

Time to end **the silence**



**The experience of Muslims
in the prison system**

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Written by
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maslaha

Muslim men make up 15% of the prison population while Muslim communities only make up 5% of the general population.



foreword

People within the penal system do not somehow become two-dimensional rather than three-dimensional when they enter custody. But it is a constant struggle to remind the system – let alone the media and the public – of this, and to work to secure a custodial environment that is effective simply because it demonstrates what it means to treat people as if they genuinely had an inner life, a set of sustaining relationships, and an identity beyond that of an ‘offender’.

Nowhere is this harder, it seems, than in relation to the religious identity of some within the system. This timely (and sometimes shocking and dispiriting) report spells out just how hard it is for Muslims in custody to secure respect for that inner life and identity and those relations that give them life through their community of faith. Ignorance and suspicion still dominate large parts of the system, producing an environment that is neither just nor effective in changing behaviours and protecting society.

At the root of much of the ineptness of the system at the moment lies one widespread confusion about Islamic identity. The lazy contrast between ‘radical’ and ‘moderate’ Islamic practice sometimes has the effect of making any deeper and more visible involvement in the practice of the community seem like ‘radicalisation’ – when in fact it may simply be a greater seriousness about religious commitment.

There is a good deal of highly-coloured anecdote about “radicalisation” in the context of prisons. No-one wants to deny that extremist networks, left and right, “Islamist” or racist, can find a foothold in prisons as in many other contexts. Where the Muslim

prison population is concerned, the point is how the institution responds – with general suspicion or with a willingness to learn, to educate and be educated, to avoid making a situation worse by ignorant or demeaning assumptions.

This report also details the problems arising from a widespread lack of trust in the ‘secular’ pastoral provisions in prisons. Many Muslims – not least women – are not confident that their beliefs will be recognised and understood or even that their confidences will be respected. Much of this is a matter of perspective, and the judgements and anxieties may not be fair; but the lack of trust is palpable and has to be dealt with sensitively if people are not to be driven further into isolation and non-communication.

The recommendations of this report are modest and practical –but not less urgent for that. It is crucial that prison staff as well as staff and volunteers from the voluntary sector should have fuller training in the religious needs of Muslim men and women; and it is also crucial that there should be positive and regular liaison with Muslim communities outside the prison, both to provide perspective on what happens to prisoners in the system and to assist with reintegration and rehabilitation in the long term. Proper concern about challenging and avoiding violent or extremist behaviours should not be an excuse for ignoring basic needs and failing in the statutory duty to honour the religious convictions of prisoners.

There are some good stories here as well as alarming and depressing accounts; we know that better performance is possible, and we can see its positive outcomes. This document should be read as an encouragement to what will in the long run be an immeasurably more constructive atmosphere in the penal system; as an invitation to make sure that Muslim prisoners emerge better able to contribute to the society they live in, rather than being further alienated and disempowered.

Rowan Williams, Master of Magdalene College, Cambridge

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I'D LIKE TO BELIEVE

Aliyah Hasinah's poem, I'd Like to Believe, runs through our podcast, which accompanies this report. As well as hearing the experience of Muslim men who have been in prison and the obstacles they face in practising Islam, the poetry adds a creative and emotional perspective that is often missing from traditional, institutionalised frameworks of analysis.

Aliyah Hasinah

Every cautionary tale my mama told me harboured a lie.
I'd like to believe that in trying, my hopes will not become uniformed murmurs of police boot
on brown cheek,
I'd like to believe that forgetting to lotion wouldn't cause offence.
I'd like to believe that our solitary prayers sing softness into your hearts, not concrete,
or one day my peace will not be used against me
or strangled subdued upon me.
I'd like to believe it'll be the loneliness that rehabilitates me.

I'd like to believe
you're aware the only radicalism on this day is comfort's love
for terror can never be radical, not truly.

...can never be Angela's writing hands cuffed and aching for all of us
can never find peace in scared eyes clutching bags of 'British values'
with knuckles white as noor.

I'd like to believe my wrongs will be a Haq I'm forgiven for.
I'd like to believe I'll never have to feel the weight of truncheons ready to make baseball of my
back in Sujud.

I'd like to believe on Friday's when the mandem kiss each others cheeks and embrace like
we're back in the arms of our mothers,
that you do not fear the tension that rolls off my back, with every salaam.

There is no threat in this prayer
antagony's clouds have made their bed in policing mind
to make homeless the fact I'm nothing to fear.
Nothing to fear,
in this place of peace.

Listen to the podcast at:
soundcloud.com/maslahajustice/id-like-to-believe-stories-of-muslim-men-in-the-criminal-justice-system

introduction

There is a story about an alarm clock which captures perfectly the experience of Muslims in the criminal justice system. It shows a lack of understanding of religious needs and the negative impact this ignorance can have on Muslim prisoners. This story shows the effects of power and ignorance and what it means to have your basic human rights denied.

A former prisoner officer, who now works in the voluntary sector, in a conversation about racism in prison, described how during Ramadan – the month of fasting in Islam – she would wake up Muslim prisoners to fast because in this prison, they did not have access to clocks, and the prisoners relied on her and trusted her to do that. This former prison officer, who had not received any training on the religious needs of prisoners, learnt on the job the rituals and processes that could matter so much to a Muslim. As she said, “I’m looking after 80 men, someone is cutting his wrists, and someone needs his medication, I shouldn’t be learning this on the job”. She went onto describe how other prison officers didn’t wake up Muslim prisoners during Ramadan because they had decided that the men were unlikely to keep the fasts, unlikely to have the will power to practise this religious ritual and so denied them that right to worship.

Here is the guidance for prisons under the section faith and pastoral care. The mandatory instruction in section 6.1 states that: “Recognised religious festivals, including the associated worship, must be marked and observed...Supervisory staff must be available for the observance of the festival.”¹

This alarm clock story is unfortunately not an anomaly. Prison Advice and Care Trust (Pact) helplines see an increase in calls from Muslim prisoners during Ramadan, largely related to access to praying, which highlights how prisons are not sufficiently equipped to meet the needs of Muslims during religious festivals, and meet the requirements of the mandatory instructions.

It begs the question, how widespread is this practice and why is it not being investigated? We know from analysis carried out by the Zahid Mubarek Trust and the Prison Reform Trust² that only one in a 100 complaints made by black, Asian and minority ethnic (BAME) prisoners were upheld. The report goes on to state that;

“THE THRESHOLD OF PROOF EQUALITY OFFICERS USED TO ASSESS PRISONERS’ CLAIMS OF DISCRIMINATION WAS GENERALLY TOO HIGH. SOME EQUALITY OFFICERS APPEARED TO SEE THEIR ROLE AS DEFENDING THEIR COLLEAGUES FROM ALLEGATIONS OF BIAS.”

The alarm clock story is indicative of a number of factors affecting Muslims in the criminal justice system. It shows a lack of basic religious and cultural understanding among individuals and is also symptomatic of a much larger problem of a system that does not fully recognise the religious needs of Muslims, which can allow discriminatory acts to occur without accountability and challenge.

The reaction to this story is also revealing. Muslims and individuals of colour who hear this story respond immediately, physically and emotionally. Maslaha has had to spend time explaining to a large number of non-Muslims who work in the criminal justice sector why this story reflects a wider problem within the criminal justice system and how it’s linked to the racial disparity we know exists. Most of the voluntary sector individuals and organisations that we spoke to were surprised by the specifics of this story. Individuals of colour however had heard of similar incidents before.

The aim of this project is to understand how the voluntary sector works within the prison system to meet the needs of Muslim prisoners. How accessible are these services and is there an understanding from within the voluntary sector of cultural and religious diversity in the delivery of these services? In order to do this it is important to understand this context of the clock story as this environment directly effects how voluntary services work.

Marginalised communities, and in the case of this report, Muslim communities, are often de-contextualised from their environment, heritage, culture, and a political and economic context. However, in order to deliver sophisticated services this missing context is a vital ingredient in creating accessible services which Muslims in prison can trust and use.

In order to explore these issues we ran focus groups and interviewed individuals both in and outside of prison working with the Samaritans, family services organisation Pact, the Prisoners' Education Trust and rehabilitation charity Switchback. Between them they cover a range of services across a number of prisons delivering vital support which incorporates mental health, family and prisoner support, education and pathways to rebuilding lives following release.

The findings of the Young Review³ and Lammy Review⁴ gave this work added impetus, highlighting the significant disproportionality and disparity in the treatment and outcomes of BAME and Muslim prisoners.¹ This body of work has become even more relevant as the number of Muslim men in prison has doubled in the past 16 years making up 15% of the prison population, while Muslim communities as a whole only make up 5% of the general population.⁵

There are also 254 Muslim women across the prison estate in England⁶ whose voices remain unheard at a policy and research level despite being highly visible in the media and facing Islamophobia and racism from other prisoners and prison staff.⁷

The experience of Muslim women also has to be seen through the intersection of gender discrimination, Islamophobia and racism.

These statistics are concerning but so far insufficient data has been collected to understand the reasons behind this increase. It begs the question: why has no analysis taken place to understand this disproportionality?

Muslims, as well as BAME¹ men and women in prison, often describe their experience in prison and relationships with staff more negatively in comparison to white groups.⁸ A significant number of Muslim men report:

- o NOT RECEIVING BASIC CARE
- o NOT BEING TREATED RESPECTFULLY BY STAFF
- o NOT BEING ABLE TO TURN TO STAFF FOR HELP
- o NOT EASILY BEING ABLE TO RECEIVE OR SEND PARCELS OR LETTERS
- o NOT EASILY BEING ABLE TO MAKE COMPLAINTS

¹ For the purposes of this report we use the term 'BAME' to refer to communities of colour in the criminal justice system. This is to be consistent with the terminology used in the Lammy and Young reviews, by criminal justice agencies and most stakeholders that work in or around the criminal justice system. However we recognise that this shorthand does not sufficiently reflect the diversity of those who would fall under this umbrella label. This in itself is part of the problem with how we understand and are able to analysis the diverse experiences of those in the criminal justice system. The data that stems from this label does not reflect the reality of diversity and it adds to the silence around communities of colour in the criminal justice system.

The Lammy Review recommended that every criminal justice institution should adopt an ‘explain or reform’ principle which meant that criminal justice agencies should provide an evidence-based explanation for disparities between ethnic groups then introduce reforms to address those disparities.⁹

The story of the clock highlights a number of factors that are important in designing services to meet the needs of Muslims in prison;

- IT SHOULD NOT BE ASSUMED THAT VOLUNTARY SECTOR OR PRISON STAFF ARE AWARE OF THE MOST BASIC TENETS OF ISLAM.
- AS SHOWN BY THE CLOCK STORY, IT IS NOT UNUSUAL FOR INDIVIDUAL PRISON STAFF OR VOLUNTARY SECTOR STAFF TO EDUCATE THEMSELVES WHEN THE SYSTEM THEY OPERATE IN FAILS TO PROVIDE ADEQUATE TRAINING, WHICH ADDS A FURTHER BURDEN TO THAT INDIVIDUAL.
- THE LANGUAGE OF GUIDELINES AND POLICY DOES NOT ADEQUATELY CONVEY THE IMPORTANCE OF RELIGIOUS OR CULTURAL HERITAGE AND EXPERIENCE, AND HOW THESE CAN BE A USEFUL TOOL IN BUILDING TRUST AND A PRACTICAL SERVICE OR TRAINING FOR MUSLIM PRISONERS.
- THE LANGUAGE OF GUIDELINES AND POLICY CANNOT ADEQUATELY CONVEY THE NEGATIVE IMPACT OF HAVING THE RIGHT TO WORSHIP TAKEN AWAY OR IMPEDED. FOR EXAMPLE, IT CAN CREATE A FEELING OF DISTRUST AND CAN IMPACT ON HOW OTHER SERVICES OR PRACTITIONERS IN THE CRIMINAL JUSTICE SYSTEM ARE PERCEIVED. THIS IS PARTICULARLY IMPORTANT FOR VOLUNTARY SECTOR ORGANISATIONS WHOSE SERVICES HAVE A LOW TAKE-UP FROM MUSLIM PRISONERS.

- INDIVIDUALS AND VOLUNTARY SECTOR ORGANISATIONS WE SPOKE TO HAD HEARD SIMILAR ACCOUNTS TO THE CLOCK STORY, WHERE MUSLIMS IN PRISON ARE DENIED THEIR RIGHT TO WORSHIP. BUT THESE ACCOUNTS ARE NOT BEING AIRED PUBLICLY AND ANALYSED IN THE CONTEXT OF RACIAL DISPARITY AND DISPROPORTIONALITY THAT EXISTS IN THE CRIMINAL JUSTICE SYSTEM. A REDUCTION IN EXTERNAL SCRUTINY PANELS ON RACE INCIDENT COMPLAINTS SINCE 2008ⁱⁱ NOW MEANS THAT THESE STORIES ARE EVEN LESS LIKELY TO BE HEARD, WHICH MEANS THAT THE VOLUNTARY SECTOR, IN THE COURSE OF ITS WORK, REMAINS ONE OF THE KEY EXTERNAL AGENCIES WHICH CAN MONITOR AND ANALYSE THE EXPERIENCES OF MUSLIM AND BAME PRISONERS.

The voluntary sector has a long tradition of understanding the importance of the cultural and religious needs of communities and realising these as assets. This report shows the deep commitment that these charities have to the communities they work with in often difficult environments. Continuing that tradition, and in light of the disproportionate increase of Muslims in prison, and the new challenges and expertise this increase calls for, these four charities took part in this project recognising that more could be done to improve the services they provide for Muslims in prison.

It has become clear during this project that the voluntary sector should not just be concerned about improving cultural diversity training but should also understand how services are operating in an environment where Muslim men and women are seen as objects of risk¹⁰ and are the victims of racism.¹¹

In the course of this work what has also become clear is the distance that exists between the view of the prison system which often sees Islam as a risk factor and a link to extremism, and the charities we

ⁱⁱ Currently only 28 prisons maintain external scrutiny panels compared to 107 prisons in 2008.

worked with, which saw religion as a positive; an important anchor to support Muslims in the criminal justice system.

This report shows clearly that where the voluntary sector recognises the importance of religious needs and makes practical changes to the delivery of its service to meet them, this can have huge benefits for Muslim men and women in prison. This report also shows how the prison system is failing to deliver on its mandatory instructions when it comes to the treatment of Muslims and how this can obstruct the services charities are trying to provide, placing an additional burden and responsibility on the work of the voluntary sector.

We found that this situation is exacerbated by the silence that surrounds the experiences of Muslim men and women in prison which turns them into 'shadowy figures'. It's easy to forget their humanity and attach stereotypes and caricatures to them; the radical Muslim; the terrorist Muslim; the extremist Muslim. All the while forgetting that there is scant evidence to back up these claims.¹² Only one per cent of Muslims in prison are convicted of terrorism charges.¹³ As one Muslim man who had been in prison told us:

"AS A MUSLIM PERSON, PRAYING 5 TIMES A DAY IN CONGREGATION IS NORMAL AND IT HAPPENS EVERY DAY, EVERY YEAR, ALL UP AND DOWN THE COUNTRY, ALL OVER THE WORLD. BUT WHEN IT HAPPENS IN A PRISON ENVIRONMENT, AND YOU'VE GOT A BUNCH OF MUSLIM LADS IN ONE CELL, IT STARTS SETTING OFF ALARMS IN THE PRISON STAFF – WHAT ARE THEY UP TO, WHAT'S GOING ON?"

Of concern are the number of conversations we had with Muslim men who have been banned from Friday prayers (a sacred day of worship in Islam where praying in congregation is encouraged if possible) for insignificant acts, or where the threat of not being allowed to attend Friday prayer has been used as a form of control. When we discussed this in focus groups and interviews, participants felt that prison authorities knew how much Friday prayers meant

to them and would deliberately use it to punish or as leverage over them. As one member of a focus group summarised:

"THEY KNOW THAT'S THE ONE THING THAT WILL GET TO A MUSLIM, IF HE'S NOT GOING TO GET TO FRIDAY PRAYERS. THAT'S THEIR BEST THREAT."

The mandatory instruction for prisons under the faith and pastoral care section, 2.3, states that:

"A PRISONER MUST NOT BE SUBJECT TO ANY FORM OF DISCRIMINATION OR INFRINGEMENT OF THEIR HUMAN RIGHTS BY DECLARING THEMSELVES OF ANY FAITH OR RELIGION OR AS BELONGING TO NONE. A CASE OF ALLEGED DISCRIMINATION ON THE GROUNDS OF A PRISONER'S REGISTERED RELIGION MUST BE RECORDED IN THE CHAPLAINCY TEAM JOURNAL AND REPORTED TO THE GOVERNOR. EACH CASE WILL BE INVESTIGATED BY THE EQUALITIES MANAGER OR OTHER APPOINTED MANAGER."

The impact of not being able to practise your religion cannot be underestimated. For many of the Muslim prisoners we spoke to it was the one source of comfort in periods of severe emotional and mental fragility and isolation.

It is this understanding that is often lacking in the prison system. The voluntary sector can help by ensuring that this finding is not ignored and that religion is seen as a source of strength and positivity. Can the voluntary sector in the course of its work do more to ensure their work understands the granularity of a religious identity, and how that can be used to improve the delivery of the service? Does it also have a role in holding the prison system to account when it is unable to deliver its work to Muslim men and women because of discrimination and clear breaches of regulation?

themes

The report is divided into three themes that arose during the course of this project. Under each theme we explore the work of four charities in relation to Muslim prisoners and in the context of the prison environment described in the introduction. These themes are:

TRUST

Over the past nine years, Maslaha has designed services and products that help to improve public services for Muslim communities, and an essential part of this work has been building trust. In our experience it has required a deep understanding of communities and an individual's life in the context of their environment, their personal, social and economic circumstances and their religion or cultural background. In a prison context this becomes even more important as individuals are separated from their support networks of family, friends and peers. Importantly, designing services with service users in prison or with families moves trust from an abstract idea to a pragmatic one.

RELIGION

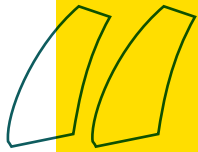
Our first report with the Barrow Cadbury Trust, *Young Muslims on Trial—Islamophobia in the Criminal Justice System*,¹⁴ showed starkly how many Muslims in prison found comfort and support in Islam, while the prison system viewed it with fear. In Maslaha's work in health, education and gender equality we have found that an understanding of an individual's religious and cultural background, as well as heritage, can help to improve the creation and delivery of a service. But how does this work for a voluntary service whose staff may not be representative of the BAME population in prison? How can they become skilled in understanding these religious and cultural backgrounds, in a service in a prison environment where Islam is viewed with suspicion?

RISK

A common thread through this work has been how Muslims in the prison system are regarded as objects of risk or suspicion, an observation supported by academics we cite throughout the report. The voluntary sector needs to be aware of this finding and how this affects the services they provide. How is this culture of suspicion created? Who decides what is risky and what pressures make this a daily occurrence in prison? The voluntary sector has to develop critical frameworks to understand the situations and contexts like these which alienate and marginalise Muslim communities and other communities of colour. How does "bad data" (data based on stereotypes and lack of religious and cultural understanding) lead to fixed assumptions that then influence practice and culture in prison, which then in turn affects, negatively, how voluntary services can operate?

THE METHODOLOGY

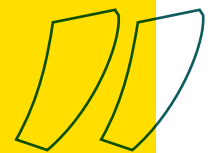
This report is based on a mixture of long interviews, focus groups, and observation conducted with those in custody and outside the prison estate. The interviews were with Muslim men and women who had experienced the criminal justice system as well as staff at Samaritans, Pact, the Prisoners' Education Trust and Switchback. We also spoke to a number of academics and criminologists and other organisations and individuals who work in the voluntary sector and have specialist knowledge and experience of issues affecting BAME and Muslim communities. We conducted focus groups in 4 prisons as well as interviews with Muslim men and women who had served custodial sentences across an additional 10 prisons.



There needs to be a sophisticated analysis that is not only intellectually rigorous, but can also register emotion, vulnerability, heritage, culture, and religion. We need to move away from crude acronyms such as BAME which provide a reassuring security blanket for those organisations and institutions who don't want to venture too near the messiness of people's lives. All black people, and all Asian people are lumped together. If the methodology is not sophisticated and therefore more compassionate, we will only be hearing the

most basic stories. Not only is this a huge cost to the taxpayer but we are consciously colluding in systemic discrimination and allowing countless lives to be wasted. These stories do not spill out, they are held without any urge or need to tell people as if this discriminatory and dehumanising behaviour is normal. But these stories need to be heard to ensure that silence does not become an ally of discrimination and fear. These stories not only inform but also heal and ensure that there is some recompense, and an attempt at social justice.

Raheel Mohammed
on Discover Society



trust



Building trust is an essential element of the work charities undertake in prison and for a significant portion of Muslim prisoners we spoke to, this was linked to understanding their religion and culture.

A former prisoner who had been a Listener in prison spoke about how identity helped to build trust and deliver the Samaritan's service to Muslims in prison. "As a Muslim I have the same understanding, same faith, same religion – this helped in my role as a Listener. It helps them if you give them [Muslim prisoners] something from their belief... When I gave the khutbah [sermon during Friday prayers] I told them about the Listener scheme... Someone once said to me 'I trust you, you led the Friday prayer'".

For this Listener,ⁱⁱⁱ there was a clear understanding that his religious identity helped him to build trust and deliver a service for the Samaritans to other Muslim prisoners. Being a Listener was a positive experience for him and allowed him to use his identity in order to fulfil this role "I was influenced by the Listeners, it was a great opportunity to help other people. They want to help other people. We used to speak to Samaritans more than imams."

But he was also fully aware of how his religious identity in prison could prove to be an obstacle:

"THERE IS RACISM. IF A PRISON OFFICER SEES EIGHT OR NINE PEOPLE PRAYING TOGETHER, YOU'LL HEAR FROM THE PRISON OFFICER, 'YOU CAN'T PRAY LIKE THIS, IT'S AGAINST OUR RULES'. AND I'LL REPLY, 'TELL ME WHERE IT SAYS WE CAN'T'. IF MUSLIMS ARE IN A MINORITY IN A PRISON THEN THERE ARE MORE DIFFICULTIES. THEY [MUSLIM PRISONERS] DON'T TRUST THE JUSTICE SYSTEM OR THE PRISONER STAFF."

ⁱⁱⁱ The Listener scheme is a peer support service run by Samaritans which aims to reduce suicide and self-harm in prisons. Samaritans volunteers select, train and support prisoners to become Listeners. Listeners provide confidential emotional support to their fellow inmates who are struggling to cope. Prisons should aim to have enough Listeners available round the clock for anyone who needs to talk to them.

Another former Muslim Listener echoed this and spoke about how as a Muslim, the Listener scheme was like having a badge of independence, which in his experience, was seen as a positive sign by other Muslim prisoners who saw the prison as discriminatory. He highlighted just how vital the support provided by the Listener scheme can be and why it is so important that Muslims are able to access it. As he said, "I saw people at their wits ends, they just needed to speak to someone."

The same person said that other Muslim prisoners would approach him because, "If I tell you it's more chance that it will stay confidential because you're one of us." This was echoed by another former prisoner who had been a Listener: "They will say to me 'if I tell you it's more chance that it will stay safe'". We also heard this sentiment directly from Muslims prisoners we spoke to, through both interviews and focus groups. Most expressed concern that non-Muslim Listeners would breach their confidentiality and talk amongst themselves, which made them reluctant to engage with the service. Muslim women who had been in prison, also raised these concerns. One said they would not trust the Listeners scheme because they felt "everyone would know my business then."

We found no evidence that Listeners would breach any confidence but the lack of trust was enough for some Muslim men and women not to use the service. It is worth noting that confidentiality is a core principle of the Listener scheme and is emphasised rigorously through training and ongoing Samaritans' support. However, some Muslims we spoke to did not recognise this in an environment with such levels of distrust and where the fear of rumours spreading across the prison is rife. Our research suggests that they were reacting to the prison environment rather than the Listener scheme. In that sense the prison environment is acting as a barrier to accessing this service.

In another prison focus group the participants agreed that as Muslims they would turn to their Muslim 'brothers' for advice

before speaking to anybody else as they felt they had a better understanding of their problems. The group also discussed how Islam would offer them guidance and support if they were facing problems or struggling to cope. They were not confident in the support that Listeners could offer, because of their lack of knowledge of Islam and Muslims, and understanding of the difficulties they were facing. In the focus groups, Muslim participants spoke about feeling more comfortable talking to a Muslim Listener because, as one participant said, a non-Muslim, "wouldn't understand about our culture and our problems."

However, relying on their Muslim peers can place a significant amount of pressure on Muslims prisoners. Providing that support can be emotionally and mentally demanding especially without the training and wider support of the Samaritans that Listeners are provided with. There was also a feeling amongst some that if, as Muslims, they did not go to the imam first, it would be "a betrayal". But others were adamant that that they would not feel comfortable talking to the imam about certain topics, which highlights the importance of having a non-judgemental professional service available.

In contrast we held a focus group in a women's prison, where two of the Muslim women said they felt comfortable talking to any of the Listeners regardless of their religious background, and felt that the wider chaplaincy team were also very supportive. No topic was felt to be 'off-limits'. The chaplaincy in this prison worked closely as a team and were also highly visible. The Muslim women, for instance, spoke highly of the Catholic chaplain. Similarly, in this prison, the Listeners were highly visible, with visible posters about the scheme and the Listeners were proactive in approaching individuals who appeared to be in distress. The Muslim women in this prison felt that this approach was more important than their faith.

TRUST AND ACCESS TO EDUCATION

Education was another area where there was huge potential for trust to be created and a more positive pathway built for Muslims in prison. It not only provides a break from a normal prison routine but also helps build and prepare towards a life outside of prison.

During a focus group with the Prisoners' Education Trust, we heard from a group of prisoners who described the Islamic lessons organised by the imams at this particular prison as playing a vital and positive role.

"IT MOTIVATES ME. IT SHOWS US THERE IS LIGHT AT THE END OF THE TUNNEL AND THAT KNOWLEDGE IS POWER."

"IT HELPS YOU TO THINK ABOUT LIFE. IT GIVES YOU A CHANCE TO DEVELOP."

The Muslim prisoners spoke about how the Islamic courses helped "people open up" as it was a 'comfort zone' for many participants. People who would be quiet on the wings would talk openly in the Islamic classes.

The class also provided "hope for the future" as the knowledge they gained from the classes provided guidance in life and was described as a "school of life". The group we spoke to felt that this education would encourage people to pursue further Islamic education upon release which would help stop people from offending again. As one prisoner said: "Education for today and education for tomorrow." The courses were delivered by imams, who participants seemed to trust more than the wider prison authorities, which in turn made them more likely to engage.

Current Muslim prisoner

"LEARNING BEGAN, FOR ME, AS JUST SOMETHING THAT WOULD STOP ME FROM GETTING BORED, RATHER THAN SOMETHING THAT WAS FOR ANY SPECIFIC PURPOSE. HOWEVER, IT HAS NOW GROWN TO BECOME AN (ALMOST) ALL-CONSUMING PRESENCE IN MY LIFE. I LOVE IT. I DON'T REALLY STOP STUDYING AND LEARNING, AND EVEN IN MY CELL I READ EDUCATIONAL BOOKS ABOUT A BROAD VARIETY OF SUBJECTS."

"I CONSIDER EDUCATION TO BE LIKE THE GYMNASIUM OF THE MIND: PEOPLE ARE NOT BORN BUFF AND BUILT, IT TAKES HOURS OF LIFTING HEAVY WEIGHTS, AND PEOPLE ARE NOT BORN SMART, IT TAKES HOURS OF STUDYING AND READING. I LIKE TO UNDERSTAND HOW AND WHY THINGS WORK AS THEY DO, AND THEN I SPEND TIME CONSIDERING HOW THINGS CAN BE IMPROVED."

For some of the Muslims we spoke to, great value was placed on the Islamic courses on offer in prison but the availability of those courses is far from consistent. For example a former prisoner we interviewed spoke positively about an Islamic history course but places were limited and it was felt that priority was given to other educational opportunities. Others spoke about applying for other courses after taking a previous Islamic course but getting no response to their requests. The lack of response from the prison was demotivating and as a result they did not try to enrol again. This shows the positive role that access to Islamic courses can have in supporting people's ambition and motivating them to engage in further education and rehabilitative activities, if those opportunities are made available and accessible.

The Islamic courses were an example of a positive learning experience as well as providing a safe haven from the rest of prison life. There was a hunger from the Muslim men and imams to create an accredited course that could be of benefit post-release in either further learning or for employment. The imams in this prison are highly regarded by the voluntary sector services we spoke to and would be the natural partners in trialling Islamic courses because they are not only trusted by the senior management in this prison but by the Muslim men as well.

However there is a climate of suspicion surrounding Muslim men and their relationship with Islam. If routine acts of worship or growing a beard are regarded with suspicion and recorded as such, what would be the implications for some Muslim men enrolling on an Islamic course? It's clear that education is a positive process but some prisons may not view Islamic courses positively. This would then require an appropriate response from the voluntary sector to advocate for these courses and the learning needs of Muslims prisoners, in order to encourage their consistent implementation across the prison estate and to provide challenge to prisons where there is disparity in educational opportunities.

TRUST: A TWO-WAY STREET

Amongst policy-makers and key decision-makers, the prevailing concern in addressing racial disproportionality in the criminal justice system – and therefore where the solution is also presumed to be – seems to be focused on the lack of trust that BAME people have in the criminal justice system and its agencies. Trust however is not a one-way issue. Criminal justice agencies must ask themselves how they can expect Muslim and BAME people to trust the system, when it demonstrates such little trust towards them; as if they are figures that pose an inherent risk and treating them accordingly.

Kushaal Sood, a solicitor and barrister, believes that the lack of trust the prison system has in Muslim prisoners affects their ability to access services. He has found while practising prison law,

assisting prisoners with their complaints in prison and representing them before the Parole Board and District Judges presiding over disciplinary proceedings, that there is an over-policing of Muslim prisoners which can affect how they access services, and who is seen as “eligible” or “worthy” to access services. He believes that “voluntary sector organisations should develop their own risk assessment” and that the current risk assessment tools such as OASys (the Offender Assessment System) are flawed.

The Young Review also found that, “BAME prisoners perceived that they were more likely to receive warnings and adjudications than their white counterparts, were more likely to be found guilty than white prisoners even when they had been involved in the same incident, and that opportunities for purposeful activity that would allow them to work towards enhanced status^{iv} were not equally distributed across prisoners of different ethnicities, with white prisoners being favoured.”¹⁵

TRUST AND FAMILIES

A breakdown or a lack of trust can also affect families of prisoners. A Pact staff member gave an example of when the brother of a Muslim prisoner tried on multiple occasions to bring a prayer mat with him when he went to visit the prison. Each time he came, he was told that the prayer mat could not be handed to his brother. This kept happening and the brother became increasingly frustrated as he felt that his brother's religious rights were being denied.

^{iv} ‘Enhanced status’ refers to the highest level of the three-tiered Incentives and Earned Privileges (IEP) scheme. The IEP scheme is prison management tool which, in theory, should encourage prisoners to engage with their rehabilitation. It is intended to give Governors levers that will incentivise good behaviour and a way of tackling poor behaviour and breaches of the Prison Rules. Positive behaviour, personal progression and constructive activity should enable people to progress to higher levels of the IEP scheme and poor behaviour can result in losing privileges and moving down in the IEP scheme.

According to the Pact staff member there was a breakdown of communication. Either the brother in prison was not filling in the appropriate paperwork for a prayer mat and/or had not been advised properly. The brother visiting was also not made aware of this process. But this is another example of how trust was eroded quickly over religious rights and the bureaucracy of applications. Given that he tried to bring a prayer mat multiple times, it raises questions as to why he wasn't advised of the process following the first time or why he and his brother didn't turn to the chaplain or support services for help. Is it because they felt they couldn't access a service or weren't advised where to turn to for support? It is worth noting that Muslim men are more likely to report negative experiences when making such applications compared to non-Muslim men.¹⁶

A staff member from Pact also pointed to the benefits of understanding a prisoner and their family's culture or religion and the trust that this creates: "It's a massive difference, if you can speak Punjabi, especially for mums and partners." But as this same staff member felt, there seems to be no urgency to understand a prisoner's culture and heritage in prison; "they [prison staff] don't think of it as an essential need."

For families navigating the criminal justice system and all its complexities and bureaucracies on top of having to cope with all the emotional, psychological and financial impacts of having a family member in prison creates additional stress and burden for them. It is vital to break down the barriers that prevent families of Muslim prisoners from being able to access services to support them through this experience and navigate prison processes.

Only 1% of
Muslims in
prison are
convicted
on terrorism
charges

religion



The right to religion is a fundamental human right that protects the freedom to worship and observance.¹⁷ Although people in prison are clearly restricted by the environment and prison regime, prisons have a duty to respect the religion of prisoners, meet religious observance needs and ensure people are able to continue practicing their faith while in custody. This includes attending the main religious observance of the week and provision to observe recognised religious festivals.

However, as the alarm clock story shows in the introduction, these rights have to be actively monitored and supported by training for staff who may not have a basic understanding of religious practices that are important to Muslims.

Instructions for prisons on meeting its duty and the religious needs of prisoners is currently set out in the Prison Service Instruction (PSI) 05/2016, Faith and Pastoral Care for Prisoners.¹⁸ But in the course of our research we found this guidance was not being adhered to.

Many of the Muslim men talked about how they had become more religious during their time in prison. Islamic teachings and the daily routines of practising their faith provided a sense of stability, focus and motivation – a way of reflecting and coming to terms with their experiences. Islam was spoken about as offering a source of comfort during what is a very difficult experience; it was a coping mechanism for managing prison life. People we spoke to talked about reading the Quran as a way of taking away their stresses. And some spoke about practising their religion more, simply because they had more time. As part of this process that might mean for some among other things, praying more and in congregation with other Muslims; seeking out the imam more; or small changes in their appearance such as growing a beard or changing the way they dress.

The Muslims we spoke to however when talking about their experiences were cautious of how this looked to others and how

it would be interpreted by both staff and other prisoners. We heard how constant judgements are being made about how much religiosity to show even when accessing a vital talking therapy service. This means for Muslim prisoners, it is not simply about choosing to access a service, but how this action will be seen, how will this be recorded, and whether it will have an adverse outcome. Concerns were raised by the focus groups about being too open and visible with their religion as it was felt that staff were “looking out” for signs of radicalism and extremism – something we discuss in more detail further in the report.

Faith is very personal to the individual but it can also bring people together and create a sense of community and belonging. The Muslim men that we talked to, spoke of how Islam helped them to connect with other Muslims in prison through shared understanding of each other’s faith, experiences and cultures and the issues they faced. This can provide a valuable support network for Muslims in prison and a chance to build relationships and interact with others.

The importance of this in prison cannot be underestimated when prison is by design so isolating from the outside world, cutting people off from their family, friends and community – only 30% of prisoners report that it is easy or very easy for family to visit them and 16% report not receiving any visits at all.¹⁹ This can be especially isolating for minority groups who can face discrimination and stigmatisation from the wider prison population. In research commissioned by the Ministry of Justice, Muslim prisoners talked about feeling alienated and targeted, whilst some non-Muslim prisoners regarded them as representing risk and a threat to a “British-White-Christian-Secular” way of life, with both staff and prisoners proposing that Muslims be officially segregated from non-Muslims “in order to curb the ‘contamination’ influence”²⁰

Former Muslim prisoner

“WHEN YOU’RE IN THAT PLACE, AND YOU HAVE NOBODY, YOU AIN’T GOT YOUR FAMILY, IT’S GOING TO BE THAT THAT HELPS YOU, ‘CAUSE IT’S SPIRITUAL, IT’S PERSONAL.”

Given the importance that faith can have in people’s lives, particularly during their time in prison, it can have profound implications when the right to religion and worship for Muslims is not met. Both in terms of an individual’s ability to cope with prison, their mental health and sense of identity but also in terms of their engagement with voluntary services and staff, as well as their sentence plan.

The lack of understanding about religion and Islam in particular can mean perceptions of Muslims remain rooted in assumptions and stereotypes which, conscious or not, are discriminatory. These attitudes impact the way others respond to and treat Muslims which in turn can further isolate Muslims in prison and create additional barriers to accessing services and support. Throughout the project we often heard the responsibility for not accessing services in prison or offered by the voluntary sector placed with Muslims; statements such as “they’re a private lot”, “they have each other” and “they are a very tight knit group” were common.

There is a cumulative effect to these incidences and statements from Muslim men express feelings of constant hostility and disregard for their religious rights. Communicating this impact for Muslims is often misunderstood and met with resistance – as a member of a focus group in prison said, “it’s like a language barrier...they don’t understand where we’re coming from”.

It is important for the voluntary sector to recognise this context when attempting to work with Muslim prisoners and their families, as this may be one explanation for why a voluntary sector service is not accessed. A mainstream voluntary service may be regarded with suspicion if it is seen as part of a prison system that is experienced as hostile.

These 'micro' examples of where there is a lack of understanding or at times hostility towards Muslim cultures, needs and experiences are impacting the everyday lives of Muslims in prison, and they are in fact symptoms of a 'macro' problem. In evidence to the Justice Committee on the implementation of recommendations from the Lammy Review,²¹ David Lammy MP said "The one area where I found discriminatory practice...was in the prison system. There were too many prisons where it was clear...that there is institutional racism and very poor practice."²²

THE DELIVERY OF SERVICES

It is vital that voluntary sector services also have a sophisticated understanding of the role of religion and culture for their service users in order to meet often pressing mental and emotional needs and are aware of how to adapt their services to meet the religious needs of their Muslim clients. It is also important for services to be aware and empathetic of the barriers and discrimination that their Muslim service users face in prison and out.

The voluntary sector services we engaged with showed great signs of good practice despite the challenging environment and institutional Islamophobia of the prison system in which they have to operate.

Mental health services

In one prison where there were a number of Muslim Listeners and where the scheme had been promoted well, there was a good take up from mainly younger Muslim prisoners. This group felt that more

could be done through the imam or Friday prayers to promote the scheme, as well as starting conversations which led with an Islamic or religious perspective. Again, there was an emphasis on Islam as a tool to help with the delivery of a service – an approach Maslaha has used in its health resources,²³ and an approach that could be applied to voluntary sector organisations working in criminal justice. Earlier in the report we discussed how former Muslim Listeners could see the positive benefits of incorporating religion into their Listener role. They had the freedom to do this as Listeners with positive outcomes for other prisoners as well.^v

In contrast, in another prison where there were no Muslim Listeners, Muslim prisoners relied on the support network that existed between Muslim men. This support network reinforced feelings of religiosity which meant that they were more likely to rely on each other than seek help outside of their immediate group: "You're part of a brotherhood and you know there is support and a connection." The different experiences of the same service in two prisons is not surprising. The service needs to reflect the diversity of the prisoners, including through recruiting Muslim Listeners, but it is also affected by the relationship Muslims have with the wider prison and how they feel they are treated. One non-Muslim prisoner for example described the reluctance of Muslim prisoners to use the Samaritan's scheme as a problem within Islam: "There must be something that is in the religion, something that is wrong there, that's where you have to look."^{vi}

^v It is worth noting that the Samaritans and the Listener scheme is a non-religious service open to all of any religious background.

^{vi} In fact where we held a focus group, there was a clear and overt camaraderie that existed between the Listeners (non-Muslim) and the prison staff, but which was absent in relation to the Muslim group. It would be worthwhile for future research to explore how negative attitudes held by prison staff towards Muslims and Islam also influence how non-Muslim prisoners respond to fellow Muslim prisoners.

Resettlement services and a whole person approach

We interviewed Muslims who used Switchback's service. Service users spoke highly of the organisation. It is not a Muslim-led organisation – it does not offer a specifically tailored service for a particular group but it takes a personalised, empathetic approach which accounts for and meets the distinct needs of their diverse service users, taking into account religious requirements where needed.

One interviewee spoke about how Switchback staff took the time to learn about his background and what Islam meant to him. For example while working in a café connected to the charity, he was asked how he felt about handling bacon and was given the opportunity to do his own research and ask an imam and a compromise was reached. For the interviewee, it was significant that he could have the space to ask those questions, and as he said of Switchback staff "what matters to you, matters to them."

In contrast another Muslim interviewee spoke about his negative experiences of accessing courses and opportunities in prison:

"IF YOU'RE THE WRONG COLOUR OR RELIGION YOU DEFINITELY GET TREATED DIFFERENTLY, THE WHITE PRISONERS WOULD GET SPACES ON BRICKLAYING COURSES, SOMETHING THAT COULD HELP YOU GET A JOB AND WE WOULD JUST GET THE HEAVY LIFTING WORK."

For this interviewee it mattered that Switchback made an effort to understand his whole identity, "They ask about your family, they ask everything about me...It's like Switchback were backing me, otherwise people would think here is another crook, is he going to steal from us as well."

Andy Keen-Downs, Chief Executive Officer of Pact, also spoke of a project Pact ran which was intended to give a sense of the whole person and show an alternative view of religion;

"WE DID A PIECE OF WORK A FEW YEARS AGO WHICH WAS AROUND STORYTELLING. SO WE HELD FAMILY DAYS, WE INVITED PRISON OFFICERS TO ATTEND, AND WE HAD PRISONERS TELL STORIES FROM THEIR DIFFERENT FAITH TRADITIONS. AND THAT HELPED CHANGE THE ATMOSPHERE IN A NUMBER OF PRISONS, WHERE THERE IS SOMETIMES TENSION, BECAUSE I THINK THAT CAN HELP SEE SOMEONE'S FAITH TRADITION AS SOMETHING PRECIOUS AND BEAUTIFUL, RATHER THAN A PROBLEM TO BE DEALT WITH."

The current prison system is cracking under the strain of overcrowding and becoming an increasingly unsafe place, with a lack of staff and resources to manage the growing prison population. Prisons are facing disturbing and increasing rates of violence, self-harm and suicide.²⁴ Prisoners are often spending the majority of the day in cells with nothing to do; 20% (1 in 5) of prisoners were found to spend less than two hours a day out of their cell.²⁵ The conditions in many are unsanitary and unfit for purpose²⁶ – in 2018 alone, four prisons were issued with an urgent notification by the Prisons Inspectorate.²⁶ But throughout this project when we spoke to Muslims who were or had been in prison, they all spoke about their faith as a source of positivity despite the challenges of being in prison. If that faith identity could be supported, both by the prison and the voluntary sector services delivering within it, it could have a significantly positive impact on individuals' desistance journeys.

Although there has been a rapid increase in the number of Muslims in prison over the past 15 years, prison staff are not given appropriate cultural training on Islamic practices and needs. As shown by the story of the alarm clock, individual prison officers are often not aware of the basic needs for Muslim prisoners to be able to properly observe religious festivals such as when to wake up during Ramadan and why their support in this is important. Prison officers are expected to learn about these things on the job, whilst at the same time having to manage a multitude of other priorities. Prisons should provide

mandatory equality and diversity training to all staff. This should be face to face training and staff should be required to go on regular training updates as part of their personal development.

Without this training there will be inconsistent responses from staff. A prison officer needs to have capacity and willingness to learn about Islamic practices and traditions and be motivated to support Muslims in practicing their faith. The Muslim men involved in the project had numerous examples of where this lack of knowledge led to actions from staff, which whether intended to or not, were disrespectful and often offensive. For example many had experienced their Qur'an being mistreated when going through security or when cells were searched because staff did not realise how sacred it was to them. Similarly there were examples of disrespectful behaviour while they were praying and walking on their prayer mats.

Those experiences add to the findings of previous research which found the lack of understanding and confusion around Islam and Islamic practices, made staff feel confused about the treatment of Muslim prisoners, what they are entitled to and what are reasonable expectations, for example around the amount and type of reading material. Staff said they felt particularly unsupported by managers in this area of their work.²⁸

This finding was reinforced by our project and the discussions we had with both Muslim service users and voluntary sector staff. One Pact member of staff talked about the increase in calls from Muslims that Pact's helpline gets during Ramadan, on being able to pray and buy halal food from the canteen. They went on to say: "There's a lack of knowledge among prison staff. One officer did not know that Muslims prayed five times a day or that they fast during Ramadan. And you say to yourself are they not aware that there aren't as many people in the canteen during Ramadan?"

She also described how "the calls tend to be from Muslim prisoners and families that are not being treated equally." Or as another put it, "the majority of calls [from BAME people] are about racism."

Sofia Buncy who leads the Muslim Women In Prison Project – a resettlement programme based at the Khidmat Centre – explains, local community knowledge and understanding the powerful role culture and religion can play is very important:

"WE WORK WITH MUSLIM WOMEN WHO HAVE BEEN IN PRISON, BUT IT'S REALLY IMPORTANT THAT WE ARE ROOTED IN THE COMMUNITY. WE WORK OUT OF A COMMUNITY CENTRE AND WE DO A LOT OF WORK WITH MOSQUES AS WELL."

"WITH MAINSTREAM PROVIDERS THERE WOULD BE SO MUCH TO EXPLAIN (FOR THE MUSLIM WOMEN IN PRISON), AND THE RESPONSE WOULDN'T RESONATE WITH PEOPLE'S CULTURE. IT'S SUCH A COMPLEX ENTANGLEMENT OF CULTURE AND RELIGION, HOW CAN WE EXPECT MAINSTREAM ORGANISATIONS TO WORK WITH THIS?"

"WE UNDERSTAND HOW WE CAN USE FAITH AS A TOOL TO REPAIR."

Using religion as punishment

Many of the Muslim men we spoke to, felt that Islam was sometimes used as a form of punishment. When this happens, religion moves from being something positive in the lives of Muslims to a source of 'intelligence' for those in authority. One of the clearest examples of this is access to Friday prayers.

FRIDAY PRAYERS

A consistent issue that was raised in every interview and focus group was the way Friday prayers were used as a punishment. This is not the first time we have come across this – it's a story that has been repeated continuously over the past three years since our first report, *Young Muslims on Trial*.²⁹

“SHUT YOUR MOUTH OR YOU'RE NEVER COMING TO FRIDAY PRAYERS AGAIN.' WHEN DOES HE HAVE THE RIGHT TO TELL ME WHEN I CAN GO AND PRAY TO MY LORD AND WHEN I DON'T HAVE THE RIGHT TO PRAY TO MY LORD? AND WHEN HE GOES AND TELLS THE IMAM, THE IMAM WILL LISTEN TO HIM AND HE WON'T LET YOU COME TO FRIDAY PRAYERS. YOU HAVE TO PRAY AS A GROUP, IT'S NOT ACCEPTED IF YOU PRAY ON YOUR OWN. PERSONALLY I GOT BANNED FOR 6 MONTHS FROM FRIDAY PRAYERS. I HAD TO PRAY ALONE IN MY CELL FOR 6 MONTHS.”

All the Muslim men we spoke to, talked about how immensely important Friday prayers were to them. It was something they spoke of looking forward to all week and a motivation for them.

“IT MEANS SO MUCH TO SEE OTHER PEOPLE ON FRIDAY, JUST TO BE IN THEIR PRESENCE, YOU'RE GOING TO GIVE SOMEONE SUPPORT.”

According to the prison instructions, “Provision must be made to enable all prisoners who choose to do so to attend the main religious observance of the week for the faith in which they are registered.” Only in exceptional cases can an individual be excluded for a maximum of one month. Anything longer and the exclusion must be reviewed and authorised by the Governor.³⁰

Yet despite this, every Muslim we spoke to felt Friday prayers were used by the prison as a form of discipline and punishment rather than something they were entitled to. Most had been threatened with not being allowed to attend Friday prayers, and at some point

been stopped from going, with some even permanently banned. The decision to stop someone going to Friday prayers was felt to be arbitrary and unfair. It was felt people were excluded from Friday prayers for insignificant acts when there was no real risk posed to security or themselves. Those that had been excluded spoke about what a devastating blow it was to them – losing the opportunity to worship in a community and to connect with those who they otherwise would not see if they are held in different wings.

The importance of Friday prayers for Muslims in prison to be able to continue practising their faith in custody, means access should not be used as either an incentive or a punishment. But participants spoke about how they were threatened with losing Friday prayers – in a direct attempt to use it is a punishment. Those we spoke to, believed this was done because it was understood how important Friday prayers were to them and what a devastating impact it could be to remove them from someone.

“I'M SORRY BUT THE PERSON SHOULDN'T BE BANNED (FROM FRIDAY PRAYERS). PUNISHING SOMEONE LIKE THAT, GETTING AT THEIR RELIGION, WILL GET THEM THE MOST...NOT BEING ABLE TO GO TO FRIDAY PRAYERS IS THE BIGGEST THING EVER, IT'S LIKE NOT BEING ABLE TO GO AND SEE YOUR FAMILY.”

The consistency with which this issue came up amongst Muslims who were held in different prisons (and had been to others throughout their sentences) suggests a widespread problem across the prison estate. It is especially problematic because it suggests not only unconscious bias but amounts to overt discrimination – there is an explicit awareness of the importance of Friday prayers to Muslim prisoners and therefore an understanding of why this is an effective form of control. Preventing a prisoner from attending Friday prayers with regularity and without sufficient reason is a violation of the prison guidance and Muslims' right to worship. There needs to be an effective monitoring process in place that can challenge these actions and is trusted by Muslim prisoners and their families.

risk



“TRADITIONALLY RELIGION WAS SEEN AS A REALLY VALUABLE FEATURE OF REHABILITATION, RELIGION WAS SEEN AS A WAY OF REDUCING LIKELY OFFENDING BEHAVIOUR, TODAY IT IS NOW SEEN AS CAUSING OFFENDING BEHAVIOUR, IT IS NOW SEEN AS CRIMINOGENIC, CRIME CAUSING.”

– Dr Patrick Williams, Manchester Metropolitan University

In the twenty years since its landmark report on Islamophobia, the Runnymede Trust have noted that Muslims have become ‘a greater focus of policymakers in the UK and around the world, but framed largely in terms of terrorism or as a civilizational threat. This framing of Muslims is, of course, centuries old, but has re-emerged in new and toxic ways.’³¹ This has created an increasingly Islamophobic environment that perpetuates damaging stereotypes of Muslims, (conscious and unconscious) discrimination of Muslims, and enables anti-Muslim sentiment to often be publicly and overtly expressed.

There has been a particular concern about radicalisation in prisons which has affected prison policy and the way prisons respond to Muslims. This has created a stigma in prison around Islam. The men we spoke to felt the effect of this – they felt as though they were seen by staff and non-Muslim prisoners through the lens of terrorism and extremism and that everything they did was treated with suspicion. As one person we interviewed said “sometimes it feels like your religion and your skin colour doesn’t help you in prison.” This reinforces previous research which has found ‘tensions relating to fears of ‘extremism’ and ‘radicalisation’ in prison.’³²

Faith enabled the Muslim men we spoke to, to construct a positive identity in prison, providing motivation and focus. But rather than see the value that their religion could play in the desistance process, the prison system sees it as a negative – something to be cautious of. There is growing evidence which shows that Muslim prisoners have become the new ‘security threat group’ as religious identity,

ideology and practice — disproportionately Islam — is subject to increasing scrutiny by security departments.³³ This creates an immediate tension between the journey Muslims go through in prison and the way the prison system responds to this process. We found that many Muslims become more religious during their time in prison because of the support it provides them, but the prison system sees this as a risk to be managed and even prevented.

“WHEN YOU HAVE A LOT OF TIME TO REFLECT, YOU THINK ABOUT WHAT HAVE I DONE, HOW CAN I MAKE IT BETTER, HOW CAN I MAKE MYSELF BETTER, AND YOU TEND TO LOOK FOR ANSWERS: THE WAY YOU LOOK FOR ANSWERS IS ASKING GOD QUESTIONS, ASKING GOD FOR FORGIVENESS, ASKING GOD TO MAKE WISER CHOICES. AND THEN, TO LOOK FOR SPECIFIC ANSWERS, A LOT OF PEOPLE TURN TO THE QURAN, AND IT GIVES YOU A LOT OF PEACE.”

This positive response to Islam can sit in contrast to prison policies which encourage staff to look out for signs of radicalisation. A 2016 review of Islamist extremism in the criminal justice system, by the Ministry of Justice, found it to be a growing problem within prisons, requiring a comprehensive and co-ordinated strategy to monitor and counter it. To identify the threat, the review provides a list of ways that Islamist extremism can manifest itself including; unsupervised collective worship; attempts to prevent staff searches by claiming dress is religious; Muslim gang culture; and exploiting staff fear of being labelled racist.³⁴

Following the review, the government announced it would implement new measures to tackle Islamist extremism in prison and equip prison officers on the front line to be able to ‘crack down’ on extremist behaviour.³⁵ However the indicators of extremism proposed by the review and the encouragement of prison staff to watch out for and treat Muslims as a potential security threat, creates real problems in the way staff and other prisoners perceive the actions of Muslims and the management of the everyday lives

of Muslims in prison. This is especially problematic when combined with a lack of basic religious and cultural understanding of Islam and the ways Muslims worship and observe their religion.

Previous research found evidence that prison staff had come to perceive Islam as a radical religion and would ‘sometimes view any outward appearance of Islam as evidence of radicalisation’, writing this ‘evidence’ up in their security reports.³⁶ The experience of Muslims that we spoke to for this project reinforced this finding:

UNSUPERVISED COLLECTIVE WORSHIP IS CONSIDERED A POTENTIAL SIGN OF THE RADICALISATION PROCESS AND MANY OF THE MEN IN THE FOCUS GROUPS AND INTERVIEWS TALKED ABOUT HOW STAFF AND OTHER PRISONERS WOULD REACT NEGATIVELY TO MUSLIMS PRAYING IN GROUPS TOGETHER, IN EACH OTHER’S CELLS OR PRAYING ALOUD. IT WOULD SEEM TO THEM TO BE SUSPICIOUS ACTIVITY. HOWEVER PRAYING IN CONGREGATION IS NOT UNUSUAL PRACTICE FOR ANY RELIGION.

LIKEWISE IF MUSLIMS IN PRISON WERE IN A GROUP TOGETHER ON THE WINGS, THEY WERE PERCEIVED AS A GANG. PARTICIPANTS IN OUR RESEARCH TALKED ABOUT HOW STAFF WOULD INTERRUPT AND SPLIT APART GROUPS OF MUSLIMS HANGING OUT TOGETHER MORE THAN NON-MUSLIM GROUPS. IT ALSO FELT TO THEM THAT MUSLIMS WERE PURPOSELY PUT ON DIFFERENT WINGS TO SEPARATE THEM.

IF THEY GREW A BEARD AND/OR DRESSED DIFFERENTLY (EVEN OUTSIDE PRISON) THIS COULD ALSO BE MET WITH SUSPICION. APPEARING MORE VISIBLY MUSLIM MAKES THEM SEEM A GREATER RISK AND MORE VULNERABLE TO DISCRIMINATORY TREATMENT. THIS SENTIMENT RUNS THROUGHOUT THE CRIMINAL JUSTICE SYSTEM – SOME SPOKE ABOUT FEELING LIKE THEY NEEDED TO ALTER THEIR BEHAVIOUR AND CHANGE THEIR APPEARANCE TO SEEM ‘LESS MUSLIM’, PARTICULARLY

DURING THEIR TRIAL IN THE HOPE THAT THE COURT WOULD BE MORE LENIENT.

One former prisoner said:

“TO US [MUSLIMS] THESE THINGS ARE NORMAL, BUT TO THEM [NON-MUSLIMS] THEY SEE IT AS EXTREME...THE OFFICERS MIGHT THINK ‘OH, THESE GUYS ARE GETTING RADICALISED, HOW COME ONE DAY HE’S NORMAL, NOW HE’S GOT A BEARD, LOOK HE’S PRAYING NOW, ONE DAY HE’S A GANGSTER, NOW HE’S PREACHING; YOU GET ME? SO HE’S GOT THAT CLOSENESS TO GOD BUT THEY’RE THINKING PEOPLE ARE RADICALISING HIM, YOU MIGHT EVEN START GETTING INVESTIGATED.”

This tension between prison policy which regards some practice as “extreme” but which Muslim prisoners would regard as normal, will be relevant to the voluntary sector to determine how best to deliver their service.

For instance, one of the indicators of radicalisation is “Muslim gang culture”, but as a staff member at Pact questioned: “Why are they called gangs? They are just people who share the same traits, dress the same, have the same religion, it does not make them a gang. It’s absolutely natural that people who share the same interests or beliefs would want to be with each other.”

They went on to describe how the lack of cultural and religious understanding in prison reinforced the notion of Muslim gangs when Muslims are in a group. Not knowing the religious and cultural practices, traditions and dress, means they are easily interpreted as ‘gang signs’ like turning up their trouser legs or wearing religious hats on a particular day.

This tension between religious rights and prison policy, and staff interpretations of those policies in practice, is exacerbated by the inconsistency across prisons and the lack of information that prisoners

have about their rights. From Pact’s experience through its helpline for prisoners and families, they have found that “Prisoners don’t know their rights, some don’t even know that they have a personal officer who is supposed to support them while they are in prison.”

Risk and suspicion also affected how Muslim prisoners engaged with the Samaritan’s Listener scheme.

Participants spoke about how prison staff would be suspicious if they spoke to a Listener or tried to access the scheme — “they [prison staff] think we [Muslim prisoners] are up to something”. Although it should be a confidential service, according to the focus group participants, prison staff would question why they wanted to use it. The participants of the focus groups thought this was because prison officers didn’t trust them and thought Muslim prisoners might have alternative agendas. This has put some of them off using the scheme — having to deal with that reaction and explain themselves was “not worth it”.

When discussing how to encourage more Muslims to become Listeners, a small number of the focus group said they had applied but were rejected by the prison because they were deemed as posing a security risk. There is not enough information to say why those particular prisoners posed a security risk and whether it had anything to do with concerns of radicalisation. However in the context of all the other experiences in prison, the Muslim prisoners saw the rejection as discriminatory and linked their being seen as a ‘security risk’ to the narrative around extremism and fears that Muslims would use participating in the Listeners scheme as a way of radicalising others.

The concern about radicalisation and not having too many Muslim Listeners is illustrated in correspondence received from a prison’s chaplaincy team following a focus group, raising concerns that, “If a Muslim prisoner was to become a Samaritan for Muslims only there is a risk this could lead to radicalisation of this prisoner.”

This is further supported by Professor Alison Liebling and Dr Ryan William's article, *The New Subversive Geranium*, where we read how being branded a "radicalising influence" prevented another Muslim prisoner from continuing as a Listener. The evidence for this particular claim was not apparent to the prisoner, despite an investigation led by the prison which left him feeling "anxious" and frustrated". This article states:

"[HE] WAS UNABLE TO RECOVER HIS POSITIONS AS A 'LISTENER'...AND DIVERSITY REPRESENTATIVE FOR HIS WING WHEN INTELLIGENCE WAS REPORTED SUGGESTING THAT HE WAS 'A RADICALIZING INFLUENCE', BUT HE DID NOT KNOW WHY HE WAS REMOVED FROM THESE POSITIONS AS THIS INFORMATION WAS WITHHELD ON THE BASIS THAT IT WAS SENSITIVE."

"HE USED THE COMPLAINTS PROCESS TO INVESTIGATE, BUT HE WAS FRUSTRATED BY IT (FORMS WERE LOST, REPLIES WERE UNDATED OR UNSIGNED, AND NO RESPONSE WAS FORTHCOMING). THE LOSS OF THESE MEANINGFUL ROLES WAS A SOURCE OF ANXIETY, FRUSTRATION AND ANGER, AS THE SYSTEM BECAME OPAQUE AND HE WAS RENDERED POWERLESS. IT WAS HARD FOR HIM TO SEE THIS EXPERIENCE AS ANYTHING BUT 'EVIDENCE OF VICTIMIZATION' AND 'ISLAMOPHOBIA'."³⁷

Both examples show how the threat of a potential security risk allows for more punitive and less transparent actions towards Muslim prisoners which ultimately erodes trust and has significant negative consequences for individuals.

The suspicion surrounding Muslims and Islam can also be felt by the BAME voluntary sector. Khatuna Tsintsadze from the Zahid Mubarek Trust spoke about the challenges of being an organisation with a "Muslim-sounding name" working in the prison system:

"WE WERE PREPARING TO COMMENCE OUR HABITS OF MIND COURSE FOR BAME PRISONERS AND HAD A REALLY GOOD TAKE UP FROM PRISONERS, AND THEN ONE OF OUR PROJECT STAFF WAS QUESTIONED BY A SENIOR MEMBER OF PRISON STAFF IF THIS WAS AN ISLAMIC COURSE. THE PROJECT CONTENT WAS DISCUSSED IN ADVANCE AND COMMUNICATED TO ALL THOSE INVOLVED IN THE PREPARATION PROCESS, INCLUDING THAT MEMBER OF STAFF. THE COURSE HAD BEEN SUCCESSFULLY DELIVERED IN ANOTHER ESTABLISHMENT AND THERE WAS NO LINK TO AN ISLAMIC TEACHING AT ALL... IT WAS A LACK OF TRUST, BUT THIS CAN BECOME AN OBSTACLE IN PRISONS IF YOU ARE REACHING OUT TO MUSLIM PRISONERS."

When claims of extremism are made or people are reported for being radicalised (or radicalisers), they are typically based on stereotypes and often turn out to be unfounded. As Leibling and Williams found: "It is not unusual for those who report extremist activity to later find out that it was not extremist after all...These errors are viewed as the unproblematic residue of a vital process. But the residue is not without consequence for prisoners serving long and indeterminate sentences. Being 'written up' can 'affect your whole life!'"³⁸

The increased suspicion that Muslims are more likely to be extremists or easily radicalised is also reflected in figures released by the Home Office on the Prevent Programme (a part of the counter-terrorism strategy to identify terrorism and potential non-violent extremism and a legal requirement for public services such as schools and the NHS). The latest figures for 2017/2018 show that 3,197 people were initially referred under suspicion of Islamist extremism (the largest proportion being under the age of 15). However, only 179 were deemed as needing support, although it is not clear from the published data what threat these individuals posed.

The challenge for the voluntary sector will be to navigate the powerful and positive aspects of a religious identity within an environment that views outward expressions of religiosity with suspicion, leading to it being “written up” by authorities as a sign of risk. The ‘residue of distrust’ it creates should not be underestimated, and another obstacle to navigate when designing and delivering services.

PREVENT

The Prevent duty is part of the government’s counter-terrorism strategy (otherwise known as ‘CONTEST’) and has been rolled out across a number of institutions in the UK including those in the criminal justice system. The most recent Counter-Terrorism and Security Act 2015 places a legal obligation on public institutions to “have due regard for the need to prevent people being drawn into terrorism”.³⁹ As part of this duty, people that work with the public are expected to refer someone if they have concerns about their “vulnerability to being drawn into terrorism”.⁴⁰ Referrals are then assessed by the police or local authority and a decision is made about whether further intervention and ‘support’ is needed.

As this duty operates in the pre-criminal space it requires public sector workers such as teachers, doctors or prison staff to spot and report the potential extremist. Since its inception, Muslim communities, including children, have been the largest group referred. The latest figures from 2017/18 show that 3,197 Muslims were referred and 841 of these were under the age of 15.

Within the prison estate, there is a lack of transparency around how Prevent operates. Whilst the annual statistics produced by the Home Office⁴¹ broadly tell us how many Prevent referrals in a year originated from HMPPS, the information is not broken down any further than that. We are not able to tell how many individuals were referred under Prevent when in prison, whether those referrals resulted in any further action, and what the outcomes for those individuals were.

Nor is there any transparency on the training that prison staff receive on Prevent and extremism, the interventions provided to those referred, or actions taken against them as result of radicalisation concerns. The lack of transparency and accountability for Prevent in prison is a major concern for the treatment and outcomes of Muslims in prison. This concern is mirrored by civil society organisations such as the Runnymede Trust who found that there is “substantial evidence that...the current Prevent policy is discriminatory, disproportionate and counterproductive.”⁴² There is also a strong feeling among civil liberty organisations, health and education workers, unions, politicians, that Prevent “stifles speech, spreads fear and distrust, and encourages discrimination”.⁴³ A coalition of civil liberty organisations, including Liberty, Index on Censorship and Maslaha have also criticised the announcement of a review of Prevent as lacking credibility and integrity.⁴⁴

The duty has been heavily criticised for demonising Muslims, perpetuating and institutionalising anti-Muslim racism and leading to victimisation of Muslims.⁴⁵ The corresponding explanatory notes that go with the Strategy and further government publications on Prevent has made clear that the focus is on Islamist extremism as posing the largest threat.⁴⁶ This reinforces the myth that Muslims pose a particular threat and are somehow by way of being Muslim more vulnerable to radicalisation. It institutionalises perceptions of Muslims as a risk to be managed and treatment of them which is discriminatory.

Certainly we know that in other sectors, Muslims have been vastly overrepresented in referrals made under the Prevent duty. For example between 2014 and 2016, taking population size into account, Muslim children were 44 times more likely to be referred compared to those belonging to any other religion.⁴⁷ Further research has shown that in higher education settings it has led to the disproportionate and discriminatory victimisation of Muslim students.⁴⁸

A recent review by the government on Islamist extremism in prison demonstrates its focus in prisons is much the same – on the Islamic faith and those that visibly practice it. As part of its ‘crackdown’ on Islamist extremism, the government promises that “through targeted interventions we will encourage Islamist extremists to disengage, while closely monitoring and managing the risk presented by those who choose not to.”⁴⁹

However, the Maslaha team, through its extensive work with Muslim communities, has seen first-hand both the spurious reasons that Muslims are referred under Prevent and the detrimental effect it can have on Muslim people and their families. For instance there are examples where a primary school child has been referred wrongly because he drew a picture of a gun, but the process has left the mother feeling isolated and stigmatised and not able to share her feelings with anyone. It is worth repeating that 841 Muslim children under the age of 15 were referred last year.

One of the factors that is given as an indicator of risk for a person to be referred is an apparent ‘opposition to British values’ – a concept that has been highly criticised for been so broadly defined that it leaves it open to widely varying, individual interpretations that are often rooted in Islamophobic stereotypes.

Prevent has been criticised for not being fit for purpose as a safe-guarding device because:

“ANYONE WHO KNOWS ANYTHING ABOUT SAFEGUARDING CAN CLEARLY SEE [PREVENT] IS NOT SAFEGUARDING, REALLY. BECAUSE IT’S NOT TRANSPARENT. THERE’S NO AUDIT, THERE’S NO CLINICAL GOVERNANCE. WITH SEXUAL ABUSE, IT’S VERY CLEAR WHAT CHILD SEXUAL ABUSE IS, AND WHAT YOU’RE PROTECTING THE PERSON FROM. WHEN YOU DO

SAFEGUARDING, THE PERSON SAT IN FRONT OF YOU IS YOUR MAIN CONCERN BECAUSE YOU’RE TRYING TO PROTECT THAT PERSON; WHEREAS WITH [PREVENT], YOU’RE PROTECTING THE STATE FROM THAT PERSON.”⁵⁰

The same report gives examples of where referrals have been made:

“ON A HOME VISIT TO A FAMILY, A HEALTHCARE PROFESSIONAL NOTICED A CHILD SITTING IN FRONT OF AN ARABIC TELEVISED NEWS CHANNEL. THERE WERE ALSO ARABIC READING MATERIALS LYING AROUND. THE FAMILY WERE REPORTED TO SOCIAL CARE AS A POTENTIAL CASE OF RADICALISATION. THE CASE DID NOT REACH CHANNEL.”⁵¹

These examples are important because they show how the most innocuous actions can be regarded as dangerous, especially if you are Muslim. This is important to bear in mind when we regard Prevent and the prison system where, as we have already shown in this report, there is a fear of Islam and associated rituals which have very practical and negative consequences for Muslims in prison, such as being banned from Friday prayers. Governors have also been instructed to remove anyone from Friday prayers considered to be promoting ‘anti-British beliefs’.

Given this context and the lack of transparency of Prevent in prisons, there is legitimate reason for concern on how it is affecting Muslims. And yet with the absence of data, we are unable to provide the scrutiny this programme desperately needs and to hold agencies and decision-makers to account. Without this, questioning the impact on Muslims can be dismissed as unsubstantiated. We need to understand the training staff are receiving to see how it fosters the perception of Muslims as risky and associates them with terrorism.

conclusion

There is a dearth of evidence to help us understand fully the experience of Muslims in prison. This knowledge deficit can allow false assumptions, false data and false conclusions to flourish unless they are properly checked.

For any type of voluntary service to be meaningful, it has to be able to analyse the present context of an individual Muslim in all its complexities, understanding heritage, culture, religion, class, gender, and trauma, but also understanding that there is a particular social and political environment that promotes a view that Islam and Muslims are risky and should be put under surveillance.

An analogy by Michelle Alexander, in *The New Jim Crow*, offers a useful way of explaining structural racism but also helps to understand the inter-play of different elements, both personal and social, positive and discriminatory, in a person's life. She uses the image of a bird cage:

"IF ONE THINKS ABOUT RACISM BY EXAMINING ONLY ONE WIRE OF THE CAGE, OR EVEN ONE FORM OF DISADVANTAGE, IT IS DIFFICULT TO UNDERSTAND HOW AND WHY THE BIRD IS TRAPPED. ONLY A LARGE NUMBER OF WIRES ARRANGED IN A SPECIFIC WAY, AND CONNECTED TO ONE ANOTHER, SERVE TO ENCLOSE THE BIRD AND TO ENSURE THAT IT CANNOT ESCAPE".

"WHAT IS PARTICULARLY IMPORTANT TO KEEP IN MIND IS THAT ANY GIVEN WIRE OF THE CAGE MAY OR MAY NOT BE SPECIFICALLY DEVELOPED FOR THE PURPOSE OF TRAPPING THE BIRD, YET IT STILL OPERATES (TOGETHER WITH THE OTHER WIRES) TO RESTRICT ITS FREEDOM."

Understanding and tackling inequalities and discrimination requires services and organisations to look at the relationship between all the wires. Only by doing this can organisations respond in a way that is practical, meaningful and sustainable and will influence long term change.

For instance, a common thread or "wire" throughout this project is religion. An understanding and respect for the identity and heritage of a Muslim prisoner from the voluntary sector can increase the chance of engagement with services, education and employment opportunities and rehabilitative and resettlement interventions. These are activities that the prison system would typically regard as "good behaviour", yet it is precisely this religious identity that can have a Muslim prisoner "written up" or viewed with suspicion which creates more barriers to them accessing services.

The flow of information is crucial in understanding some of these tensions between Muslim prisoners' religious identity and the prison and challenging the 'bad data' about Muslims. The questions we need to ask ourselves are who is creating the information that dominates the narrative around Islam and Muslims in prison and how? What does it consist of, and indeed what information is being left out? We need to understand what is causing the silences around the experience of Muslims in prison and what is preventing their stories from being heard and understood. Is this caused by the "absence of ethnic monitoring data and the way those assessing black and ethnic minorities often omit or distort criminogenic needs"?⁵²

The silences around the experiences of Muslims can take many forms and can have a destructive impact on the identity of a Muslim person in prison and their sense of self, creating a distressing and distinctly painful experience. As Professor Alison Lieblich's research found, it creates a behaviour pattern based on fear and suspicion and has the potential to erase a positive self-identity:

“PRISONERS FELT LIKE THEY WERE ‘WALKING ON EGGHELLS’ AND UNDER CONSTANT SCRUTINY WHEN INTERACTING WITH STAFF AND OTHER PRISONERS ON THE WINGS. PRISONERS DISPLAYED AS LITTLE INFORMATION AS POSSIBLE ABOUT THEIR INDIVIDUAL PERSONALITIES, ADOPTING A FAKE IDENTITY.”

“AS A RESULT OF BEING AS RESERVED AS POSSIBLE, PRISONERS LOST TOUCH WITH THEIR IDENTITIES, OR WITH THE ‘HIGHER ASPECTS OF THEMSELVES’ THEY OFTEN WANTED TO DEVELOP...THE FEELING OF NOT KNOWING THEMSELVES ANYMORE WAS DISTURBING AND CONSTITUTED ONE OF THE DEEP PAINS OF IMPRISONMENT ... THIS WAS EXPERIENCED AS A DESTRUCTIVE PROCESS THWARTING ANY ASPIRATIONS OF REHABILITATION.”⁵³

Dr Patrick Williams also argues that the construct of the “risky Muslim” or “risky Black man or woman” can have pernicious consequences on a sense of identity and selfhood, when Muslim and black people try to distance themselves from being perceived in that way:

“WE END UP RESPONDING BY CREATING A SOCIAL DISTANCE FROM THOSE NEGATIVE CONSTRUCTS, BUT BY SHAVING OUR BEARD AND CREATING A SOCIAL DISTANCE FROM OUR MUSLIM-NESS OR JAMAICA-NESS, WE ALMOST BECOME THE OTHER, WE’RE SHIFTING AWAY FROM WHO WE ARE TO THE BRITISH OTHER.”

Research tells us that a strong sense of identity and self-hood can help lead to a more positive life. We know from our work that the best designed services understand the granularity of communities. But the prevailing response from the criminal justice system has been one of surveillance and control and a negation of identity that is too Muslim, too Islamic.

We have found that where the voluntary sector understands cultural, social, and religious granularity, and then embeds it in practice, the service is trusted and more likely to be used. But Muslim prisoners are caught in a relationship with a system that views fundamental parts of their identity as risky and suspicious and responds accordingly. The voluntary sector has to understand this context and not only design services that are sensitive to this, but also hold to account practices within prison that are discriminatory and prevent the voluntary sector from fulfilling its social duty.

recommendations

FOR THE VOLUNTARY SECTOR

- 1 To improve access for Muslim service users, mainstream voluntary sector organisations must examine and challenge their understanding of the experiences of Muslim men and women in prison.
- 2 Voluntary sector organisations should conduct a systematic and nuanced review of their understanding of Muslim service users and how accessible services are to Muslims. This must take a sophisticated approach to understanding how identity, including religion and culture, can affect how someone relates to mental health services, educational courses, and employment opportunities and other resettlement and rehabilitation interventions. This should take into account how racism and Islamophobia in the criminal justice system – and wider society – impacts their Muslim service users and access to services.
- 3 Voluntary sector organisations should review the existing diversity training they provide to staff and volunteers and ensure they are providing mandatory, comprehensive training on the traditions and practices of Muslim service users so that appropriate policies are in place and staff can make practical adjustments. The training provided by organisations for staff and volunteers must be more than one afternoon of basic diversity training and should be ongoing and reflective. Organisations which are not diverse or lack experience of working with Muslim communities should seek advice from specialist Muslim-led organisations or individuals.

- 4 In seeking to understand and meet the needs of service users, organisations should disaggregate ‘BAME’ experiences of the criminal justice system to take into account and represent the experiences of diverse Muslim communities and individuals.
- 5 It is estimated that fewer than one in 10 voluntary sector employees are people of colour which contributes to the sector’s knowledge deficit in this area. When recruiting, less diverse organisations should take a proactive approach to improving the diversity of their workforce and volunteers.
- 6 Organisations must proactively engage with Muslim service users to gather their views and experiences of accessing services, to provide critical feedback, highlight concerns and build a more nuanced picture, rather than one which is hidden behind quantitative data. These experiences and stories should be used ethically (service users should not feel they are simply being mined for information but have some level of control in how their stories are used) to support the development of the organisations’ policies, design of services and improve practice.
- 7 The voluntary sector should be proactive in holding the prison system to account if Muslims are prevented from accessing its services as a result of discriminatory practices, whether unconscious or conscious.

FOR COURTS

- 8 Sentencing should prioritise community solutions taking into account the evidence of discrimination against Muslims in prison and the disproportionately poorer outcomes they experience. Sentencers should be aware that a discriminatory environment in prison is counterproductive to approaches and theories focused on desistance and rehabilitation and is therefore not conducive to preventing re-offending.

FOR THE NATIONAL PROBATION SERVICE

- 9 Where custody is a possible outcome, before a sentence is passed, the National Probation Service should ensure sentencers are provided with a full, written pre-sentence report. When preparing the pre-sentence report, probation staff should take into account the possible discrimination and Islamophobia that may be encountered within a custodial sentence and the impact this has on rehabilitation and the desistance journey. To support National Probation Service staff to do this effectively, they should be given appropriate training on the needs and experiences of Muslims in prison.

FOR COMMISSIONERS AND FUNDERS

- 10 Funders and commissioners should require applications and grantees to demonstrate how they are taking into account the racial disparity that exists and its intersection with, but not exclusively, women in prison, children in prison, families, mental health, substance addiction or employment.
- 11 Funders should invest strategically in organisations which have an expertise in Muslim communities, which is often missing from mainstream and less diverse organisations. This funding requires a different approach, set of ethics, and framework for it to be sustainable and effective for all involved. The current lack of funding and resources, and changes to the nature and type of funding has severely impacted on the sustainability and availability of Muslim and BAME-led organisations which are predominately small and community-based organisations. It is therefore likely to require increased investment and support to build this sector's capacity and sustainability but is an essential part of the long-term commitment to tackling this disproportionality.

FOR MINISTRY OF JUSTICE AND HER MAJESTY'S PRISON AND PROBATION SERVICE

- 12 The Ministry of Justice (MoJ) should as a matter of urgency put in place a strategy for reducing the increasingly disproportionate numbers of Muslim adults and children entering custody. To support the development and implementation of this strategy, the MoJ should commission an independent review into the rise of Muslims receiving prison sentences, and the treatment and outcomes of Muslims in prison. This review would build on the Young Review and Lammy Review – both of which considered the treatment and outcomes of Muslims as part of the wider 'BAME' category – providing a deeper insight into the nuances and granularity within BAME experiences and highlighting experiences and issues unique to Muslims. This will enable more effective targeting of interventions and schemes that aim to address disproportionality and enable agencies to prioritise services that meet the needs of Muslims, promote diversion and improve their outcomes. Given the stark disproportionality of Muslims in prison, it is a flaw in the system that no investigation has been carried out to understand this increase.
- 13 Her Majesty's Prison and Probation Service (HMPPS) should put in place outcome measures for all prisons on race equality that should include reference to Muslim prisoners.
- 14 HMPPS should record ethnicity, disaggregated by religion and gender. This would more accurately represent the diversity of Muslims in prison as well as give more insight into the intersection of race, ethnicity and gender, supporting the improvement of policy and practices in prison based on the demographic of the prison population.
- 15 Given the poor response to complaints made by BAME people in prison, HMPPS should conduct a review of the complaints process in prison.

FOR PRISONS

- 16 Prisons should be prioritising the experience and needs of Muslims in prison and taking urgent action to address discriminatory treatment and improve accountability.
- 17 Prisons should provide mandatory equality and diversity training to all staff. This training should be delivered in person and staff should be required to go on regular updates as part of their professional development. This training must include information about the experiences of Muslims and their needs including traditional Islamic practices and festivals. Prisons should seek the advice of organisations led by Muslims and people of colour who are aware of critical approaches to diversity and equality.
- 18 Existing commitments to Use of Force committees^{vii} and Incentive and Earned Privilege (IEP) panels^{viii} (as recommended by the Lammy Review) should be expanded and all prisons should implement external scrutiny panels which review a wider set of outcomes for BAME and Muslims in prison. In particular there must be greater scrutiny provided through these panels of decisions to prevent people from going to Friday prayers. These panels must include people in prison, voluntary sector organisations, prison governors and HMPPS. The panels should provide scrutiny on access to services for Muslim and BAME people and should have access to the relevant data to allow them to do this. There should be a formal mechanism for providing feedback to prisoners on the topics raised at the panels and the actions taken to respond to the concerns or complaints raised.

^{vii}a forum to monitor and review the use of force by prison staff

^{viii}a prison management tool to produce conforming behaviour through benefits in exchange for what is perceived as responsible behaviour

“I think we have to look at what’s going on in prisons today in that respect, as a signal of what might possibly come, in this society as a whole, I think that it is probably a truism by now that in any given society what goes on in the prisons reflects very important elements of the society as a whole.”

Angela Davis

NOBODY COULD TAKE MY RELIGION AWAY FROM ME

Religion is a fundamental human right for every being in society even for those who are in prison. In recent years there has been a growing recognition amongst the public and practitioners that Muslims have had a negative experience or have faced discrimination due to their religious beliefs, somewhat due to the negative portrayal of Islam by the media. This report looks into the experiences and challenges faced by Muslim men and women in prison when trying to practise and observe their fundamental human right of freedom to religion.

Religion works in different ways for every individual. Some people may practise their religion openly, whether that means growing a beard or wearing a turban and others may observe in private and turn to God in their own time and space. We have no right to judge the importance of religion to a person, the way they practise and the impact it has on their life, whether that be in society or in a prison.

When I spent some time in prison as a teenager, my religion supported me during my time in custody. Religion works in funny ways - before going to prison I was like every other teenager and my religion was not at the top of my priority list except when occasionally visiting the mosque for Friday prayers. However whilst I was in prison I was turning to God and praying more than I had ever done before in my life. Being a young person in prison for the first time, I felt like religion and talking to God was the only human right that I had left after being stripped of my name, clothes, friends and family. Nobody could take my religion away from me.

The voluntary sector plays a massive role in supporting people in prisons regardless of gender, age, or religious belief. These organisations can provide people with a positive experience while in a very negative situation. They carry out much needed work in prisons and provide people with opportunities to turn their lives around, but sometimes not understanding a person's cultural or religious background can have an impact on how that person responds to your service.

The distrust among Muslim prisoners against the prison can create a barrier for accessing voluntary sector services connected to the prison and prevent Muslim prisoners receiving much needed support. It is very important that voluntary organisations working in prisons are linked with the Muslim communities they are working with. We need to connect with former Muslim prisoners who are in the best positions to advise us on the conditions facing Muslim prisoners and how best to deliver our services to them.

Working on different stages of this project as a former prisoner and Muslim myself, demonstrated the positive impact I was able to have when speaking to current Muslim prisoners. The empowerment my story gave them was remarkable to witness. It provided them with hope in a very dismal environment. When I spoke at conferences to professionals, my personal story would engage the audience and illustrate how we can be experts through our own experiences.

Mainstream voluntary services can sometimes be uninviting – though unintentionally - to people of different backgrounds, languages or religions due to the lack of representation amongst staff. It is essential that staff and volunteers providing a service are from diverse backgrounds so they can cover some common ground with service users and that services take steps to understand cultural and religious needs. This will create a more comfortable and trustworthy environment especially in a criminal justice context.

There is a resounding story that struck a chord with all of us whilst carrying out the research for this report about a prison officer, due to the prohibition of alarm clocks, who would personally wake prisoners up during the month of Ramadan at the break of dawn so they could have their last meal before fasting until sunset. This was not something the prison officer had been trained to do but something she had picked up on while working with Muslims and proactively learning about their religion. A small gesture like this from a non-Muslim member of staff would have had an enormous impact on the lives of people observing Ramadan. This would have provided an environment where these Muslims would have felt comfortable practising their religion and trusting the system while being in a very difficult circumstance of being in prison. I would have given her the upmost respect and trust for doing something she was not expected to do but chose to do voluntarily.

I hope after reading this report you feel encouraged to seek knowledge about the people of different religions that you work with on a daily basis. Even learning small details can have a huge impact on a person's life if they know that the practitioner they are working with understands the value that their religion holds, irrespective of their circumstance.

Suleman Amad, Criminal justice consultant, Maslaha

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CONCLUSION

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Time to end the silence: The experience of Muslims in the prison system

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The Samaritans' Listener Scheme: The Listener scheme is a peer support service which aims to reduce suicide and self-harm in prisons.

Pact: The Prison Advice and Care Trust is a national charity that provides support to prisoners, people with convictions, and their families.

The Prisoners' Education Trust: An education charity that provides courses in every prison in England Wales.

Switchback: Provides an intensive, rehabilitation programme to individuals released from prison.

Time to end the silence:

**The experience of Muslims
in the prison system**

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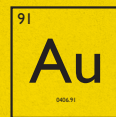
“If you’re the wrong colour or religion you definitely get treated differently”

Marginalised communities, and in the case of this report, Muslim communities, are often de-contextualised from their environment, heritage, culture, and political and economic context. However, in order to deliver sophisticated services this missing context is a vital ingredient in creating accessible services which Muslims in prison can trust and use.

Muslim men in prison now make up 15% of the prison population, while Muslim communities as a whole only make up 5% of the general population. There are also 254 Muslim women across the prison estate in England whose voices remain unheard at a policy and research level.

These statistics are concerning but so far insufficient data has been collected to understand the reasons behind this increase. It begs the question: why has no analysis taken place to understand this disproportionality? This lack of understanding is symptomatic of a much larger problem of a system that does not fully recognise the experiences of Muslims, and in doing so allows discriminatory acts to occur without accountability and challenge.

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