

*feel comfortable."*

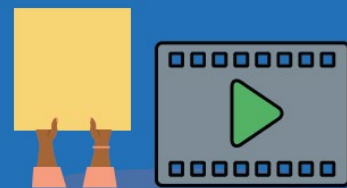
People on probation felt that there was a general lack of understanding of their cultural backgrounds:

People said:

*"I felt discriminated against. Because of my cultural background, I feel like we're all classed as one instead of individual people. It's more of an 'Asian group thing' instead of the single person that happens to be Asian."*

*"We didn't have any discussion about my needs, cultural or otherwise, and I do have cultural needs; would have been nice to talk about it."*

People on probation felt that there was a general lack of understanding of their cultural backgrounds



Celebrate the cultural heritage of people on probation through campaigns, posters and awareness sessions. This would result in those from a minority ethnic background feeling more welcomed and considered.



[You can print out full version of these six solutions here.](#)

[The User Voice report can be accessed here](#)



## Reflection questions

Reflecting on this section:

### **From a strategic perspective:**

- How can ethnic minority people on probation have more of a say in how probation is run in my area?
- How can I ensure that interpreting and translation services are made available and used consistently where needed to ensure equality in communication with people on probation?

### **From an operational perspective:**

- What do I need to do to improve my understanding of the culture, religion, and heritage of the people on probation I supervise?
- Do I ask the ethnic minority people I supervise on probation about their experiences of racial discrimination? Should I do so in all cases?



# Case management themes

This section focuses on examples of recognising, responding, and referring, based on an individual's unique identity. An important part of any individual's identity is their culture, a significant part of this stems from their race and ethnicity. Practitioners would benefit from using professional curiosity to recognise and record the individual's race, culture, and other aspects of their identity, then respond to it by analysing how it impacts their engagement, offending behaviour and desistance journey, and amending practice accordingly and record the response. Finally, where appropriate, refer to services tailored to meet the individual's specific needs and record this.

Recording is important as it allows the service as a whole to understand the demographics of those we work with. From this the right services can be commissioned, and leaders can understand how staff are responding to individual needs to sustain positives and address any areas of development.

## Recognise and record

To undertake a personalised assessment and tailor the sentence plan accordingly it is vital to have a clear understanding of people on probation, recognising their diversity and their differing needs and expectations. Recognising this alongside the analysis of the individual's risks and needs is paramount in deciding on the sentence plan. As highlighted in the desistance literature, this should also build upon the individual's personal strengths and skills, which will undoubtedly be influenced by race and culture.

Consequently, the diversity of the person on probation must be recognised on multiple levels; their individual identity, how this impacts on their offending behaviour and how it impacts on their desistance journey. The significance of this was acknowledged by some of the participants interviewed by User Voice, as illustrated in the quotes below:



*"We didn't have any discussion about my needs, cultural or otherwise, and I do have cultural needs, it would have been nice to talk about it."*

*"I was talked to about family but no questions on my background. They asked about upbringing, but they had little understanding of it and of the effect it had on me. They didn't ask the right questions, for example about religion and stuff."*

The difference it could make in recognising diversity and the impact is illustrated in the quote below:

*"Where I went to school, where I grew up, everything was still kind of segregated. There were catholic schools, schools for Muslims and church of England schools etc. Being mixed race, they were never sure where to put me. All my life to Black and Asian people I was White, but to hite people I was Asian. I never really fitted in anywhere. I used to pretend to be Portuguese or Spanish so I wouldn't get jumped in the streets."*



*I went through all of this with my current PO before I was released and it really helped, it helped us get to know each other. It's the first time I've been able to openly speak with a PO. I just speak to him like I would speak to anybody else."*

Goodman (2022)<sup>13</sup> argues that, following the continuing failures in racial equality highlighted in our previous thematic inspection report (HM Inspectorate of Probation, 2021), the unified Probation Service must work towards embedding explicitly anti-oppressive practice. Practitioners need to be trained to understand in a holistic way the lives of people on probation – their race, class, childhood experiences and other aspects of their history and current circumstances. Such a comprehensive understanding will allow for better engagement through a more grounded understanding of the discrimination and pains that have contributed to being criminalised.

Under the Equality Act 2010 the Probation Service has a statutory requirement to collect information on the protected characteristics of those they work with. Capturing this information can serve to open a dialogue about someone's race, their cultural heritage and how this impacts on their identity, thinking and behaviour. Furthermore, this information can be used to inform policies and practice and to commission services relevant for the demographics of those we work with.

The tools the probation service have to open dialogue and recognise diversity include the diversity and inclusion form (DIF) and the OASys assessment tool, which can be used within pre-sentence reports, assessments, sentence planning, when undertaking interventions and during reviews.

Unfortunately, during the fieldwork we saw multiple examples where these opportunities to discuss race and diversity were not seized. In some cases, the forms were not completed, in others there was conflicting information and on occasions, known information was not carried through from sentencing. For example, where an interpreter was required for Court, but this had not been explicitly shared with the receiving office.

On some occasions the influence of race and culture were recognised on a surface level, but this was not explored in any detail. For example, a foreign national case who had fled a country with a poor human rights record, was described as having left due to "what was happening in his country" but there was no analysis of what the specific impact was on him and if this played a role in the attitudes which underpinned his violent offending behaviour.

Recognising an individual's race and culture and analysing how these impact on them will result in a more comprehensive assessment of the person and mean you can then tailor the sentence plan to be more individualistic.

During the fieldwork we did see limited examples of practice where diversity was recognised as highlighted below:

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<sup>13</sup> Goodman, A. (2022). 'Probation: The Need for Anti-oppressive Practice After Reunification: An Examination Of History And Policy.' British Journal of Community Justice. [Online First](#).



## Case illustration:

Ishir was subject to a Suspended Sentence Order for driving related matters, with a history of offending of a similar nature under the influence. There is a strong focus on desistance and an exploration of potential barriers to moving to a pro-social identity. For example, barriers to obtaining employment as a result of his offending history but also his experience of discrimination due to his ethnicity. This is recognised and discussed in detail. The plan of work which focuses on a referral to CRS for ETE and well-being sessions clearly identifies Ishir's observation of religious festivals, so appointments can be planned accordingly.

## Resources and tools



**OASys questions:** The OASys assessment provides multiple opportunities to explore diversity. In this attachment, the Inspectorate has offered some observations regarding possible points to explore throughout OASys sections 1-13, which may be informed by race, ethnicity, and culture. This is not an exhaustive list, and neither would we expect practitioners to go through each question with a person on probation. It merely illustrates how diversity could be considered within each section.

With thanks to the following people for their assistance with this document: Paulette Burrell, Assistant Inspector; Marj Rogers, short-term placement and Deputy Head of Birmingham North, East and Solihull PDU; Samson Adewole, probation practitioner, Southwark; and Sarah Chamberlain, Senior Policy Lead, Community Sentence Management team, HMPPS.

## Respond and record

Once a practitioner has recognised the person on probation's diversity within their unique identity it will be important to be responsive to this in how they engage, conduct the assessment and plan, deliver the intervention, and review.

*"Desistance research takes success stories seriously. The research does not start with programmes and aggregated outcomes, but individual lives and personal trajectories. Recognising the individual as the agent of change, desistance research explores individuals' social contexts, embedded social networks and subjective interpretations as keys to understanding long-term life change."*

*~Maruna and Mann (2019)<sup>14</sup>*

Probation can support an individual's desistance by following the principles identified on the Inspectorate's research pages (which are all influenced by the person's unique identity), including:

- **respect individuality:** since the process of giving up crime is different for each person, delivery needs to be properly individualised

<sup>14</sup> Maruna, S and Mann, R (2019) Reconciling 'Desistance' and 'What Works' Academic Insights. HM Inspectorate of Probation. [Academic-Insights-Maruna-and-Mann-Feb-19-final.pdf](https://www.justiceinspectorates.gov.uk/academic-insights-maruna-and-mann-feb-19-final.pdf) ([justiceinspectorates.gov.uk](https://www.justiceinspectorates.gov.uk))

- **build positive relationships:** people on probation are most influenced to change by those whose advice they respect and whose support they value; personal and professional relationships are key to change
- **recognise the significance of social context:** desistance is related to the external/social aspects of a person's life as well as to internal/psychological factors; giving up crime requires new networks of support and opportunities in local communities
- **recognise and develop people's strengths:** promoting a range of protective factors and taking a strengths-based approach should be part of the supervision process. For example, strong and supportive family and intimate relationships can support individuals in their desistance journey.



A further principle is the need to respect and foster agency or self-determination. This means working **with** service users rather than **on** them. Research with people on probation highlights the importance of real collaboration and co-production, and engagement with individuals as 'active collaborators'. When working with people from ethnic minority backgrounds, practitioners should be mindful of the impact of previous experiences of discrimination with authority figures, and may need to work harder to gain an individual's trust and motivation to collaborate.

This illustrates the importance of practitioners responding appropriately to diversity. This includes considering practical factors to support compliance and engagement, and facilitating factors which support desistance. There are multiple considerations for probation practitioners; we highlight a few below which were most pertinent from the fieldwork conducted for the thematic; however, please note this is not an exhaustive list, merely what was evident during the inspection.

## Probation practitioner's approach

A core aspect of the engagement process is trust; people on probation need to have trust in their probation practitioner. This is of particular significance for those from an ethnic minority background who are likely to have faced discrimination from services.

Practitioners need to be reliable, follow through on their promises, hold clear and appropriate boundaries in terms of engagement, and model this to people on probation. Staff should be consistent in their approach. During times of transition for the service, practitioner or individual, they need to communicate with transparency about the changes. Furthermore, when pursuing enforcement, this also needs to be transparent, timely, and flexible, in order to be responsive to the individual's protected characteristics and circumstances. People on probation need to have a clear understanding of the practitioner's roles, expectations, and boundaries. Procedural justice theory is a way of working that can help build trust. The theory states that if people feel they are treated in a procedurally fair and just way, starting from the very first contact, they will view those in authority as more legitimate and respect them more. They are more likely to comply and engage, even when the outcomes of the decisions or processes are unfavourable or inconvenient.

There are four key principles of procedural justice, as illustrated in **Figure 2** - voice, neutrality, respect, and trustworthy motives.

Ball, Singh and Worsfold (2022)<sup>15</sup> call for practitioners and policymakers to found contemporary probation practice upon 'procedural justice'. Their re-analysis of the HM Inspectorate of Probation thematic inspection data identified that the treatment of ethnic minority people on probation, and staff, failed in respect of the key elements of procedural justice, namely voice, neutrality, respect, and trust.

The authors argue that these key procedural justice concepts could act as an audit tool for implementing the recommendations of the 2021 thematic inspection report and each of the subsequent HMPPS action plan points. How well the issues are being tackled can be tested through the procedural justice lens with ethnic minority service user consultation forums, umbrella groups for community services (such as Clinks), and staff associations.

### VOICE



People need to have **the chance to tell their side of the story** and to feel that authority figures will listen and sincerely consider this before making a decision.

### NEUTRALITY



People need to see authority figures as **neutral and principled decision-makers**, who apply rules consistently, transparently and do not base their decisions on personal opinion or bias.

### RESPECT



People need to feel **respected and treated courteously** by authority figures, believe their rights are considered equal to those of others and that their issues will be taken seriously.

### TRUSTWORTHY MOTIVES



People need to see authority figures as people with **trustworthy motives**, who are sincere and authentic, who listen and care and who try to do what is right for everyone involved.

**Figure 2: The four principles of procedural justice** (taken from HM Inspectorate of Probation's research page: [procedural justice](#))

<sup>15</sup> Ball, K., Singh, A. and Worsfold, T. (2022). 'Race Equality in Probation Services in England And Wales: A Procedural Justice Perspective.' British Journal of Community Justice. [Online First](#).



You can read more about [procedural justice](#) on HM Inspectorate of Probation's research page. This provides an overview of the theory, a summary of the evidence available, and how it can be put into practice.

During the inspection, we did see cases which demonstrated this approach, including the case below.

Inspectors said of Leon's case:

*"The practitioner acknowledges the person on probation's mistrust of authority, reports of discrimination and communication challenges and adapts her style accordingly.*

*She is proactive in her attempts to engage Leon and goes above and beyond to try and help him stabilise."*



### Case illustration:

Leon has a lengthy history of offending behaviour and is, therefore, managed by the integrated offender management (IOM) team.

Leon discloses that he feels he faces discrimination in sentencing due to being from a family well known to the justice system. The practitioner acknowledges this, his chaotic lifestyle, and previous negative experiences of authority and, consequently, works tirelessly to engage him in services to support stability in the community.

Throughout supervision, the practitioner goes above and beyond to assist in supporting Leon to increase stabilising factors in the community, utilising community services to secure accommodation and a capacity assessment (learning difficulties) to seek guidance in how to tailor services, as well as offering practical support – she collects food from a foodbank, takes it to Leon, and provides guidance on how to cook.

## Practical factors to respond to

### Language

Language can present as a significant barrier for some people on probation, it can limit access to help and support, as well as prevent engagement with certain interventions, which may feel unjust and isolating for some. For those where English is not their first language their needs may intersect with other vulnerabilities, such as no recourse to public funds.

It is also important to be aware of other speech and language difficulties. Nearly 20 per cent of the population may experience communication difficulties at some point in their lives<sup>16</sup>. Given the additional complexities of people on probation, including school exclusions, deprivation, and trauma, it is likely there is a much higher

<sup>16</sup> Scottish Executive Social Research (2007). Communication support needs, a review of the literature. [Communication Support Needs: A Review of the Literature \(iriss.org.uk\)](http://www.iriss.org.uk)



prevalence in this cohort of individuals. In fact, the Royal College of Speech and Language Therapists (RCSLT) website suggests that over 60 per cent of young people in justice settings have speech, language and communication needs (SLCN), although this dates back to 2017 so it could well be higher.

These issues are further exacerbated by the often complex language used within the criminal justice system, including jargon and multiple acronyms, resource pressures sometimes making it difficult to adapt language, spoken and written, and to clarify understanding, as well as the challenges of working with interpretation services, resulting from lack of resources, a lack of understanding about roles and responsibilities and variations in the service received.

Consequently, it is vital probation practitioners are conscious of this and adapt their communication style accordingly.

We did see an excellent example of this in the case illustrated below:

*“the person on probation’s speech, language and communication needs were identified early and the practitioner responded well adapting her practice. She also recorded the rationale for judgements she made in how she managed the case.”*



### Case illustration:

Tyrell received an extended custodial sentence and has a history of non-compliance.

The probation practitioner notes that Tyrell may have suffered discrimination because of his race combined with his learning disability. He has a low IQ and struggles to understand information and, therefore, she is responsive to this. The OASys and nDelius records indicate that information is conveyed in bite-sized chunks and she frequently uses pictures to support communication. For example, the licence conditions were adapted using visual aids to explain things.

The practitioner recognised that Tyrell was more engaged with face-to-face rather than telephone contact to allow for these adaptations. Therefore, when he was recalled, the practitioner ensured they booked a video link to discuss the situation with Tyrell.

The induction process was undertaken over a series of sessions to clarify his understanding at each point. The records clearly identified the professional judgement which supported this decision.

The practitioner was supported by a case consultation with the offender personality disorder (OPD) team which supported the understanding of his learning disability, diagnosis of paranoid schizophrenia, and co-morbid dissociative personality disorder.

### Allocation

As part of the allocation process, diversity issues should be considered to match people on probation with practitioners according to protected characteristics, where appropriate, skill set, and expertise.

As highlighted in the 'leadership' section, we note that in response to an EDIB survey, the SPOs in Southwark now have a daily allocation meeting to ensure cases are allocated across all of the teams based in the PDU. The SPO group consider protected characteristics, underlying causes of the offending behaviour, knowledge, and skill set, as well as learning requirements in doing so.

### Scheduling appointments

Practitioners should schedule appointments in accordance with the person on probation's individual circumstances to accommodate caring responsibilities, employment, and religious commitments, for example.

The importance of this was shared by multiple people who spoke with User Voice, as illustrated in the quote below:

*"My first couple weeks on probation they tried to schedule meetings on Fridays but because of religious meetings I couldn't attend, and they were very understanding."*

This should be routinely discussed as part of the induction process and revisited in the light of any change of circumstances and/or compliance levels in order to maximise opportunities for effective engagement. Ideally, such discussions should be instigated by the practitioner, as opposed to the person on probation, to be mindful of the power dynamics in the relationship, as not all would be comfortable to raise it.

The case below, from the OMiC inspection (HM Inspectorate of Probation 2023b) is a good example of this. Inspectors commented:

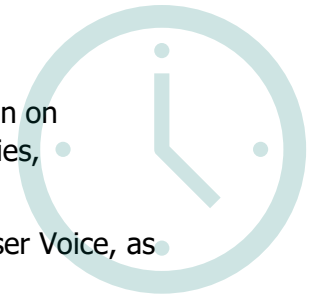
*"The practitioner engages well with Rashad and explores how his identity impacts on his thoughts, behaviour and level of compliance. As a result, work focuses on culture and maturity, and sessions are arranged to fit around work commitments – illustrating an individually tailored approach for Rashad."*

#### Case illustration:

Rashad is assessed as a high risk of harm following his release and involvement in serious group offending. The records indicate that a diversity and inclusion form is completed, which initiates a supervision discussion about his mixed heritage. The practitioner explores this in some depth with Rashad and offers an analysis of the impact of this within the assessment, notably the impact of his estrangement from his Black, Muslim father on his identity, and access to meaningful cultural experiences and relationships.

As such, when scheduling future appointments with Rashad, the practitioner acknowledges the importance of him attending Muslim prayers and participating in religious holidays. The practitioner was also flexible around his rotating shift pattern.

In addition, based on their discussions, the practitioner recognises some deficits in Rashad's thinking and behaviour, especially around his social skills, which had impeded his progress in developing more pro-social networks. Consequently, Rashad and the practitioner identify work from the Choices and Changes resource pack. The work and potential benefits are discussed with Rashad and ... included on his sentence plan.



## Access to resources

An individual's race can impact on their access to resources and probation practitioners need to be mindful of this as it will affect the work undertaken.

Gavrielides (2019)<sup>17</sup> outlines a practical approach to working with ethnic minority people on probation. He first outlines how the generic principles of desistance must be tailored towards different groups. For example, accessing informal social networks is identified in the desistance literature as important to reintegration. He promotes an adapted version of the Good Lives Model (GLM) (Ward, 2010)<sup>18</sup> as a practical tool for probation provision to ethnic minority people on probation. The GLM posits that self-pride and setting positive goals are the key to thriving, personal growth and realising one's potential. The tool has at its heart service user involvement and engagement, and a human rights focus. There needs to be user-to-user support, especially for Black service users, to directly address race and self-image issues. There should be genuine choice over family involvement in probation. Temporary accommodation needs to be culturally appropriate, and sensitive to gang-involvement and neighbourhood factors. Most importantly, organisations need to change, and leaders must show active support for change. Training and development in racial equality is a must. Moreover, there needs to be ethnic minority ex-service user/lived experience input into all business planning, management and monitoring processes. Sentencer and ex-service user meetings need to be arranged so that the former can understand better the lives of the latter.

In addition, Bunn (2019)<sup>19</sup> outlines that the challenges of resettlement after a custodial sentence are further exacerbated by structural barriers including gender, race, class, and age. Consequently, in his Academic Insights paper Cracknell (2022)<sup>20</sup> argues a key principle of resettlement:

*"involves the practitioner being cognizant of intersectionality and its impacts upon the resettlement process".*

Therefore, we would urge practitioners to take this into consideration when undertaking assessments, planning and delivering work with people on probation.

The case below illustrated:

*"how the practitioner viewed the offending behaviour through a wider context, considering the young man's experiences as a victim of modern-day slavery, discrimination and experiences with authority figures.*

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<sup>17</sup> Gavrielides, T. (2019). 'Working with Black and Ethnic minority Groups in the Penal System' in Ugwu-dike, P. et al (eds), *Routledge Companion to Rehabilitative Work in Criminal Justice*. Abingdon: Routledge.

<sup>18</sup> Ward, T. (2010). The good lives model of offender rehabilitation: Basic assumptions, etiological commitments, and practice implications. In F. McNeill, P. Raynor, & C. Trotter (Eds.), *Offender Supervision: New Directions in Theory, Research and Practice*. Willan Publishing

<sup>19</sup> Bunn, R. (2019). 'Intersectional needs and reentry: Re-conceptualizing 'multiple and complex needs' post-release', *Criminology & Criminal Justice*, 19(3), pp. 328-345

<sup>20</sup> Cracknell, M (2022) Effective practice in Resettlement. Academic Insights. HM Inspectorate of Probation. [Academic Insights 2023/01 - Effective practice in Resettlement \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/academic-insights/2023/01-effective-practice-in-resettlement/)

*She also recognised the additional challenges he would face in accessing positive factors, such as ETE and therefore, she referred him for additional support in this area."*



### Case illustration:

Sham had been involved with county lines and received a custodial sentence. He was 18 years of age at the time of the offence and, as his two co-defendants were younger, he was seen to be more culpable. Whilst the practitioner acknowledged this, she recognised his vulnerabilities to exploitation and viewed the offending behaviour through this lens and the trauma he had disclosed, especially given the length of his involvement with county lines.

Sham was recalled as a result of failure to keep appointments. However, the practitioner proposed a fixed-term recall, as opposed to standard recall, as she wanted to re-engage him. While he was in prison, she arranged a video-link visit alongside the employment officer. The employment officer worked with Sham to complete his CV, such that shortly after release he secured an interview. Sham was supported to apply for funds to buy a suit and shoes for the interview; he was successful in this and secured the job.

Records illustrated that Sham disclosed to his practitioner that while on route to a job interview he was stopped by undercover police. He was questioned about where he was going, and the police took him into the public toilets at a train station and conducted a strip search.

Sham stated he complied as he just wanted to get away so he could go to the job interview. The practitioner acknowledged that this was unacceptable. She also contacted the local sergeant to complain about the incident and request that it was investigated. Unfortunately, the sergeant said the police were not local, therefore, he did not know who they were, and noted the time period in which to raise a complaint had reduced from thirty to 7 days and 7 days had already passed. The practitioner then spoke to Sham about his rights, so he was aware for any future issues.

### *Foreign national people on probation*

The legislation surrounding foreign nationals is some of the most fluid in parliament and some practitioners face challenges in attempting to manage effectively this cohort under supervision. They are more likely to face additional challenges in building social capital to stabilise dynamic risk factors. Language barriers, the uncertainty surrounding the deportation process, and its impact on sentence progression, as well as challenges in accessing statutory services, can combine to create an additional vulnerability for this cohort. Underpinning this vulnerability is an increased association with the risk of modern-day slavery, and its implications for inhibiting rehabilitation.

Sentence management with this cohort will follow the same principles as generic sentence management functions. For example, practitioners remain responsible for engaging those with personality disorder traits or who face substance misuse issues, as well as support to access and complete cognitive interventions.

Processes to support these individuals can be complex for frontline staff to navigate. However, when practitioners were aware of the issues presented by the status, could

advocate for people on probation and build this into supervision, we saw evidence of positive engagement and desistance work (as illustrated in the Nojus case on page 52).

We spoke to Osman Nazir, HMPPS foreign national offender lead, who shared some useful tips for practitioners to consider when working with this group of individuals:

- Working in this area can be a challenge if you do not understand the policies and process so, as and when you have someone from a foreign national background on your caseload, consider undertaking specific research and training. For those working in the Probation Service we would suggest completing the foreign national offender e-learning and sign up to the CPD offer of the foreign national offender coordination hub.
- Cultivate a procedurally just approach to your cases; this 4:06-minute YouTube video (below) explains more about this approach. Practitioners are not expected to become experts in immigration law but can take a personal responsibility to have a greater awareness of the experiences that foreign national offenders are uniquely subject to.



[Video, \(YouTube, 04:05\) HMPPS Procedural Justice \(HMPPS Insights\)](#)

- Foreign national offenders are not a homogenous group. While it is their immigration status that makes them a specific cohort, cases will range from those who have grown up in the UK since early childhood to those who have clandestinely arrived more recently and for humanitarian reasons.
- Do not assume nil entitlement to work, benefits, and local authority assistance because of foreign national offender status. Be discerning and seek confirmation about someone's entitlements. Often, people on probation themselves will not know what their immigration status entitles them to.
- The impact of the stop and start nature of immigration detention on your risk management plans can be challenging. The best way to avoid crisis management is strong engagement with your person on probation both pre- and post-immigration detention. For example, all prisoners transferred to an immigration removal centre are provided with a mobile phone – giving you the opportunity to have ready contact and explore their intended resettlement plan and undertake your address safeguarding checks (if not already done so).
- Even where people are of Home Office interest and have been detained, criminal justice agencies still maintain primary responsibility for protecting the public. They do so via the mechanism of the licence or sexual harm prevention order, SHPO (for convictions of a sexual nature). So do not view immigration detention as a risk management measure in itself, but rather a process that your person on probation is only currently subject to.

- Do consider referral to the commissioned rehabilitative services for your person on probation regardless of immigration status.
- When checking addresses that are Home Office funded, understand this is a sparse resource and any assessment deeming an address unsuitable should be able to withstand legal scrutiny. There is every likelihood that matters could overtake your assessment and the person on probation released to no fixed abode (NFA), as the immigration judiciary currently consider 'Hardial Singh' principles when deciding to detain or release.



You can read more about the Hardial Singh principles here: [Illegal Migration Bill: detention and bail factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672211/Illegal_Migration_Bill_detention_and_bail_factsheet.pdf)

- Be professionally curious by actively engaging in the person on probation's experience of the challenges of the deportation case. Consider a trauma-informed approach and link your observations to dynamic and stable risk factors. Reach out to your regional foreign national offender semi-specialist practitioners and seek their advice.
- While immigration matters can define what statutory services a person on probation could have access to, do not allow them to become the only focus in your discussions about risk management and at MAPPA. Acknowledge their significance and continue to build protective factors in line with your organisation's risk of serious harm guidance.

To summarise, Osman stated:

*"To work well with foreign national offenders, probation practitioners don't need to become 'experts' in immigration law. The more you raise your own awareness of multi-agency statutory responsibilities to your case, the more effective your advocacy to release resources for your risk management plans will be."*

## Religion

Faith and belief are also an important part of an individual's identity and can impact on their motivation, thinking, and behaviour.

Faith-based practices can be key in supporting desistance as a strength factor; however, we recognise that they can also be used to create offending opportunities. Therefore, it is important that practitioners use their professional judgement when assessing if faith and belief are linked to risk or are a protective factor.

Sadly, the fieldwork found this area was too often neglected, as illustrated in the quote below:

*"It's been difficult with probation as my probation officer is not able to talk about religion. I do think that probation should hear our experiences. I think people need to open up."*

We spoke to Kashmir Garton, HQ faith advisor for the Probation Service, who explained the importance of faith and belief for some people's desistance, and she helpfully shared some key points for probation practitioners to consider.





Consider faith leaders as a source of information to assist in the development of a more comprehensive assessment and to help personalise the support in place. For example, at the point of the handover of the individual from the prison offender manager (POM) to community offender manager (COM), consider contacting the prison chaplaincy to provide additional information, either directly or through the POM. They see every prisoner on reception, undertake some programmes, and offer a wide range of pastoral care.

Faith can provide people with three really important survival factors in prison - a belief in something, hope, and a sense of community. This may feel more challenging in the community, especially when they are perceived as not observing the faith as others may believe they should, for example, as a result of their offending behaviour or if they are involved in substance use or if they do not observe all of the faith's expectations.

The chaplaincy may also be able to connect the person with faith groups upon release, if this is appropriate.

*"Sometimes we assume people will naturally connect but it can be really daunting for some, especially with the stigma associated with offending behaviour. Facilitating a person to build a place for faith in their life can really help with that connection and sense of belonging [that is] important to desistance."*

*Kashmir Garton*



Where you are supporting people to observe their faith by attending a place of worship, ensure that the proper processes are in place. There need to be safe referral processes, which include information-sharing agreements, secure email procedures, and clear arrangements in case of any concerns.



We recognise that talking about faith and belief does not come easy for some, so it is important to develop networks for you to explore this in a safe environment. HMPPS has e-learning, toolkits for practitioners, and webinars available for the six major faiths, which can be accessed via regional equality managers.

**Kashmir shared three questions linked to faith and belief contained in the induction:**

- Do you have a faith/belief?
- What is your faith/belief?
- Do you attend a place of worship?



**As a group or on your own:** Consider what supplementary questions you may want to explore with the person on probation if they do follow a faith/belief.

Consider how you might use this information within your assessment, planning, implementation, and reviews.

**NB:** We have identified some possible options for you to consider [here](#). Did you suggest something similar? What additional questions did you consider?

The inspection saw several cases where religion was a significant factor, either within the family dynamics or desistance, as demonstrated in this case:



### Case illustration:

Laila received a suspended sentence order, shortly after which she was admitted to hospital diagnosed with psychosis; she has a history of violence and mental ill-health.

Laila disclosed a history of abuse sharing that she was the victim of female genital mutilation and experiences flashbacks at the trauma. She reported this to the police and it was investigated, but did not result in charges and the case was closed. Laila frequently raises this within supervision. This led to discussions about the challenges she feels to live up to the expectations of being a Muslim woman and she described living a double life.

During supervision, the practitioner used the sessions constructively, undertaking a timeline exercise to identify key positive and negative events in her life, and used this to help understand her more.

## Resources and tools

### Language



This 1:51-minute video produced by the Race Action programme provides some best practice tips for working with interpreters. [Video \(YouTube, 01:51\), Race Action Programme – Working with interpreters](#)



The video was developed alongside this written [interpreters best practice guide](#).

The Bell Foundation is a charity which “aims to overcome exclusion through language education by working with partners on innovation, research, training and practical interventions.” They have produced resources for those working within the criminal justice sector, available from the link below via a free download after you register an account.



[Criminal Justice Programme Resources - The Bell Foundation](#).

This includes guidance for:

- probation service staff working with interpreters in court and community settings
- practitioners working with victims and witnesses who speak English as a second or additional language

- supporting those in the criminal justice system who speak English as a second or additional language (ESOL)
- prison ESOL screening tool for speaking and listening.

## Procedural justice

With thanks to the HMPPS Insights team for giving permission to share the following infographics related to this issue:



[Procedural justice in probation](#)

[Procedural justice in prison](#)

[Procedural justice and five-minute interventions](#)

[Procedural justice and trauma-informed practice](#)

## Religion



[National Partnership Framework - GOV.UK \(www.gov.uk\)](#) sets out the HMPPS commitment to the overarching principles on future work between the Probation Service and all faith-based communities

For internal staff you can also access the following resources:

- [Faith and belief awareness e-learning on MyLearning](#). It provides an overview of the six most prevalent faiths and beliefs in the UK and Humanism. It also stimulates reflection on how best to engage confidently with people on probation for whom faith or beliefs form a significant part of their identity.
- Seven-minute briefing on faith and belief on EQuIP provides an introduction to incorporating faith and belief-based services into probation practice, and the role of desistance and risk management.

## Foreign nationals

In addition to the learning reference in the section above, you can also access the following:



[Care experience matters](#) contains a section relating to additional considerations for foreign nationals with care experience.

For **internal HMPPS staff** you can also access the following.

- Foreign national offenders e-learning on [My Learning](#). It outlines the role and responsibilities of probation practitioners when working with and managing foreign national offenders in the community and in custody. It also explains the deportation process as it affects foreign nationals, summarising the options of prisoner transfer agreements, early removal scheme, facilitated return scheme and the tariff expired removal scheme.
- Process map on EQuIP for [Working with FNO](#), providing information and guidance on key stages of the person on probation's journey.

- The [FNO Manual](#) available on EQuIP is a how-to guide for managing foreign national offender cases. It focuses on information and provides guidance for the challenges practitioners can sometimes face in their work.

## Refer and record

While many people on probation place value in being given the tools and skills to enable them to make the necessary changes to their own lives, some have emphasised the need for more practical support, especially when facing challenges in accessing resources, discrimination and previous negative experiences of services.

There needs to be a strong mix of internal and external services, and of universal, targeted and specialist services, providing the necessary range and depth of intervention to meet the full range of people on probation's needs. Sufficient flexibility and options are required to cater for those with often chaotic and unstable circumstances and more vulnerable groups, such as women, ethnic minority people, those with a disability, and/or those with mental health and/or addiction problems - or those with a multiple of these characteristics. The services should be easy to access and person-centred, with all efforts made to identify and remove barriers to access.



People on probation who sustain positive change are frequently those who have been supported by multiple agencies, working in close partnership, with effective information-sharing agreements. Collaborating with partners allows practitioners to address a wide range of risk factors that contribute to offending behaviour, and bolster positive and protective factors for long-term change. Multi-agency work also provides a more comprehensive understanding of an individual and their circumstances, as multiple perspectives are feeding into the supervision process. Building this understanding also means interventions and risk management strategies will be more tailored to the individual. Our inspections illustrate the benefits of multi-agency work and using multiple sources of information to support case supervision, as these enable you to triangulate the information available.

In the section on services on page 24, we considered how specific service providers tailor their services; below are some examples that illustrate the effective partnership work seen on this inspection.



### Case illustration:

Fariq received a custodial sentence for breach of a restraining order against family members. There is some evidence that Fariq's culture was considered as part of planning and delivery through referral and sessions via Shafa, a specialist community project working with people from the south Asian community. Within this planning and delivery, issues around of cultural reputation and the notion of 'family shame' were discussed.

A case where we saw all three points in action: a recognition of ethnicity and how it impacted, using this within supervision, and responding/referring accordingly - is illustrated below.

Inspectors commented:

*"This case illustrates the importance of practitioners developing a good understanding of the situation foreign national offenders find themselves in, working effectively with community organisations, and persisting in addressing barriers to desistance and rehabilitation."*



### Case illustration:

Nojus received a custodial sentence for a serious violent offence; he has one previous offence, also for violence. He was 16 at the time of the latest offence and the practitioner recognised that his immaturity played a part in his behaviour, as did lifestyle and associates, attitudes, thinking, and behaviour. Notwithstanding the seriousness of the index offence, the practitioner recognised the trauma for him and referred him for wellbeing support. She also liaised with his sister, an important protective factor for him.

He is of Russian/Lithuanian descent and has Lithuanian nationality. He has resided in the UK since the age of 11, although he does not have British nationality. He has applied to the EU settlement scheme and has pre-settlement status. The practitioner contacted the Refugee Migrant Centre and invested a lot of time contacting the Home Office to assist him in addressing his status. His practitioner supported his application for the EU settlement scheme. It was not confirmed that he had the right to work, although he wanted to. The practitioner repeatedly followed this up with the Home Office, until it was confirmed that he had the right to work. He was then supported to undertake his Construction Skills Certification Scheme (CSCS) course.

During supervision, the practitioner completed a lifeline with Nojus to understand more about his background and map key events in his life. This enabled him to talk about his early years' experiences, including time growing up in Russia. He disclosed he was called the 'brown kid' and felt that discrimination in Russia was far more overt. Coming to England he resided in an area where those from different ethnic groups bonded together and he formed a link with the Eastern European community. The practitioner also undertook an exercise regarding the support networks that were available to him.

## Resources and tools



For those working within the Probation Service, there are a number of approved toolkits, some of which contain exercises designed to generate discussions about an individual's life and their support networks, which could support discussions around race and culture.

You can access these via EQuIP using the search term 'approved toolkits'.



### Reflection questions

Reflecting on this section:

#### **From a strategic perspective:**

- How is the quality of work with ethnic minority people on probation being assessed?
- What needs to change to improve the quality of work with ethnic minority people on probation in my region/PDU?
- What arrangements are in place for supporting work with foreign national people on probation in my region/PDU?

#### **From an operational perspective:**

- How am I incorporating a deeper understanding of what is important to individuals in assessments and plans for supervision?
- How comfortable am I in asking about an individual's religious beliefs and practices and identifying where this is a strength (or risk) to their desistance journey?
- How am I incorporating the principles of procedural justice into my work with ethnic minority people on probation to build positive trusting relationships?



# Bringing it all together

Key takeaways for working with Black, Asian, and ethnic minority people from this inspection are:

- Effective work in this area has **engagement at its core**, grounded in desistance principles and procedural justice.
- **Discrimination should be considered not only as a contributory factor** to an individual's involvement in the justice system, but also as a potential barrier to them moving on with their lives.
- **Be courageous and curious**; enquire about diversity, racial profiling, and discrimination, take opportunities to explore these concepts, and leave these open throughout your period of work with them.
- Staff undertaking assessments should **ask individuals about their self-identity**, including their ethnicity, personal circumstances, and experience of discrimination.
- When undertaking assessments, the **individual's offending must be placed in context**, along with their lived experience; the challenges they have faced and continue to face must also be detailed.
- **People should be fully involved** in planning their interventions, so that they understand what will happen and why; the interventions should focus on their **strengths** and **promote agreed long-term goals**.
- Interventions should be tailored to the **needs of the individual**.
- Practitioners should share **high aspirations** for change for those they work with.
- Practitioners should take **opportunities to reflect on their practice** themselves, with colleagues and with managers, and take thoughtful action as a result to improve their practice consistently.

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