Experiences of Black, Asian and minority ethnic service users on probation
A report summarising service user perspectives
1. Introduction

EP: IC is a research and consultancy collective, which champions service user perspectives within systems change. Our small team benefits from a rich blend of lived and learned experiences, brought together through our shared vision and values.

EP: IC was commissioned by HM Inspectorate of Probation (HMIP) in September 2020 to gather and present the perspectives of Black, Asian and minority ethnic (BAME) service users who are currently working with probation services, either via the National Probation Service (NPS) or Community Rehabilitation Companies (CRC).

Although we acknowledge the existence of White minority groups, for the purposes of this inspection the term ‘Black, Asian and minority ethnic’ describes non-White people. We are mindful too of the risks attached to casual use of the acronym BAME, whereby the unique experiences felt by different ethnic groups become lost; for example an Asian man being assumed to have the same experience as a Black man because they are both non-White. Furthermore, the experience of one Asian man who identifies as Muslim for example may be entirely different to the experience of an Asian man identifying as Christian. We recognise these nuances and make reference to them where appropriate within the report.

This report outlines what we did and what we found when we spoke to Black, Asian and minority ethnic service users about their experiences of Probation.

2. Methods

The HMIP inspection team focused on the following geographical areas for this thematic inspection, which took place from 19th October to 4th December 2020:

- Bradford and Calderdale
- Liverpool and Sefton
- Hackney and Tower Hamlets
- Bedfordshire
- Birmingham

HMIP provided the EP: IC team with leads for the CRC and NPS offices in all five areas. We contacted each lead and outlined our role, also requesting the contact details of ten service users who would be willing to be interviewed by us to be sent securely. Further, we asked for the details of any third party services working with probation service users which may be in a position to support recruitment.

One of the five probation areas was extremely keen and proactive when working with EP: IC, hosting a series of meetings to ensure the brief was met appropriately. Other areas were less proactive, but did send details at various stages of the projects. We secured 75 service user names in this way, although not all subsequently engaged.

We recognised the potential difficulties for probation officers working during the global COVID-19 pandemic. Probation officers were not always seeing people in the usual sense because of public health measures in place, which limited travel and face to face meetings. Restrictions changed during the engagement period and there were local variances, meaning most probation teams were facilitating remote supervision with service users. The request to engage service users in further remote engagement with an unknown team, to discuss potentially sensitive issues, added some complexity to the challenge. It was important to remain sympathetic to the way the pandemic was impacting on the personal and professional lives of stakeholders and services users, and to ‘work with’ the changing nature of the pandemic and the limits it placed upon the lives of all those involved.

In the interests of ensuring compliance with public health and government guidance, this was a remote inspection. We were mindful of the fact that individuals like to engage in a variety of ways according to personal choice and communication levels. With consent, we conducted telephone conversations with service users in the vast majority of cases, although we did conduct some engagement over the online platform Zoom where it was requested. Face to face engagement was requested by staff at Birmingham and we worked with them to facilitate this. However, further COVID-19 related restrictions were imposed on 14th October 2020 which made this impossible. Staff and service users understood these changes were beyond our control and continued to engage through remote means.

EP: IC’s four lived experience consultants were based in Liverpool, Birmingham, London and Surrey. All had lived experience of imprisonment and the wider Criminal Justice System (CJS). Three were male and one was female, and importantly they all had living experience of being from Black, Mixed Heritage and Asian backgrounds. They were not only EP: IC associates, but also worked for or managed community organisations, which enabled us to access participants via alternative means and our own networks.

However, due to the pandemic, we found many third party services were limited in their ability to support us in recruiting participants, which was unusual. Some services were entirely closed, due to COVID-19 restrictions, or operating a skeleton service. Staff absences and service users not being fully accessible further impacted on their engagement. Indeed, on occasion we received no reply at all. However, the following services kindly supported us:
Remote engagement did not come without its own challenges and additional risks. Many service users, particularly women, were at home with their children and arranging appropriate appointments was difficult as they wished to avoid discussing their experiences in front of their children. Due to service users being unable to talk confidentially at home, some interview times and dates were rescheduled multiple times, occasionally leading to the ultimate decision by service users to decline the interview, despite our flexibility. Often, service users’ focus remained on home life and navigating the changes to their world imposed as a result of COVID-19.

Additionally, some service users were employed and struggled to make time to receive calls, juggling work and family life against community restrictions. We remained flexible to changes and conducted interviews in the evenings and at weekends where possible to maximise our reach and be as inclusive as possible.

It is important to acknowledge the extent that remote engagement limited our ability to facilitate a more organic recruitment and selection process. In normal times we would be physically present in community services and recruit service users directly through face to face experiences. COVID 19 restrictions removed our ability to engage with individuals in the community as we would usually do, forcing us to rely on our partners (who were similarly challenged) to act as gatekeepers to the communities they served. As such we were unable to reach those who would not engage remotely.

We noted that most service users recommended to us by Probation were fully engaged and compliant in their probation journey. Communication levels were of a good standard, with service users often being able to articulate their experiences well. Most were comfortable speaking with our team members on the telephone. Whilst we valued all contributions, we were aware from our own experiences that the possession of strong communication skills among service users was not necessarily representative of all service users on probation; as such we were conscious that this could skew findings. This group made up 53% of the overall total number of services users we spoke to, with the remaining 47% being recruited from third party services and our own networks. This 47% (n = 38) were less likely to be strong communicators and had a more varied view of probation services from a BAME perspective. Therefore, we feel the learning was balanced.

In total, we conducted 81 individual interviews, ranging in duration from 12 minutes to one hour and 20 minutes. Male subjects made up 76% of our sample.

Our youngest participant was 18 years old and our oldest was 61. Ten percent were under 21 years old, 21% were aged 21-30, 23% were 31-40, 12% were 41-50, 6% were 51-60 and 1% were over 60.

Thirty service users in our sample identified as Asian or Asian British, 33 as Black or Black British, 17 as Mixed Heritage and one as Arab. Sixty-eight (84%) of the sample were on licence, having been released from prison, including three lifers.

EP: IC completed three virtual team sessions during the engagement period, in which all team members were invited to discuss emerging (and established) themes. These sessions resulted in extra questions being added to our interview schedule as the work progressed but also provided opportunities to explore personal feelings around the consultation. We found this consultation created a space in which our lived experience team could reflect upon racism and their criminal justice journey; where this triggered reflection of negative experiences, the team was supported and provided with supervision space to explore this. More regular informal support was offered on a one-to-one basis throughout the lifetime of the project.

Our final report was written collaboratively, with our female lived experience consultant taking a lead as the author of the report. This was to ensure there was no unconscious bias emerging from White members of the project team.
3. Findings

We identified three major themes, with some smaller themes embedded within them, which we present below. The themes are naturally interlinked and some stories clearly fit both themes, although they may only feature in one for clarity of reading.

3.1 Racism within the Criminal Justice System

3.1.1 Racism in the community

It is important to acknowledge from the start that racism was an ever-present feature throughout the lives of the majority of the service users we spoke to, to varying degrees. For some, race was described as being entirely relevant to their journey to the current point in their lives, starting from childhood.

We heard from some who had experienced explicit and direct racism in their formative years, such as racial verbal abuse and bullying. Some felt this was due to growing up in areas that were predominantly White or perceived to be “racist areas”. One older service user explained he was “quite used to being called a Black bastard”, whilst another of a similar age voiced “It all comes down to colour of skin – Asian, Muslim, Black. Growing up in the 60s and 70s there was a lot of racism. I used to get pulled up [by police] in Liverpool for no reason”.

Less directly, racism appeared to be experienced through a lack of representation in the community: the care system, education provisions and criminal justice services. Both men and women spoke about growing up in care and being the only “ethnic minority” in the children’s home. The majority of the cohort experienced racism through racial stereotyping and assumptions. One Black man voiced “As a Black man, I’m not considered part of society”; many of the women we spoke to echoed this with one woman explaining that “Black women are deemed as a threat, so you learn to tone yourself down. It is something we experience throughout our lives”.

We heard from one woman:

“I was not taken seriously by the police when I was a victim of harassment by a White woman. He told me he did not believe me. I felt the police officer made a judgement based on what I looked like. I am a darker skinned woman of mixed heritage.”

This is an example of being treated unfairly as a consequence of ethnicity and of systemic racism. The impact on this woman’s sense of self and on the level of respect and trust she felt towards criminal justice services was notable and damaged.

Case Study 1

“At the time of coming to this country from Bangladesh, my parents thought it would be a good idea to come to Bradford. We knew that Bradford was full of Pakistani people but we thought that because this is the UK there wouldn’t be the same conflict between us, as we would have had abroad. There has been a long history of violence and war between Pakistan and Bangladesh but we didn’t expect it to continue in this country. Before coming to this country, we were living in poverty and even though we didn’t have much when we came here, our lives were a lot better here than in Bangladesh.

Being in Bradford where most of the Asians are Pakistani, whenever me and my brother used to speak Bengali, we used to be looked at in a negative way by Pakistani boys in school. Eventually this led to us getting into fights with groups of Pakistani boys that we had to defend ourselves from. There was a lot of violence in school and after school between us and them. The house where we lived was targeted and we used to get eggs thrown at us and sometimes even bricks thrown through the window.

My parents didn’t want to move because they couldn’t afford it and we had already settled in. When more Bengalis moved into the area, me and my brother bonded with them. We used to stick together and make sure we were safe. We did this out of protection and even though we stuck together, we were still targeted. We’d get into a lot of fights with Pakistani boys in the area.

Because we used to stick together, the police used to see us as a gang but they were wrong and they couldn’t see we were only fighting back for protection; to defend ourselves. I think being involved in violence all the time, eventually made me always turn to violence. Me and the Bengali boys that we used to hang with started committing crime because our families were struggling. We didn’t have the intention to start as a gang but because we were involved in crime and violence, we became a gang.”
One woman voiced: “I was in the newspaper, and although I was of good character, and my offence was related to addiction, this was at the end of the article. By then, my face on the front page had already made some people’s minds up.”

Muslim service users have also been impacted by racial and cultural stereotyping, in particular by being labelled or perceived as “terrorists”. This has led to many being victimised and bullied as young people in wider society. This can set the tone for how these same young people see their place within society as they grew into young adults and beyond. One man who was bullied at school for having a strong Asian accent felt anger at the discrimination he had encountered. His response to experiencing racism from others came from a perception of needing to defend himself from the discrimination. He said “I wanted to show people that they shouldn’t choose the wrong person to pick on.”

Media narratives from modern history through to the current day were blamed by some for this treatment, whereby many believed being from an ethnic minority had become synonymous with crime, the impact of which we can see permeating through the themes contained in this report. Many believed they were considered a criminal and were treated as such because of their skin colour alone. One service user voiced “We always hear Black on Black crime but we never hear the term White on White crime”; many felt this narrative fed into the negative stereotype already given to Black men and boys, with huge concern that “Black children are being let down” by the system and indeed wider society. One man voiced what he felt was a common narrative: “A White kid has made a mistake. A Black kid is dangerous, violent”. Being misunderstood was a common feature and Black women expressed how they are often “labelled as loud and aggressive” and even “mad”.

One woman said “When I went to prison, I expected it to be full of Black people, but there were White people there. I didn’t expect that. I thought it was Black people who went to prison”. She had never challenged this belief or discussed it openly. It was an assumption she made based on what she had seen in the media.

Those who grew up in inner city areas tended to be surrounded by many people of their own race or ethnicity. They spoke frequently about continued police harassment through repeated and aggressive stop and search procedures, effectively creating an unnecessary division between groups of young Black, Asian and minority ethnic young people and the police. Many explained that being targeted throughout their young and adult lives was “obviously” because they were Black or Asian; it was reported that this happened “before we were even involved in crime”.

Many service users described the complexities of growing up in areas known for gang involvement and crime. There was reference to Asian gangs and living in “hot spots for crime”, with one service user adding “I was able to fit in because I’m Asian too”. He described how as a young boy he witnessed serious offences which had a huge influence on the path he then took. We know Black, Asian and minority ethnic children are pervasively more likely to live in low socioeconomic regions. In the 17 local authorities with the highest rates of child poverty, Black, Asian and minority ethnic children make up half of the young population. This emerged as a clear feature of our interviews, and interviewees made the connection between growing up in poverty, poor attainment in education and subsequent criminality. Some described being arrested as children for stealing and one man voiced that he often stole food because his “mother was struggling to provide”. Both men and women described the lack of job opportunities as a barrier and saw crime as a way out of poverty. We also captured from the service users interviewed the experiences of those who came to live in the UK from another country. One man voiced: “I think my parents fleeing Somalia and coming here, being poor and not having help with education also led me to crime”.

Where English was not the first language of service users, this acted as an additional layer of complexity in their experience, as explained by this man: “Because we didn’t speak English properly and we felt out of place in this country, we used to always stick together. I think we felt uncomfortable in environments like school so we didn’t attend. I grew up around drug dealers who were from my country but were older than me. I got involved because I saw all the things that they were using the money for and I wanted some of that. I wanted to live better”.

Some individuals also spoke about significant experiences of trauma in their upbringing, which we know to be a feature of many within the CJS. Fifteen percent of our cohort had grown up in care, and many more had experienced violence in the childhood home and parental bereavement or mental illness. Further, the interaction of traumatic experiences with living in a high crime area was discussed in our interviews. Some spoke about witnessing people dying as a consequence of crime or being sent to prison, as well as family members being involved in criminality. Some found it hard to “escape” their personal experiences or set of circumstances, and spoke of being “unable to find another way”. The apparent lack of social opportunities was normalised and often participants saw it as “a part of growing up where I lived”.

One man expressed: “In the area I grew up in, there was always a lot of stabbing and I lost a lot of friends to knife crime, and so many others have been sent to prison. Constantly being surrounded by trouble and being in a rough area leads to more pressure to get involved in crime. It also means that we don’t get the right support because in our community there isn’t that many youth clubs any more or alternative activities. If we can’t see another way then it makes us feel like the only thing we can do is commit crime”.

Some of the cohort were exposed to trauma by living in and then escaping countries where there was conflict and war. Growing up in their homeland, many said they witnessed serious violence and killings which appeared to go unaddressed when they
arrived in the UK. These service users believed the trauma they experienced contributed to poor mental health and had desensitised them to violence.

One man shared:
“\textit{I was born in Eritrea and grew up in the middle of a war. I saw a lot of violence and killing as a child. When I came to this country with my parents, I was still traumatised by all the things I witnessed back home. I was a violent individual and I was constantly paranoid. I think that came from growing up during the war. I always got into fights in school and the violence became more serious}.”

Despite these experiences, there was a clear sense of the service users having not reflected either on their own needs or on what help might have been beneficial to them. No interviewee spoke about accessing services to discuss race-related trauma. Indeed, the service users told us (or inferred) that they neither trusted nor felt supported to discuss what it means to be Black or Asian and the associated social inequality. Service users with an understanding of Black history spoke of the importance of Black, Asian and minority ethnic service users educating themselves to understand and navigate racism – and ultimately to keep themselves safe.

3.1.2 Racism in the Criminal Justice System

There was some discussion about what racism really is, in 2020, as the subtleties can make it difficult to challenge. A small number of service users said they had seen racism but had never felt inhibited by it, whilst a few participants (mostly in the younger groups) said they had not experienced racism at all. A Black woman who had lived all her life in South America rationalised and normalised her experiences in the UK by comparing them to far worse experiences back home. She “felt grateful to be here” despite experiences of racism.

Despite the Black Lives Matter movement in 2020, more service users than we might have expected had failed to consider the role of race and ethnicity in their journey with the CJS. When asked whether their journey had been affected or influenced by race or ethnicity, many responded with “I don’t know” and used the interview as an opportunity to explore the possibility, sometimes for the first time.

For those who had experienced racism and were aware of it, it was certainly a feature of their experience with the CJS. This appeared to be more pronounced in their youth or young adulthood, with many reflecting on their past within the interviews. It was very clear that, within our sample, discrimination was more intensely felt during the early stages of the CJS: the police, courts and prison systems.

Many participants in the cohort had experienced racial profiling by the police:
\textit{“In one year I was stopped 34 times by the police. They would often say ‘Nice car’ as though I didn’t fit the description of someone having a nice car. They would assume I was a drug dealer even though I was a chef and have worked since age 16.”}

Both women and men highlighted the use of heavy force or presence upon being arrested. One man from London explained:
\textit{“When the police turned up at my mum’s home to arrest me for my offence, they were armed and kicked in the door. I had never been in trouble before and my offence was not related to violence or drugs yet they came assuming that they needed to be armed. My White friends have never experienced this.”}

Another shared a similar heavy handedness:
\textit{“I went to a hotel with a White girl. Three police cars turned up. They got a key to the hotel room, went into my room and searched the room. Never found any drugs.”}

One woman who had grown up experiencing trauma and had a mental health diagnosis spoke about her experiences of being arrested:
\textit{“I was jumped on by several officers. I was on the ground and I was struggling to breathe; I was not believed. I spat out and was then forced to have a spit hood. The police officer made racial slurs throughout the journey to the station as well as when he sat outside the cell. I demanded that he was changed and eventually another officer came who was very nice and understanding.”}

Many also described their experiences of receiving disproportionate sentences by the court system and unfair jury representation, and regularly felt stereotyped. We heard from those who had received significantly longer sentences than their White co-defendants or peers for the same or a similar offence. One man believed harsher sentences were given out because “all the judges are White”. One woman felt that “having an all-White jury meant I was bound to be found guilty”. One man’s barrister told him that “if I was White, I would have not been given a prison sentence”. The perception that longer sentences were handed out to Black and Pakistani Asian men was coupled with an acceptance that this was ‘a given’ of the court system.

All service users who had served custodial sentences prior to probation voiced that they had experienced racism in prison by both staff and residents of the jail. Many of the men spoke about the officers making it difficult for them to gain work inside the prison, where “some jobs were reserved for White prisoners”. A prison officer informed one man that “Asians don’t do well in here” as if this was an undisputed fact in the prison, whilst another who served part of his sentence in a Liverpool prison on two occasions received monkey pictures from White prisoners under his cell door.
It appeared women experienced racism in prison too but this was less explicit. Groups of Black women talking or singing together was discouraged and it appeared the feelings of White women around Black women were considered more important. Several women explained how their ability to participate in cultural norms was limited and their ability to look after themselves, particularly in relation to hair and body care, was challenging. They felt they were being punished for needing to use particular culturally appropriate equipment for their grooming, which in some cases was made completely inaccessible. In addition, one woman explained: “When we Black women in the jail got together to do our hair, we were always told by the officers that we were intimidating and were told to separate.”

Experiences of racism in probation services were spontaneously compared with previous experiences, and service users were grateful to now be within the probation service, as opposed to another service. It is likely the relationship service users had with probation services, and their perceptions of their treatment within it, were shaped by their previous experiences; the degree to which they could reflect honestly upon whether racism existed in probation services was influenced by these comparisons.

The mixed heritage men we spoke to (predominantly White / Black Caribbean) were overwhelmingly in agreement with each other; probation services causally and unconsciously labelled them as Black. These service users felt their identity was far more complex than probation services and the CJS as a whole recognised. None of the male service users of mixed heritage that we spoke to felt probation services comprehended the fact that “that label doesn’t fit” and none of the service users had ever been asked. One respondent talked about feeling uncomfortable in a group situation where the tutor assumed him to be Black. Another spoke of being in an intervention group designed for Black, Asian and minority ethnic service users, and also feeling uncomfortable. He felt there was a degree of ‘White bashing’ in the group, which he did not know how to manage, given he had a White mother and half of his family were White.

Interestingly, the women of mixed heritage described themselves as Black and mixed heritage interchangeably throughout the interviews and did not comment on whether being called Black was an unhelpful assumption by the probation service, which differed substantially to the positions of the men we interviewed.

We saw a high level of apathy across the cohort. Both men and women said they ‘expected’ racism in aspects of their lives and this was normal: “it’s how things are”, “this is what happens to Black and minority ethnic people”, “racism is never gonna go”, “we will never be accepted”. Some felt they “could not be bothered” to address any issues of inequality, with several sharing the view of “I just want to get on with my order” or “I would rather not let it get to me”. This sentiment was shared amongst service users of all ethnicities. One Pakistani woman who wanted to rebuild her life explained “I just do what I am told and have little interaction”, which suggests compliance is a priority even in the face of discrimination. It is an important observation as it raises the question of whether safe places exist for people to voice discrimination and, if such places do exist, whether they are known by service users or communicated to them.

A small group of men clearly did not wish to be seen as victims of racism and stated that, for them, it was about personal responsibility. Quite a sizable proportion of men of mixed heritage we spoke to did not feel they had experienced racism; however there was some evidence of internalising racism. The internalised racism appeared to be expressed through a belief that each person should take personal responsibility for their situation and some consequently blamed their own culture for racism. One Black male service user stated “Black people don’t look after each other like other communities (Indian, Chinese) do”. Another man voiced that “speaking English well saves you as a mixed-race person”.

Notably, there were some clear differences between the men and women in the cohort we spoke to with regard to how they understood and processed incidences of racism. The men overwhelmingly tolerated, rationalised or internalised it, whereas it weighed heavily on most of the women in more complex ways. It seemed to be a common theme amongst the women we engaged with that, not only do they have to navigate their own experiences of racism, but they also must carry the burden of the experiences of their community including fear of harm for Black men and boys.

Within this theme we have raised some important points. Firstly, by the time Black, Asian and minority ethnic men and women reach probation services, many have experienced financial disadvantage, early trauma, crime and violence in their communities, family and friends becoming caught up in the CJS, and crucially acts of racism from multiple sources.

This racism may start in childhood, influenced by racial stereotypes perpetuated in the media, and is particularly significant within the early stages of the CJS. All these experiences affect how service users interact with the service, including in relation to matters of self-worth, the identification of racism and trust that the service will treat them fairly. These experiences also affect decision-making as to whether there is sufficient point and value to challenging systemic racism.
3.2 Experience in the probation service

3.2.1 Relationships

Against the backdrop of the systemic racism outlined by our interviewees, we found around half the service users in our cohort had been able to form good, individual relationships with probation officers. This is important as it demonstrates how good one-to-one work can take place in spite of wider issues. We heard many service users refer to their probation officers as being kind and well-meaning, and as feeling they were “never judged” or “looked down on” by them. Most service users felt supported emotionally and some believed their probation officers cared about them. There is evidence the probation officers used a variety of methods to positively engage service users, with some using tools and worksheets, and many engaged in conversations concerning choices in life, hopes and future aspirations. One woman spoke of the ease of having her probation appointments over the telephone due to her age and health conditions and felt these personalised adjustments met her needs well. A few of the men described their sessions as a form of “counselling” and others agreed their probation officers had “positive attitudes” towards them and did what they could to help.

One service user stated:
“My probation officer asks me in my meetings how I think I’ve been getting on and whether she should add anything to my sentence plan that we should work towards. I always feel like she’s checking in on me and seeing if there’s anything else she can do to help. So, I do feel really involved and she’s constantly reminding me to let her know if she can help more. When I do need something, she helps and that makes me feel like she listens and gets stuff done.”

Although this feedback was encouraging to hear, this was not always the case and the other half of our service users felt either neutral or less positive, with little being done to address the relationship or build trust. One man described his probation officer as “controlling me rather than helping” and this was a theme within several interviews. Many service users felt they could not be open and honest with their probation officers, but did show some awareness that this might result from their learnt distrust of services and their past “experience with authority”; in particular with White people in authority.

Service users felt there was little self-awareness among probation staff of how their approach might impact the service users they work with. One man described the process of talking about his past crimes as “unhelpful” and wished his probation officer would “motivate me to do better” and engage in conversation about his future. Others felt “judged” by their probation officers “because of my background”. One man thought this was the intended dynamic of the service: “It is probation and the system is against the offenders”.

Some expressed insufficient time to build a relationship with probation officers as meetings were too short. In a similar vein, one man expressed “being afraid to open up” because the appointments were so short, feeling it was “better to keep it all in” than feel exposed with no access to support.

It was encouraging nonetheless to hear of the number of positive relationships between service users and probation officers, especially given the level of trauma and stress experienced by service users in this consultation and the limited opportunities on offer during earlier phases of the criminal justice journey for positive connection. Further, some explained how they had few people to support them emotionally in the community; this was typically related to gender and cultural expectations of Black/African and Caribbean men, and men of Mixed Heritage. Shame was highlighted among those of Asian heritage as being a barrier to supportive relationships outside of the probation service. In some cases, Probation was the only support system or space in which they could discuss emotions, often for the first time, although service users would not always make this obvious to probation officers or others.

Case Study 2

Ms F was a Black woman in her 30s living in Birmingham. She was on probation following a custodial sentence, during which she was separated from her child. Ms F described her probation officer as a lovely, helpful and caring woman whose support started whilst in prison. Ms F found this incredibly valuable in building trust and confidence in the service. Moreover, Ms F felt this initial meaningful contact was necessary for a successful transition back into the community where she needed to rebuild her life. Ms F spoke about the emotional support given to her mother during this difficult time as well as practical advice provided to them both to ensure that she would stay motivated.

Ms F understood that probation officers were limited as to the type of support they could offer, and were unable to support with housing, an area crucial to many service users as part of their recovery. However, the relationship was spoken of in high regard and Ms F could not thank her probation officer enough for her dedication and commitment during one of the most challenging times of her life.
It appears from our sample that it can be difficult for White probation officers to truly understand the backgrounds of service users from minority ethnic groups. The experiences of each individual or community do not fit snugly into one box, making a generic approach to support unhelpful. Indeed, in some cases it causes further harm. Increased understanding around culture-centred support was viewed as an enabling factor to positive progression.

One man said:

“We don’t get along because there is a lot of things that I’ve been through which he doesn’t understand, and I can’t just talk to people without struggling. It takes time for me and I’ve always been like that, but I just don’t think he accepts that and a lot of the time, he says that I’m not complying but I’m there listening and I’m making an effort to get involved.”

Notably, men across the cohort explained how they have been repeatedly told throughout their lives not to express emotions; this is thought to be interlinked with cultural identity but is characteristic of stereotypical masculinity more broadly. This extends to and includes their journeys within the CJS, where one man voiced how he was told by a therapist in prison that therapeutic interventions are “not within the reach of Black boys” as it is out of their “comfort zone”. Unsurprisingly, it was a theme throughout that Black men are not encouraged to be open about how they feel, understandably impacting on trust and engagement moving forward. This situation has discouraged many men from talking openly and trusting people with their feelings and emotions, and engaging in cooperative relationships with criminal justice professionals.

3.2.2 referral to other support services

Around a quarter of the individuals we spoke to had received referrals or assistance in areas affecting resettlement (accommodation, drug and alcohol, mental health etc.), leaving a substantial three quarters without this sort of support. In particular, there appeared to be limited support or signposting to mental health services, which presented as a real area of need within our cohort. This is especially so given the levels of trauma indicated and the cultural silencing of mental health need. Service users voiced how they had not been referred into support services despite highlighting this as a need at the beginning of their order. Two women we spoke to had been waiting for bereavement counselling for what they considered to be ‘unreasonable’ lengths of time.

Many women we spoke to had left prison homeless, but through engagement with wider third party community services had found suitable accommodation, albeit with little or no intervention from their probation officers. These women had to rely on either family members or friends to help them and were extremely grateful to organisations such as Anawim in Birmingham for support with housing. One woman voiced: “I left jail with no address, so I was homeless. Probation did not help me get accommodation, I did that myself.”

One man told us he waited 16 months to receive any benefits and others had not secured housing for lengthy periods of time. The majority of the men we spoke to who were prepared to talk about their mental health felt their needs were often overlooked, with one man stating “I wanted support for my childhood trauma but I have not been referred to anyone or anything” whilst another man voiced “I’ve never heard of mental health support”. This was echoed by numerous service users who did not always understand the range of community support that might be available to them.

Alongside referrals to mental health support, some further described a lack of continuity and reliability within Probation which led to referrals getting lost. This, coupled with long waiting lists for support, added complexity and additional barriers to receiving much-needed help.

The needs of the cohort with regard to engaging in education, training and employment opportunities varied but little support appears to have been offered. The majority of women we spoke to who were employed, secured their employment themselves with no additional support from the probation service. These women explained how Probation could not offer them any support in this area, other than attending the perceived generic ‘employability’ courses Probation had on offer. Similarly, those men who were working had secured the employment themselves.

Those who were seeking work opportunities reported they were yet to receive support for this. None had been referred to relevant specialist employment services. There was a similar response from those with few or no qualifications, with one man explaining how he had received no help accessing education or training courses. He expressed “Probation should be able to help us or tell us where to go to get it”.

Interestingly, some service users were referred to services to address needs they did not have. Two young men from London described having to attend a course on substance misuse even though they had never used drugs. One woman shared a similar experience, where it was suggested that she attend a ‘peer mentor’ course despite never having expressed an interest in wanting to work with people in that way. Another woman described being encouraged to attend a domestic violence group, when she had not experienced domestic violence; in fact she reported that hearing the stories from these women “traumatised” her. The individuals concerned felt unable to challenge these requests from Probation, even when it caused them harm. It is unknown whether not feeling able to speak up is linked to race and ethnicity.

Just two of our service user participants had been referred / signposted to organisations in the community who provided specialist support to BAME service users: “Once in the first few days of me coming out of prison. He put me in touch with my local mosque and signed me up for religious studies. He contacted the head of the mosque personally and we had a meeting with him. I was getting free classes to learn Arabic and the Quran. It was really helpful. I still study today and I’m grateful that my probation officer helped me with this.”
Generally, those who sought help from Black-led organisations such as Inner City Life, Concept Housing, 2nd City Housing, Bringing Hope and AVision knew of them from prison, through their places of worship or via friends and family. Most service users had managed to find the correct support to meet their needs.

All of the women bar one secured support themselves through women's centres such as Muslim Women in Prison Project (Bradford), Anawim (Birmingham) and Women in Prison (London). They described the support of these organisations as "life changing", stating that the workers had the ability to "understand my needs" and "did not judge me". These women felt they were "seen as women and not a statistic" by these services and one said she "would not know where I would be without their support". The support offered by these provisions appears to be critical in the lives of these women, in many cases because they worked with person-centred methods and with a full understanding of individual needs and an awareness of cultural sensitivities. Therefore, they were able to fully provide support which was ultimately transformative.

3.2.3 Being treated fairly

Much uncertainty was felt by our interviewees regarding the fairness of their treatment within the CJS. One explanation for this is that service users simply have no understanding of what it is to be White within the CJS. This lack of direct comparison makes it impossible to judge whether there exists any difference in the way people are treated by the services, and the service user participants wished to avoid making assumptions. As such, some "were not sure", "wouldn't know" or felt it was "different for each person". We were told by several interviewees (only in Birmingham) that, although treatment may seem fair, it is not possible to know for sure since individuals are not permitted to see what is written about them. As such, they felt unable to answer the question about fair treatment. They felt seeing their file notes would be a welcome change and would support an openness of communication as well as a commitment to challenge discrimination. One man felt Probation "might be different if English was a second language" but voiced "Hackney is diverse". Interestingly, one man did not take the view that White service users may have preferential treatment, but rather considered them to start from a preferential position: "Maybe it's different if you're White. Maybe you need less support."

Within our sample, most service users did believe they had been treated fairly by probation services, although this was difficult to quantify as more questions arose from this point than answers produced. Some we spoke to questioned whether it was even possible for Probation to be fair, given their role and the lack of resources.

Some wondered whether there was any benefit to questioning fairness because their historic experiences of the system told them the system "is there to be unfair"; others felt it depended very much on each probation officer. Others viewed punitive processes such as sanctioning someone who struggles with mental health as unfair. One woman missed her phone call when changes to her supervision were put in place due to the pandemic: "I struggled to keep up, especially as I was working with so many people".

There was a lack of clarity surrounding the role of Probation more generally, fuelled by the lack of direct help people had received. We heard from one person: "I have no idea of their purpose. I just turn up. I tell them a bunch of lies and I go home". One woman voiced "Some genuinely care but we will always be a number and they have to do their job".

From those we spoke to, it seemed initial and early relationships with Probation were key to how successfully the relationships subsequently developed, starting for some at the point of their Pre-Sentence Report (PSR). Four participants said they had ‘good chats’ with probation staff in their PSR interview and understood them to be a support and advocate service. These views were formed as a result both of statements made by the officer during the interview, and by their supportive dialogue and positive body language. However, their roles were not fully explained or well understood. Service users were subsequently left ‘shocked’ and ‘horrified’ when the report was delivered in court, presenting the conversations they had engaged in very differently to reality, resulting in ‘destroyed trust in the service’. This early negative experience with Probation meant that, from the first contact, suspicion arose as to their role, with service users discovering Probation had a dual role of support and control.

Most of those interviewed viewed Probation as predominantly a ‘box ticking exercise’, although they did not blame their individual officers for this. Instead, they attributed it to the wider criminal justice system, case overload and a lack of resources. They did not appear to link it with their ethnicity. Interestingly, many empathised with the role of the probation officer, with one woman describing their role as now being “obsolete”.

3.2.4 Talking about race

From talking to service users, a clear theme emerged that race does not present within conversations with Probation for most people, despite being a core feature of their lives. However, it appeared more conversations about faith were had.

Some service users had spoken about race or culture with their probation officer, but it was a small proportion of the overall sample. In all but one of these cases, this was with a probation officer who was also from a minority ethnic community.

There is a sense that mentioning diversity is very much another ‘box ticking’ experience, with no appropriate space or time for exploration through discussions around whether race or ethnicity impact on people’s lives or whether they present any barriers to service users. In some cases, service users were unsure whether their ethnicity was even recorded on their file.

There was a perception that probation staff may have been reluctant to speak freely for fear of their words coming across as racist, limiting opportunity for further discussions. Those who spoke about race with their probation officers were also those who
received support in other areas such as housing or offending behaviour work. These service users appeared to have a better experience overall with Probation.

However, there was a common feeling that, even if probation officers cared about them as people, they “lacked interest in race” or “misunderstood their cultural/racial needs”. There were mixed views on whether race and culture should be raised within probation meetings. Many service users did not see any value in raising it, and one person expressed how they would not like “White staff talking to me about that”. One service user told us he had raised ethnicity within one supervision session but was left “feeling uncomfortable” when his officer did not wish to engage in the conversation, and he therefore shut it down.

One woman voiced: “I don't feel comfortable to talk about race with my probation officer as she is White and my experiences of racism are from White people. I have made complaints in the past about police and it goes nowhere so there is no point in trying to do it here.”

There were incidences where race and culture were brought up in sessions inappropriately. Any conversations that do take place need to be sensitively and respectfully managed to enable rather than oppress service users. Relevance is an important factor, as expressed by one Pakistani man we spoke to. He told us how his probation officer raised with him the arrest and prosecution of other local Asian men and how he often wondered “What has that got to do with me?”

One other Pakistani man said he had a probation officer who was also Pakistani and, while conversations did take place about ethnicity, it was not a positive or enabling experience. This young man had grown up with a White foster family which may have affected his perception and identity. He expressed how “we always end up talking about how I don’t know Urdu and it makes me embarrassed”, feeling he had not met cultural expectations.

There were differences in the way women experienced conversations about race, with some having openly spoken about race with their Black female probation officers, and this had been positive. However, some were unsure whether this would be welcomed if race was broached by a White probation officer, partly because they “did not see the point”. There were several reasons for this: race was a static feature of the service users’ lives (as opposed to the dynamic features Probation were seeking to change), the risk of the conversation being uncomfortable, and the fact that Probation had insufficient cultural understanding to make the conversation meaningful.

Importantly, there was some concern that decision making in the probation service was affected by race, nationality and religion. We heard from one Jamaican man who reflected upon how he had been unable to attend a family funeral in his homeland because of the risk of potential drug-related crime. As he had not been convicted of a drug related offence, and no explanation had been given around the decision, he felt this was discriminatory and connected with perceptions of Jamaican men rather than of him personally. Clearer communication would have helped with this situation: “My White mates got approval to go on a jolly to Spain, but I can't go to Jamaica for a funeral.”

3.3 Embracing diversity in the probation service

3.3.1 How do you challenge racism?

Some service users felt they were not able to consider how best to challenge perceived racism and some took the view it cannot be changed. One woman stated “If you’re racist, you’re racist; how can you change?”

Many of those who reported good relationships with their probation officers stated that they felt able to trust them. Others who felt their relationships were just ‘okay’ were also able to trust their probation officers. This is important and interesting, given what we have heard about the legacy of structural racism and how it affects trust. It highlights the importance of individual relationships and the power of humanity in making them worthwhile. We did however also see the opposite; we found numerous examples of service users who trusted nobody in the CJS and who had been left exhausted by structural racism. In these cases, the experiences of court, the police and prison services meant service users simply expected the same treatment from Probation, and therefore “worked out that there was no point to it” ever being addressed.

It is important to take away from this the individual differences between each service user. Just as we veer away from using acronyms like BAME, we also recognise that, despite the evident trends, we cannot definitively state whether Black, Asian and minority ethnic service users trust their probation officers. Rather, this comes from interaction between the experiences, individuality and perspectives of each service user.

There was very little evidence of any strong partnership working with local communities or specialist services that were not directly commissioned by Probation.

However, the importance of community was clearly demonstrated, which reinforces the importance of strong links and integration with community groups and services. There was a palpable loneliness for some interviewees especially where there was estrangement from their family. One man spoke about the Sikh community being ‘close’ and his desire to reconnect with this community if he had the support to do so.
Many Muslims voiced similar feelings, in that their community offers a sense of belonging and kinship. They described their need to “reconnect” as significant but recognised this required assistance. Many also spoke of how their faith offers them a different type of support to that of Probation and how “having a community to fall back on” was reassuring. There was a common theme throughout that faith gives those we spoke to “strength” and a sense of connectiveness.

Some important nuances that were significant to the service users we spoke to were revealed. There exists a need for increased time to be taken over culture and ethnicity in probation meetings, as well as a greater consideration of individual difference. For example there was deemed to be a lack of cultural understanding around the shame that can be experienced by young Asian men due to family and community expectations around being on probation; this represented a significant and additional stressor for them.

One young man said:
“There’s so much shame and negative feelings that others in our community have towards families that experience this. It alienates us but if we were able to connect with our community again, we’d have a strong support system.”

Relatively, one Asian woman was required to live at her parents’ home on leaving custody. She explained it was the only address Probation would verify and approve. However, once living back with her parents, she suffered the negative consequences of their deep shame over her incarceration. She said “I was not safe there” but recalled her probation officer responding dismissively with “Just be thankful you are not in prison”. There was no recognition of the cultural implications attached to being an Asian woman with a criminal record, and no willingness to understand it. She felt her White probation officers had a deep-rooted (cultural) assumption that families would be supportive, and there was a lack of understanding about how shame can be a dangerous and isolating emotion to live amongst.

Training was raised as an important next step in terms of unconscious bias, cultural understanding, exploring Black history in its truest sense, accurately learning about the European empires and placing the current position in a historical landscape. It is worth mentioning that the consultation took place during a time of societal discussions and action related to racial injustice, including Black Lives Matter action and during / following Black History Month in October.

Crucially, it was felt necessary to learn how to explore and encapsulate individual perspectives without anxiety and a sense of disempowerment. Those service users who were able to speak “in depth about Black history” found it an “enjoyable and empowering” experience which offered a sense of “connection”.

One man said:
“I talk about Black History Month to my probation officer [who is Black] and we discuss things about it relating to the curriculum, such as the importance of doing your own research beyond what you are told because not all of our history is covered and so many key figures in Black history aren’t spoken about in school.”

3.3.2 ‘Matching’ ethnicity – diversity within the probation workforce
All the women service users we interviewed said they were more ‘comfortable’ speaking with a probation officer who was non-White. It immediately felt more comforting and this reassurance meant trust could be built easily. Black and Mixed Heritage women spoke specifically about preferring to work with either Black probation officers or “someone who is the same as me”. They did not refer to Asian probation officers. However, Asian women spoke about preferring to work with either Black or Asian.
probation officers, saying the shared experience of systemic racism was the most important thing, not the specific ethnicity. One woman spoke of the cultural values and expectations of Caribbean people and felt her probation officer was able to “get it”.

Another woman voiced:
“I felt a sense of calmness. My probation officer was a Black woman and I felt really comfortable, and we built up a rapport. She has since left the service for retirement and my new probation officer is also Black and, again, I feel comfortable with her.”

A number of men shared the same sentiment, albeit a lower proportion than for the female interviewees. Overall, there was an assertion that “people get on with their own kind”. Further, Black female probation officers were seen to be able to “understand my experiences as a Black man”. This highlighted the sense that ethnicity was a more important connecting factor than gender. Building on this, some Black men found the relationship with Black female probation officers to be “supportive” and “empathic”, and one man explained how “Black men have Black women as mothers; there’s something there”. Similarly, both Black women and men felt this might be because they have the same “understanding of cultural needs”.

There were also practical examples of service users and probation officers benefitting when they shared the same ethnicity, such as communicating in their “mother tongue” or “communicating with non-English speaking family members”. This seemed particularly helpful to those for whom English was their second language.

In contrast, several males believed probation officers of the same ethnicity were harder on them than White probation officers. A couple of service users asserted “They don’t want to look to be favouring their own kind” and they “had to impress someone” at the top.

It is particularly important not to assume service users and probation officers sharing the same ethnicity always makes a good match. There was an instance where an Asian male service user was being supervised by an Asian male probation officer. This service user found their relationship difficult and voiced how he “did not like him”. When he reflected on this, he felt it to be connected to them being from different religions. When he was matched with another male of the same religion, he felt far more comfortable and a more positive relationship was established.

An interesting finding emerged about older Black men who experienced shame and embarrassment when being supervised by young Black men. This seemed to present as a challenge for Afro-Caribbean men where notions of respect for elders still survive. Elders are also important within the Arab community, and a young Arab man commented how he was not understood by elders in his community:
“The elders in my community … sometimes they look down on Arabs who have been to prison or have been arrested because they say it’s not like us as Arabs to get involved in robberies or drug dealing. But it’s different for us. We were brought here at a young age and we grew up in this environment where we listen to music that glorifies crime. We see it on TV. It’s everywhere in our communities. But the older generation aren’t able to understand how we can fall victim to it. We are more vulnerable than them because our minds are still developing and being conditioned.”

Another said something similar about his older probation officer:
“I think because him being old and from the Asian community, he looks down on me. Because a lot of people in our community see us as a lost cause when we get involved in crime. But they don’t understand how different our life has been from theirs.”

We heard from several participants that it was more important to have a desire to help service users than to be of a particular ethnicity. One Black man told us of his great relationship with a White probation officer who had previously been a police officer. He told the service user that “he had left his job as a FED because he had realised that he couldn’t arrest everyone who committed crime because of poverty”. The service user clearly appreciated this conversation and said he trusted him as a White man more than he had his previous Black probation officer because he understood his reasons for being in the role.

Another man spoke of how knowing that “someone genuinely cares” was a greater priority factor than shared ethnicity.

Within the cohort, there was recognition that more diversity was needed in all connecting systems, not just within probation officer roles. One man voiced “The system needs to change from the Ministry of Justice, The Home Office. Probation officers’ hands are tied.”

There was also an expressed need for workforce representation at all levels and for people from minority groups to be visible “at the top”, in part so “there is less need to impress”. It would also demonstrate to those from minority groups that criminal justice settings support and champion the positive progression of those from diverse ethnicities.

Whilst many looked externally for specialist support for BAME service users, it was felt that there was a need for the probation service to have an improved understanding of the people they work with. One man expressed that “It’s no good to have an external intervention for BAME service users. The people that work at probation need to be changed”.

At ground level, there was a call for greater peer support and indeed employment into probation officer roles of those with lived experience of the CJS and living experience of being from BAME communities. This would bridge some of the gaps in terms of
not wanting to talk about race and ethnicity and connect service users to probation services more succinctly, helping to build understanding and relationships: “Tell me why they don’t have people who’ve been through the system running the system.” Some service users felt they should have much more of a voice in how the service is delivered and welcomed the concept of peer support. One man suggested: “Recommendations from previous BAME service users should be used as suggestions, just in case the current BAME service users find it hard to come up with what they’d like to see.”

However, there were doubts over whether it was really possible for more ex-service users from minority ethnic communities to be integrated into Probation, with some feeling it was ‘too progressive’ and that “[minority ethnic ex-service users] just don’t have the opportunity or the right support to get into that position”. Some service users had already come into contact with other organisations who employed people with lived experience of the CJS; they therefore believed it was a possibility and a positive move forward in levelling up experiences.

Conversely, one man could not understand why people from a BAME background would want to work in Probation, not being able to visualise Probation as an inclusive workplace: “I don’t understand why you would want to be [a probation officer], especially if you’re Black or Asian. This isn’t the place for us and there’s nothing we can change in this country to help people unless you start helping poor people because that leads to crime. I don’t think it’s worth it because probation doesn’t help anyway so there’s no difference if there’s ethnic minority probation officers.”

Many of the young men we spoke to did not have father figures and expressed the need for relatable role models in the community. Many felt they would benefit from having a “mentor from the Black community” and saw value in “having opportunities to meet Black business leaders or entrepreneurs”. It was also felt that younger men can be better understood by someone closer to their “race, age and experience”.

4. Reflections and conclusions

This report is an important step in acknowledging the needs and experiences of Black, Asian and minority ethnic service users in Probation. It has come at an important time in history, when people of all ethnicities are facing the realities of racism, amplified by the Black Lives Matter movement of 2020. This movement has encouraged more open, honest and transparent conversations around racial discrimination, through which there is a real opportunity to understand better the issues relating to racial injustice.

Our report highlights how Black, Asian and minority ethnic service users often arrive at Probation having experienced instances of overt acts of racism from mainstream society and other component parts of the CJS such as the police, courts and prison services. We heard from many who had grown up in areas of deprivation, around crime and violence, and with substantial trauma peppered throughout their lives.

We also heard of overt acts of discrimination, which were harder to understand and identify. It emerged strongly in our fieldwork that subtle racism had been normalised to some extent and was seen to be ‘just how it is’. More strongly we heard of a lack of cultural understanding (and sometimes interest) within Probation and probation staff showing reluctance to broaching conversations related to race and ethnicity. There also did not appear to be a safe outlet through which to talk about this; or at least service users did not know of any. For some, trust in services had been corroded over many years, which may have contributed to the inaction we noted regarding challenging acts of discrimination (particularly those which are more subtle).

We envisage a probation service which recognises the likelihood of these events happening for Black, Asian and minority ethnic service users, and provides a non-judgemental space in which to talk about these experiences from the very start of their journey with the service. Service users need to feel confident Probation will ‘see’, ‘hear’ and ‘believe’ them. They also need to see Probation is committed to acting upon racism and supporting increased cultural awareness within its services with openness, compassion and care. We understand that, in 2020, it is no longer enough to just be ‘not-racist’; rather, action must be taken against the evident inaction.

Strong relationships between Black, Asian and minority ethnic service users are possible, and we saw that within our interviews. We saw this can happen across genders, faiths and ethnicities. Core to those relationships was a spirit of openness, a willingness to learn and to offer help. Wider relationships are also important to bring communities together, provide wider support networks and increase potential for learning. However, we saw little evidence of tangible support being offered, despite some positive relationships. Importantly, we also heard from people who do not believe Probation can meet their needs as it currently stands, with several being confused about its purpose and about what support can be provided as part of their supervision:

“Probation is for White people. It doesn’t benefit Black women or Black men. Our support needs are different.”

Black, Asian and minority ethnic service users are not responsible for acts of racism against them, but they experience the exhaustion, harm and pain caused by it. To ask them to voice this, only to see no action taken as a consequence, can be retraumatising. So we are encouraged by the efforts that have gone into this thematic to bring people, including service users, together in establishing how the land currently lies and what needs to happen now.
We also acknowledge this report is emotive and runs the risk of reader disengagement, or the avoidance and justification of certain elements due to feeling uncomfortable. This could also be the case within probation sessions when service users speak openly about the racism they have experienced within Probation. However difficult it is, this discomfort is essential to really appreciating the issues that people face in order to make real change.

We hope this thematic leads to an openness of dialogue, where people of all ethnicities feel safe and able to question their own practices, assumptions and gaps in understanding. One off training every few years will not go far enough to change inherent racism, but we envisage a process-based training such as clinical supervision which would allow people the opportunity to sit with their feelings of being uncomfortable and to manage the fight or flight response they may experience. It would be beneficial for cultural sensitivities or expectations to be understood by all Probation staff and then activated in their relationships with Black, Asian and minority ethnic service users. Unconscious bias needs to be explored and challenged. This self-awareness of personal bias will inevitably support authentic relationship building with people of all ethnicities. The service users we spoke to just wanted fair treatment and equity in regard to opportunities, but this requires awareness from services that starting positions may be different and support should be tailored around this to enable a levelling up process.

Alongside this, we believe in asking service users what would work for them and then learning from these experiences to ignite change. For this reason, we would encourage Black, Asian and minority ethnic service users to feed into the design and delivery of training for staff. We recognise that opportunities to feed back on experiences need to be invested in so they are far more accessible to people from Black, Asian and minority ethnic communities.

“There should be a shared commitment to help us more especially because there are so many barriers built against us already in society. Probation doesn’t need to be another one.”
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