



Ministry  
of Justice

**Criminal  
Justice  
Alliance**

## **Briefing Note: Diverse Workforce Roundtable, 18 July 2019**

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### **July 2019**

On 18 July 2019, the Criminal Justice Alliance (CJA) held a roundtable discussion on the topic of diversity in the criminal justice workforce, hosted by the Ministry of Justice.

In introducing the roundtable Junior Johnson, Deputy Director Prison Policy Workforce at the Ministry of Justice, set out that increasing workforce diversity is a key priority for the MoJ and that they are keen to learn from other parts of the criminal justice pathway to take a whole-system approach.

CJA Director Nina Champion outlined that improving workforce diversity, focusing on race, is a key strategic priority for the CJA in 2019-2020. The aim of this roundtable was to provide a platform to develop this work with CJA members and other criminal justice stakeholders by looking at the issue across the criminal justice pathway rather than in 'silos'. The CJA is committed to producing a policy paper on this issue in Spring 2020, liaising with attendees in the interim, and holding another roundtable with the Ministry of Justice early in the new year.

This note provides a summary of the key points for the CJA to investigate further over the coming months. Where possible, specific examples of emerging practice are highlighted.

Forum attendees included representatives from: Criminal Justice Alliance, HMPPS, London Youth Assembly, Magistrates' Association, Metropolitan Black Police Association, Ministry of Justice, the Parole Board, Prison Governors' Association, Thames Valley Police and Unlocked Graduates.

### **INTRODUCTION**

The topic for discussion was introduced by the Chief Executive and a prison officer for Unlocked Graduates, a graduate scheme for Band 3 prison officers. The two year scheme combines a Masters and work programme with the aim to reduce reoffending. Central to the programme's purpose is its belief that prison officers can be powerful agents for change with prisoners as well as influential contributors to changing prison culture.

There are currently 150 graduates working across 14 prisons. As the first cohort of graduates approach the end of the programme, Unlocked Graduates can report that a majority of its graduates intend to stay within the prison service. However, even those that go onto other roles in the public sector, business or politics will be greatly enriched by the experience of being a prison officer and will continue to improve perceptions of and change attitudes towards prisons.

However, prison officers remain highly undervalued public servants who deal with extremely vulnerable people and, sadly, negative stereotypes of prison officers permeate to university campuses, which cuts out a large proportion of the potential workforce. Unlocked Graduates aims to overcome this negativity by appealing to many young people's desire to contribute to positive social change.

On the subject of workforce diversity, it's clear for Unlocked Graduates that it is not a 'nice to have' but a highly desirable element of its recruitment. While there is still work to do, one in five current graduates is from a BAME background. Nevertheless, the BAME 'label' is sometimes too wide. For example, the experiences of a black male prison officer will be very different from those of a female Muslim officer from an Asian background.

The scheme recognises that recruiting from Russell Group universities creates difficulties for creating a more diverse workforce because these universities' student populations already suffer from poor BAME representation. However, Unlocked Graduates works closely with university groups that support BAME students and actively encourages recruitment of BAME graduates through Unlocked Graduates campus ambassadors. The scheme also works towards greater diversity through promotional material with more BAME representation, 'blind' application processes, and extra support and coaching at interviews.

Unlocked Graduates is also working to better understand how workforce diversity is not just about ethnicity but, especially in the context of prisons, also about gender (the majority of Unlocked Graduates are women). More attention should also be given to the different attitude many 'millenials' have towards their careers, compared with older colleagues.

The Unlocked Graduates prison officer spoke about her two years at HMP Brixton and her motivation to promote rehabilitation. A quarter of HMP Brixton's prison population are from a BAME background and the workforce is also diverse. Other BAME colleagues on the Unlocked Graduates scheme have highlighted difficulties working in less diverse environments.

A forthcoming policy paper will look at the impact on BAME prisoners of having a more diverse workforce. It will also consider the experiences of BAME staff, such as how female BAME prison officers are viewed with suspicion by their non-BAME colleagues when they are building rapport with BAME prisoners.

On the impact on staff when senior management in prison are not diverse, the officer commented on the difficulty of thinking about progression when there are not BAME people in senior leadership roles, even where immediate line managers may be BAME.

Commenting on this, one attendee highlighted the differences in BAME representation within the workforce across different prisons, particularly between prisons in London and those in the north of England. Evidence was also cited from Measuring the Quality of Prison Life surveys showing BAME prisoners were more positive than white prisoners in prisons where BAME staff were more readily promoted.

Another attendee commented on the difficulty of effecting change because of resistance from the current workforce. Where people are used to seeing white prison governors, this may engender negative stereotypes. It's also clear that these attitudes and the consequential difficulties extend from the prison workforce to other services such as healthcare provision in prisons.

Attendees also commented on the lack of positive portrayals of prison officers in TV, film and the media more widely. This is in stark comparison to portrayals of other public servants such as teachers.

## **DISCUSSION**

### **Why is a diverse workforce important?**

A quote from CJA's ROTL volunteer was read out to help capture the importance this work from the perspective from a serving prisoner:

*'When one goes through the court process they are told that a jury of their peers will determine their fate. And yet when one looks around the court room the judge is white, prosecutor is white, defence barristers & lawyers are white, the jury is white. At this stage there is always a feeling that the context of my defence will probably not be understood by the all white jury.'*

*Upon entering the prison system most of the staff are white and it suddenly dawns on you that equality will for the duration of your sentence be an alien concept. The lack of diversity entrenches sentiments of them and us. As long as the system operates in racial silos, it will never progress beyond racial stereotypes. It is these stereotypes that inform people's education, access to health, sentence progression, psychological interventions etc.*

*The CJS in my view has perceptions that black people are predisposed to violence and criminality. And it is reflected in the manner in which the journey through the system is mapped out. Workforce diversity in my view can go some way in breaking down these stereotypes that feed into discriminatory behaviours among the workforce.'*

- A diverse workforce is an important part of an effective criminal justice system that works for the people passing through it, those who work within it and for the communities it serves.
- Workforce diversity can break down stereotypes and discriminatory behaviours as well as providing the vital range of experiences and knowledge that improve the system's effectiveness.
- For example, in prisons diversity within the workforce gives officers a greater range of ways to address the many challenging situations they face. Recruiting a diverse workforce into prisons provides greater opportunity for prisoners to develop the positive relationships with officers that will assist their rehabilitation.
- The Lammy Review highlighted the paucity of confidence BAME communities have in the criminal justice system's fairness and effectiveness. Having a diverse workforce is likely to reduce the disproportionality in outcomes faced by BAME people and so improve BAME communities' trust in the system. In turn, this should also improve the system's ability to recruit a more diverse workforce.

### **Recruiting a more diverse workforce**

- Attendees discussed the importance of branding and success stories to encourage applicants from BAME backgrounds. The use of terminology and language should be considered, and one attendee suggested that job descriptions could often be made clearer and simpler. Additional support and explanation for assessment processes is also useful.
- Organisations should also consider the importance of not scoring 'own goals' – for example, by recruiting for prison officers from former military personnel where there is already limited diversity.
- Improving diversity through recruitment may require systemic change within an organisation that makes everyone within the organisation accountable for understanding diversity.
- Practical incentives, like signing up bonuses, could also be considered.
- Organisations need to do more work in schools, speaking to children and young people to improve their understanding of the role of a police officer, a prison officer,

a magistrate or the other varied roles within the criminal justice system, including less visible roles like prison staff. This approach should also extend to understanding how to better attract 'millennials' who are less motivated than previous generations to secure a 'job for life'.

- Recruiters should also recognise the difficulties of recruiting BAME people across different geographical areas and the consequential effect this will have on the people the organisation serves.

#### *The Parole Board:*

With a new Chair at the helm, the Parole Board recently embarked on a strategic change to its recruitment policy after finding that, of the 240 Parole Board members, there were no black members and less than five per cent were BAME. Changes included more regional work, the scrapping of psychometric assessments and an extensive publicity campaign across a range of mediums. As a result 53 new independent members will join the Board, 48% of whom are from a BAME background. These appointments triple the number of BAME members and will bring the Board's BAME diversity to nearly 13%.<sup>1</sup> The Chair has said that *'It is vital that we represent the community that we serve to continue to increase public confidence in our decision making. This campaign was only the first step and we hope to continue to build on our success when we next recruit, anticipated to be in the Midlands in 2020.'*

#### *Magistrates:*

- Recruiting new Magistrates may be especially difficult because of the importance of 'word of mouth' in learning about the role and hearing about opportunities. Much more should be done to highlight the benefits of being a Magistrate, starting with going out to communities, as well as working with employers to make it easier for people to balance the role with their jobs. Special attention also needs to be given to attracting younger people into these roles.

#### **Retaining a more diverse workforce**

- Many attendees commented on the importance of support from management to consider employees' progression and actively encourage them to apply for more senior roles as a way to retain employees.
- In some organisations, this is made difficult by a stretched middle leadership that often does not have the time to properly support frontline staff to consider progression and monitor their career development.
- Formalised mentoring schemes can help to address this, but these need to be properly funded and embedded, not optional. This kind of supervision can also help to reduce burnout and mental health problems with more junior employees.
- Organisations also need to better understand why some employees leave and take steps to address their concerns.
- More flexible working, such as part-time work and job-sharing may also serve to improve retention. This is particularly important given the changing attitudes of millennials compared to older colleagues.
- A particular problem for BAME people looking to progress is the low turnover in senior management, which is made up predominantly of white people. This means that opportunities to progress are limited, which can put employees off staying within an organisation.
- But retention also needs to be balanced with the value of turnover to refresh the personnel within an organisation, particularly for organisations with a flat structure and limited opportunities to progress.

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<sup>1</sup> <https://www.gov.uk/government/news/parole-board-triples-its-diversity>

- Some attendees also raised the question whether there is greater expectation on BAME staff to perform to a higher standard. Some BAME staff may internalise this attitude to their detriment.
- Better retention should be supported by training, switching roles across a multi-disciplinary team and bespoke coaching for BAME people when it comes to succession planning.

*Probation:*

- The high level of workload makes retention within probation services particularly difficult. A limited opportunity for some probation officers to focus on rehabilitation within some CRCs may make it difficult for younger employees who have joined for this purpose. The many changes to probation – which are happening very quickly – are also creating uncertainty. Positive stories, and a greater presence on social media, could help to bring in younger and more BAME people.

*Thames Valley Police:*

- Thames Valley Police uses a development tracker, which makes it an employee's responsibility to monitor their career, but also ensures line managers are able to identify BAME staff and officers who to progress. More needs to be done to create opportunities for BAME officers to speak to senior management. However, it is not just about internal processes but also greater community outreach, which is encouraged by the Chief Constable.

*Magistrates:*

- A recent focus group with young Magistrates revealed several issues around race, retention and progression that need greater attention. However, even with the younger cohort, it was clear many had joined because they knew someone who was a Magistrate (referencing the previous point issue under recruitment). In terms of retention, the Magistrates as a body of professionals need to react to a 'critical mass' so a young person or BAME person becoming a Magistrate feels less isolated. Ultimately, there needs to be better information on the reasons why people are leaving the magistracy, particularly if there are problems with employers.

**Providing opportunities for progression**

- Attendees commented that not everybody within an organisation is looking to progress however, mechanisms to identify and support individuals who do want to progress need to be in place.
- Active monitoring could entail specific times where staff are reviewed and directly identified. This also involves more senior leaders within an organisation taking the time to better understand their BAME staff. This should extend to mentoring and feedback after sifts and interviews during an application process.
- Coaching, training and access to career development opportunities may also be useful, although consideration needs to be given to what happens for an individual after they've used these opportunities. One attendee highlighted a lack of follow-up on the investment in people looking to progress.
- Organisations may also need to think about built-in biases within their progression policies and consider how people are identified as talented.
- Employers should also recognise that some BAME people may fear their promotion being labelled as tokenistic, or simply fail to exemplify their talent because of lack of confidence that it will be recognised.
- Again, a better understanding of the reasons why people do not progress is needed. For example, if expressions of interest in policing are not turning into job applications for higher positions, the organisation needs to understand why.

- Transparency is also key and organisations may want to consider creating an appeals process. Sometimes, operational time pressures will make open recruitment more difficult, which organisations should understand may lead to people being coached into leadership roles.
- Organisations should be open to amending their HR processes and bringing in external oversight to provide a different perspectives or issues as they arise.

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