

## **The Bell Foundation response to the Ministry of Justice's Prisons Strategy White Paper**

**3 February 2022**

## About The Bell Foundation

The Bell Foundation is a charity which aims to overcome exclusion through language education by working with partners on innovation, research, training, and practical interventions.

The Bell Foundation's Criminal Justice Programme works with a range of partners to remove the systemic language barriers to justice and rehabilitation for anyone in contact with the criminal justice system (CJS) who speaks English as a second or additional language (ESL), and to further develop the capacity of the criminal justice sector to meet the needs of these groups. We are submitting evidence to this consultation to highlight relevant research from 'Language Barriers in the Criminal Justice System', the Foundation's recently funded research project from the Institute for Crime & Justice Policy Research at Birkbeck University, Victim Support, and the Centre for Justice Innovation, which will be published in March 2022. The evidence included in this submission is drawn from in-depth interviews and written correspondence with key stakeholders working in policy, practice, and academia, statutory practitioners including prison and probation staff, voluntary sector staff working across the criminal justice sector, and individuals who speak ESL with lived experience of the CJS, including imprisonment. Interim findings focused on language barriers in courts and for victims and witnesses were published in October 2020 and are available on our website<sup>1</sup>. We will share the full findings with the Ministry of Justice (MOJ) and HM Prison and Probation Service (HMPPS) at the point of publication.

## Introduction: language barriers in prison

*"The criminal justice system is already a bit of a minefield for people, and it is particularly so for people who maybe don't have social capital or any ways of accessing services and [have difficulty] making themselves understood and in comprehending what is going on. So, at every stage of the system somebody who has an additional difficulty ...in this case insufficient English, they will struggle."* [NGO representative]<sup>2</sup>

Prisoners whose first language is not English face a number of barriers in the prison system which have implications for safety, security, and rehabilitative and resettlement outcomes.

Spoken languages, or preferred languages – the self-identified language that an individual prefers to use in a service or other encounter – are not routinely recorded by prisons, meaning that there is no accurate data available for the number of people in prison who speak ESL. Our best estimate, which we believe may be an underestimate is that 1 in 10 people in prison speak ESL, and a quarter of these (1 in 40 of the total population) are elementary or pre-intermediate level speakers of English.<sup>3</sup> As with the distribution of Foreign National Offenders (FNOs) and other minoritised groups in the system, speakers of ESL are not evenly distributed across the estate, and some prisons will have a much higher proportion of ESL speakers than others.<sup>4</sup>

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<sup>1</sup> <https://www.bell-foundation.org.uk/criminal-justice-programme/research/language-barriers-in-the-criminal-justice-system/>

<sup>2</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>3</sup> The Bell Foundation, *Language barriers in the criminal justice system: understanding the scale of the issue*, in press

<sup>4</sup> Ministry of Justice, *Offender Management Statistics*, 2021

The (estimated) 1 in 40 prisoners at elementary or pre-intermediate levels of proficiency face a significant language barrier to engaging with the prison regime, to understanding anything more than basic information for day-to-day activities, and sometimes they will not understand even this information, to engaging in rehabilitation or educational activities, and to forming meaningful relationships with staff and peers.

These barriers exist for a number of reasons: inconsistent access to professional language support, which is of varying quality; a lack of training and guidance for staff in the entitlements to support for speakers of ESL and how to uphold them; an already stretched system treating language support as an auxiliary service or using informal coping strategies to 'get by'; the monolingualism of services, activities, and interventions; and the inadequate provision of English for Speakers of Other Languages (ESOL) education.<sup>5</sup>

As well as language barriers, many speakers of ESL also face significant cultural barriers. These include "fear or mistrust of criminal justice agencies, or a lack of understanding about rights and protections."<sup>6</sup> Additionally, and particularly for women in prison who speak ESL, these cultural barriers may include stigma and isolation due to family or community attitudes to offending arising from cultural or religious beliefs, which can further exacerbate isolation.<sup>7</sup>

The impact of these barriers, and the lack of recorded data on speakers of ESL and where they are in the prison estate, means that prisoners who speak ESL are often invisible; isolated from peers, staff, services, and supportive relationships; disadvantaged in accessing the prison regime; and disempowered from fully engaging in their journey to justice and rehabilitation.

*"It is hard to put yourself in their position, but the best way to look at it is: What would it be like if you were in a foreign country, and you can't speak the language? You can't understand the officers. It becomes a barrier because there is massive risk of falling into an abyss, where they go into the background and they kind of disappear and you don't see them, and they might get forgotten about."* [Prison Officer]<sup>8</sup>

While there is of course significant overlap between the FNO population and those who speak ESL, the two groups are not identical. There are a number of FNOs in the prison system from English-speaking countries such as Ireland and Jamaica, and there are also British citizens who do not speak English as a first language (3.8% of the general public according to the 2011 Census).<sup>9</sup> They may share a number of vulnerabilities, including social and economic isolation and insecure immigration status,<sup>10</sup> but there are also a number of impacts that are specific to those facing a language barrier. Language is a key identifying criteria for ethnicity<sup>11</sup> and should

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<sup>5</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>6</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>7</sup> Cox, J and Sacks-Jones, K. "Double disadvantage" *The experiences of Black, Asian and Minority Ethnic women in the criminal justice system*, 2017

<sup>8</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>9</sup> Office for National Statistics, *Census 2011*, 2011

<sup>10</sup> Casey, L, *The Casey Review: A review into opportunity and integration*, 2016

<sup>11</sup> Office for National Statistics, *Inequalities data audit: focus on ethnicity*, 2018

therefore be considered as part of this protected characteristic under the Government and the MOJ's Public sector equality duty.<sup>12</sup>

This submission focuses on how to remove these language barriers and provide the support necessary to allow those in prison who speak ESL to access justice and rehabilitation equitably when compared to peers who speak English as a first language.

### **1. Do you agree that these are the right long-term ambitions for the prison estate?**

It is right that the MOJ is striving to fix the aspects of the prison estate and service that are not fit for purpose, and The Bell Foundation welcomes a move towards an estate that better supports education and resettlement while working to keep those in the care of the prison service safe.

Many of these long-term priorities could have beneficial impacts for speakers of ESL if language diversity and the removal of language barriers are properly considered, including as part of Equality Impact Assessments, at every stage of the introduction of initiatives such as resettlement passports or changes to the estate and regime, in the same way that barriers for those with other protected characteristics are rightly considered.

**Recommendation: All Equality Impact Assessments conducted in the implementation of the Prisons Strategy include consideration of language as an important identifying criterion of the protected characteristic of ethnicity.**

### **2. Do you agree these are the guiding principles around which the future regime should be designed?**

The Bell Foundation supports the three guiding principles around which the regime should be designed, but it is concerning that language is not considered, particularly around the principle of 'A tailored approach to meet diverse needs'. As outlined above, language is a key indicator of ethnicity and should therefore be considered at every stage of regime design in accordance with the MOJ's Public Sector Equality Duty.

A tailored approach to meet diverse needs

**The Bell Foundation strongly supports a tailored approach to meeting prisoners' needs, as well as the statement that "opportunities for purposeful activity must be accessible to everyone"**, but evidence shows that many services are not currently accessible to speakers of ESL.<sup>13</sup> As well as disadvantaging speakers of ESL in their attempt to progress through their sentence plan, this can exacerbate issues of isolation and vulnerability and can negatively impact mental health.

All opportunities for purposeful activity, including activities, interventions and services delivered by external providers, must be reviewed for their accessibility, and necessary adaptations made

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<sup>12</sup> Equality Act 2010

<sup>13</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

to ensure that all prisoners have equitable opportunity to complete their sentence plan. When adaptations to services are not possible or appropriate, tailored alternative services must be provided that meet the needs of the population, such as interventions delivered in prisoners' preferred language(s) or delivered at a slower pace and with accompanying language support.

*“When it actually comes to interventions with those with limited English, I think there is still a deficit, I think we would accept that and accredited programmes, domestic abuse programmes, skills programmes aren't available for foreign national offenders.” [Probation staff]<sup>14</sup>*

**Recommendation: Equality Impact Assessments are conducted on all aspects of the prison regime, including activities, interventions, and services delivered by external providers, including consideration of language as an important identifying criterion of the protected characteristic of ethnicity.**

A regime that supports safety

As acknowledged in the proposed Prisons Strategy, supportive relationships can enable a safer prison and achieve lower levels of violence and self-harm. **The Bell Foundation supports a cultural shift and empowering staff to form supportive relationships with prisoners.**

To ensure that speakers of ESL are not further isolated by barriers to forming these relationships, staff must be supported and empowered to remove language and cultural barriers through proper training and resources. See response to question 16, below, for more on training staff to overcome language barriers.

Embedding technology to support a reformed regime

In-cell technology, updated data systems, and modernised language support could have significant benefits for speakers of ESL if introduced with consideration for their needs.

*In-cell technology*

**The Bell Foundation supports the improved use of technology to “ensure that prisoners can use their time purposefully”** as this could significantly improve issues of isolation and disadvantage for speakers of ESL, including by improving language support and the provision of education, but must not be a replacement for face-to-face teaching, which is more effective than individual learning.<sup>15</sup> **In-cell technology must not replace time out of cell and in face-to-face education and activities.**

In-cell technology could facilitate improved extracurricular support, additional homework activities, and educational games or apps etc., but (current Covid restrictions notwithstanding)

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<sup>14</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>15</sup> Carroll, C, Hurry, J, and Wilson, A. *A Prison within a Prison*, 2015.

face-to-face and high quality ESOL teaching must always be available for speakers of ESL and at the appropriate level.

Any digital system and interface must also be designed with consideration of the needs of those facing a language barrier. In-cell technology has the potential to enable faster and more accessible provision of information and support in multiple languages and in easy read format, and with innovative thinking and proper engagement with the sector the opportunities could be significant, for example through widespread availability of digital or remote interpretation and translation services.

**Recommendation: The commissioning or procurement of in-cell technology systems includes a review of opportunities to improve support for speakers of ESL, and is subject to an Equality Impact Assessment including consideration of language as an important identifying criterion of the protected characteristic of ethnicity.**

### *Transforming outdated data systems*

One of the key obstacles to removing language barriers in the prison estate is the lack of available data on the number of speakers of ESL, and the 'size' of the barriers they face due to their level of proficiency in English. To properly consider the existence and removal of language barriers, and to deliver "the right prison places in the right locations", it is vital to better understand this population and their distribution across the estate. Prisons with a high number of ESL speakers will need more resources for language support and education, while prisons with a low number will need to target specific resources for prisoners who might be further isolated and made more vulnerable by having few peers or staff who share their language or culture. To achieve this, it is vital that speakers of ESL are identified on reception to prison, and that full and accurate data on spoken and preferred languages are recorded.

By recording spoken, written, and preferred language(s) alongside other protected characteristics that are already recorded, an accurate picture of need can be developed, and resources efficiently targeted. Systems such as NOMIS (National Offender Management System) currently have a field for 'speaks very little English' but, as well as being inconsistently used or not used at all it does not provide the depth of information necessary to understand language diversity in the population and to allow the proper targeting of resources to remove language barriers.

**The Bell Foundation supports the introduction of a modern data system** to enable a greater understanding of the prison population to allow better decision making around the prison regime. Previous engagement with Mega Nexus suggests that the introduction of these fields would be a simple addition if existing systems are transformed and modernised rather than being replaced.

This new data system must include structured (retrievable) and mandatory data fields for:

- 'Speaks ESL' (yes/no) - identified on reception to prison, alongside other protected characteristics.
- Spoken language(s) - self-identified by the prisoner, with a flag for 'preferred spoken language'.

- Written language(s) - self-identified by the prisoner, with a flag for 'preferred spoken language'.
- Previous language support – this could be an unstructured field allowing staff to communicate notes around historical language support provided and its benefits.

The prisoner's preference must be heard and recorded, proficiency and support needs are dynamic and complex. However, it can be useful in determining whether a prisoner would benefit from language support and/or ESOL classes for staff on reception to be trained and provided with tools to identify prisoners facing a language barrier. This is particularly important as evidence suggests that prisoners may hide their language support needs due to fear of isolation, prejudice, or a lack of trust in the prison and immigration systems.<sup>16</sup> The Bell Foundation's free-to-use 'Prison ESOL Screening Tool for Speaking and Listening'<sup>17</sup> is designed to be used by non-specialist reception/induction staff to identify individuals facing a language barrier, and its introduction in the prison estate could greatly reduce the number of isolated, unidentified ESL speakers in the population.

**Recommendation: The MOJ's new, or updated, data system for prisoner data includes structured (retrievable) and mandatory data fields for 'Speaks ESL', spoken languages, and written languages.**

**Recommendation: HMPPS pilots the use of the 'Prison ESOL Screening Tool for Speaking and Listening' in one Prison Region.**

#### *Improved interpretation and translation services*

Research evidence shows that the provision of interpretation services is patchy, and staff tell us that issues with infrastructure (e.g. the availability of a telephone in a quiet space) often prevents the effective use of language support services.<sup>18</sup> The evidence also suggests that interpreters provided through contracted services are often unfamiliar with the CJS, which both limits their ability to accurately interpret legal or service-specific language, and may mean that the interpreter is unwilling to interpret the sometimes sensitive or distressing topics of discussion.<sup>19</sup>

The basic provision of language support services is not enough: the prison service must provide quality, consistent, and CJS-appropriate interpretation and translation services. This means that in all interactions with potential consequences, such as legal advice, adjudications, or critical healthcare appointments, interpreters must be highly qualified and experienced, holding a level 6 qualification in Public Service Interpreting and at least 400 hours of relevant experience. For

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<sup>16</sup> Institute for Crime and Justice Policy Research, Victim Support, and the Centre for Justice Innovation, *Language barriers in the Criminal Justice System – Early Findings and Discussion Points*, 2020. Available at: <https://www.bell-foundation.org.uk/criminal-justice-programme/research/language-barriers-in-the-criminal-justice-system/>

<sup>17</sup> The Bell Foundation, *Prison ESOL Screening Tool for Speaking and Listening*, 2019. Available at: <https://www.bell-foundation.org.uk/resources/detail/prison-esol-screening-tool-for-speaking-and-listening/>

<sup>18</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>19</sup> Centre for Justice Innovation, *Language barriers in the criminal justice system: Supporting individuals facing language barriers, good practice guidance for probation service staff and interpreters*, in press

more everyday interactions such as general appointments or engagement with the regime, interpreters should have a level 3 qualification in Community Interpreting.

**Recommendation: Commissioners ensure that contracted language support providers meet the above minimum standard of qualifications and experience.**

This also presents a clear opportunity for a further model of peer support; evidence shows that informal models of peer support are commonly used across the prison estate where professional language support is not readily available,<sup>20</sup> and if this were to be formalised and properly funded it could not only improve the quality and security of such models, but could provide educational opportunities in Community Interpreting as well. As above, The Bell Foundation plans to further explore models such as this and would be eager to discuss the possibilities.

**Recommendation: HMPPS, and contracted education providers, introduce a qualification in Community Interpreting and an associated peer support scheme to provide prisoners with relevant experience.**

#### **4. Do you agree with our long-term priorities for making prisons safer?**

A cultural shift amongst staff and a drive to better understand individuals could have significant benefits for speakers of ESL if this includes proper consideration of their needs. Language and culture are strong identifying characteristics that can affect experiences in prison, and therefore behaviours such as self-harm, and must be among the key characteristics that are recognised and recorded in the single digital prisoner record.

##### Understanding the ESL-speaking population

As above (q2) and to fully understand the link between language and its impacts on behaviour due to challenges such as isolation or frustration with the system, both an ESL 'marker' ('Speaks ESL': yes/no) and an indication of proficiency in English should be recorded. When enough data is available, this will then allow an analysis of the impact of facing language barriers as a potential factor influencing behaviour.

##### Staff training

As above (q2), **The Bell Foundation supports a cultural shift and empowering staff to form supportive relationships with prisoners.** See response to question 16, below, for more on training staff to overcome language barriers to forming supportive relationships that improve safety.

##### Peer support

The proposed peer support model to help address issues of self-harm and violence could have significant benefits for speakers of ESL if language barriers are properly considered. Evidence<sup>21</sup>

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<sup>20</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

<sup>21</sup> Hales, L, *The Language Barrier to Rehabilitation*, 2015



and previous interventions<sup>22</sup> have shown that peer support can be very effective at supporting those facing a language barrier, as well as being a common informal method of language support in prisons,<sup>23</sup> and every effort should be made to ensure that the peer supporters involved in this model are representative of the prison population and properly trained in overcoming language and cultural barriers. The Bell Foundation plans to further explore peer support models for language support and would be eager to work with HMPPS on this, or to share findings and learning.

**Recommendation: An Equality Impact Assessment of the proposed peer support model includes consideration of language as a key identifying criteria of the protected characteristic of ethnicity, and the recruitment of peer supporters aims to recruit a diverse and representative group of prisoners.**

**6. Where can we go further to give prisoners the skills to secure stable employment on release? Specifically, we would like to hear from charities, employers and training providers working with prison leavers or who would like to support our mission of getting more prisoners into jobs. We would also be interested to hear about how schemes that delay the disclosure of convictions during job applications, such as ‘Ban the Box’, could be enhanced and embedded with employers.**

**The Bell Foundation supports an emphasis on employment**, as the evidence is clear that employment is a key factor in reducing reoffending. To better support prisoners who speak ESL to prepare for employment, the focus must be on improved provision of ESOL education and removing language barriers to accessing employment-focused activities and opportunities.

See q12, below, for more on the importance of ESOL as part of the new Prisoner Education Service.

**Recommendation: All employment opportunities such as employability interventions or innovations aimed at connecting serving prisoners with potential employers are subject to Equality Impact Assessments including consideration of language as a key identifying characteristic of ethnicity.**

**9. Do you agree with the ‘guiding principles’ and priority outcomes and areas of focus we have identified for developing the Resettlement Passports?**

A personalised approach to resettlement is strongly welcomed. However, a key characteristic affecting prisoners’ experiences and resettlement outcomes is language, which is not listed. Facing a language barrier can impact on all the elements listed, as well as the prisoner’s ability to engage in the process more generally. It is also a key part of any plan to equip prisoners with the skills and wider support they need, as intended.

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<sup>22</sup> See, for example, St Giles Trust’s Peer Advice Project: <https://www.bell-foundation.org.uk/criminal-justice-programme/partnerships/st-giles-trust/>

<sup>23</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

It is therefore vital that speakers of ESL are identified upon arrival to prison, that their spoken, written, and preferred language(s) are recorded, and that any additional provision they need is recorded and properly sequenced, including access to ESOL classes without delay, staff with awareness of language barriers and the knowledge to support prisoners on their wing, and language support to engage with resettlement and other services.

**Recommendation: The proposed Resettlement Passports include an ESL ‘marker’ and the personalised approach to resettlement must include appropriate ESOL education and language support.**

## **12. Do you agree with our long-term vision?**

It is right that prison education should be a focus, and **The Bell Foundation welcomes the introduction of the promised Prisoner Education Service.** However, with an estimated 1 in 10 prisoners speaking ESL and 1 in 40 facing a significant language barrier, **ESOL must feature more prominently and must be delivered consistently, at the right level for each learner, and at a high standard.**

Provision of ESOL education varies across the estate, and evidence shows that prisoners who speak ESL are often unable to access ESOL classes in a timely manner, regardless of whether they are in a prison with a high or a low FNO population, due to either oversubscribed classes or a lack of demand and therefore a lack of provision, respectively.<sup>24</sup> This lack of access to ESOL education acts as a barrier to further rehabilitation and progression through a sentence plan, as due to the monolingualism of services in the prison estate speakers of ESL are unable to participate in many required or recommended interventions until their English proficiency has been improved. Those serving a short sentence of 12 months or less are often further disadvantaged, as even with access to ESOL classes only limited progress can be made in a short time.<sup>25</sup>

The majority of ESOL education in prisons is provided at entry-level,<sup>26</sup> which is important for those with basic proficiency, but those with a higher level of proficiency are likely to also face barriers when engaging in complex legal or therapeutic activities or interventions, or when seeking employment. As discussed above, individuals in the community who speak ESL are less likely, at age 25, to be in employment, education, or training, including University graduates.<sup>27</sup> This demonstrates the need for ESOL education at all proficiency levels to give all ESL speakers the opportunity to learn the skills needed for effective resettlement. This education must also be better and more directly linked with community ESOL provision, in which Resettlement Passports and the probation service could play a key role.

**Recommendation: The new Prisoner Education Service includes ESOL as a priority alongside literacy and numeracy, providing ESOL classes at the appropriate level to all prisoners who speak ESL without delay, regardless of the overall level of demand within the prison.**

**Recommendation: HM Prison Service and the Probation Service work together to ensure that in-custody education is better linked with community provision, including community ESOL.**

## **15. What more could we do to support women in custody, with particular reference to meeting the needs of women prisoners with protected characteristics?**

FNO women often face greater language barriers due to experiencing restricted access to education.<sup>24</sup> Many women in prison have also experienced trauma and may have been victims of crime themselves, including modern slavery and human trafficking, and may face cultural barriers due to the intersection of their FNO status, ESL, and their gender.<sup>25</sup>

**The proposed model of bespoke training and staff development is welcome**, and has the potential to address the specific needs of FNO women in custody. Techniques such as cultural mediation and restorative practices<sup>26</sup> should form a central part of this, as well as the core training to overcome language and cultural barriers as listed below (q16).

### Cultural mediation

Cultural mediation is a tool commonly used in other European countries, particularly in the healthcare and social sectors.<sup>27</sup> It goes beyond simple interpretation to overcome cultural barriers and bridge understanding between, for example, women in prison and the prison staff or service.

“The idea of cultural mediation is to create a space where women can use their own words and languages to express what they are going through. In this context, the cultural mediator is asked to be much more than an interpreter, rather an expert at finding equivalences between languages...to fill in the gap of understanding between institutions and migrant women.”<sup>28</sup>

Cultural mediation techniques can be introduced to everyday prison interactions to overcome cultural barriers, such as by creating a safe space, listening to the prisoner’s needs with a completely non-judgemental lens, and taking the time to build trust.<sup>29</sup>

**Recommendation: All operational and prisoner-facing staff in the women’s estate are given training to overcome language barriers and better support speakers of ESL, including using cultural mediation techniques.**

## **16. Are there specific areas of training you think we should be offering prison officers which we do not already?**

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<sup>24</sup> Hales *The Language Barrier to Rehabilitation*, 2015

<sup>25</sup> Cox, J and Sacks-Jones, K. “*Double disadvantage*” *The experiences of Black, Asian and Minority Ethnic women in the criminal justice system*, 2017

<sup>26</sup> See, for example, Why Me? <https://www.why-me.org>

<sup>27</sup> Rakovica, B and Ianovitz, S. *Cultural mediation: an inclusive solution to help reduce the cultural and language barriers experienced by survivors of trafficking*, 2021

<sup>28</sup> Rakovica, B and Ianovitz, S. *Cultural mediation: an inclusive solution to help reduce the cultural and language barriers experienced by survivors of trafficking*, 2021

<sup>29</sup> Rakovica, B and Ianovitz, S. *Cultural mediation: an inclusive solution to help reduce the cultural and language barriers experienced by survivors of trafficking*, 2021

The evidence from interviews conducted as part of the recently funded research suggests that while many staff are aware of the rights and entitlements of individuals in the CJS who speak ESL, they are not adequately trained or supported to uphold them, particularly in the face of other operational pressures including the impacts of Covid-19.

This has a number of impacts, from the failure to provide services to which prisoners have a legal right,<sup>30</sup> to a weakened ability to form supportive relationships (which, as acknowledged in the Prisons Strategy, can enable a safer prison and achieve lower levels of violence and self-harm).

Staff must be fully empowered to support speakers of ESL, with all operational and prisoner-facing staff provided with, at a minimum:

- Training in language awareness, including how to communicate with those with low proficiency in English without language support, and awareness of situational factors that can impact an individual's ability to communicate in English.
- A resource and supporting training/guidance to identify speakers of ESL and potential support requirements.
- Guidance in how to access language support for prisoners, and how to work with interpreters.

The Bell Foundation has a number of free resources to support staff available on our website.<sup>31</sup>

**Recommendation: All operational and prisoner-facing staff are provided with training and resources to better support speakers of ESL.**

### **17. Do you agree that more bespoke recruitment training will enable prison officers to better support the needs of prisoners? What other cohorts should we be focusing on and how can we do this in a manner that advances equality of opportunity for offenders with protected characteristics?**

As outlined elsewhere in this submission, language is a key characteristic that impacts individuals' needs and experiences while in prison, and as a strong indicator of ethnicity can be seen as a protected characteristic under the Equality Act. Making up an estimated 10% of the prison population, **speakers of ESL are a key cohort that should be focused on when recruiting staff to meet the needs of prisoners.** Research shows that employing staff who speak the same language(s) or share culture(s) with prisoners can not only reduce isolation for speakers of ESL but can provide additional capacity for language support, in appropriate settings.<sup>32</sup>

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<sup>30</sup> Centre for Justice Innovation, *Language barriers in the criminal justice system: Support for those with English as an Additional Language (Policy Tables)*, in press

<sup>31</sup> See [www.bell-foundation.org.uk/resources/programme/criminal-justice-programme](http://www.bell-foundation.org.uk/resources/programme/criminal-justice-programme)

<sup>32</sup> Hunter et al, *Language barriers in the criminal justice system*, in press

**Recommendation: Recruitment drives aim to recruit a diverse workforce that, as far as possible, represents the languages and cultures of those in the local prison population.**

**For more information**

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