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## ABOUT THE AUTHOR

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In February 2004 he was appointed as an Inspector for HM Inspectorate of Prisons. He specialises in inspection of the immigration detention estate and foreign national prisoners, and holds the policy lead on foreign national prisoners. Although up-dated in July 2004, the report was completed prior to this appointment and does not necessarily reflect Inspectorate policy.

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## FOREWORD

As a prison governor, and more recently as the area manager for London, I have witnessed at first hand the difficulties posed for prison staff struggling to respond to the needs of increasing numbers of foreign national prisoners.

According to a recent Prison Reform Trust briefing, the last ten years have seen a 152 per cent increase in foreign national prisoners, with no corresponding increase in resources or training for the staff who need to deal with them on an everyday basis. And this increase shows no signs of abating.

Against the odds, prison staff and voluntary sector and community-based organisations have done their best to arrange for translations, engage interpreters and maintain some contact with the families. This, despite the lack of Prison Service policy or strategy, or accessible information for staff or prisoners. Some prisons have developed their own local policies, sourced their own community support and have coped well with this influx of foreign national prisoners.

But a piecemeal approach is not good enough in today's prisons where one in eight people held is a foreign national prisoner. What staff and others working in the field really need is policy direction and guidance developed by those with first-hand experience of working with this group of prisoners.

As the area manager for Wandsworth Prison I have long been aware of Hindpal Singh Bhui's substantial work as a probation officer with foreign national prisoners. Given the dearth of information on the needs of this group, his expertise and the contacts he built up, quickly became a resource for other staff throughout England and Wales. A particular strength of his approach was the way in which he succeeded in drawing on the strengths and skills of this group and involved them in helping and advising one another. It was no surprise when the Butler Trust recognised the value of his work and supported him to formulate his experience and develop a guide for others.

This guide to developing policy and practice with foreign national prisoners will go some way to meeting the needs of staff left to their own devices about how to respond to this group in their population.

At last there is some recognition of the needs of foreign national prisoners, who, because they are not a 'control problem', are so frequently overlooked.

This guide makes an important contribution to a developing body of knowledge on this subject. It will inform the work of staff across the prison estate. Its production should prompt the Prison Service to develop an effective strategic policy response to the foreign national prisoners for whom it is responsible.

**Bill Duff**

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# Going The Distance: Developing Effective Policy and Practice with Foreign National Prisoners

## I. EXECUTIVE SUMMARY

In January 2004 foreign national prisoners constituted 12 per cent of the prison population of England and Wales. In spite of this, there is a wealth of evidence to show that the Prison Service's awareness of and response to the problems they face is generally inadequate. This report draws on published evidence and original research conducted in seven prisons with large foreign national prisoner populations. The report considers three central questions:

1. What are the main experiences and needs of foreign national prisoners?
2. What can be learned from the successful foreign national strategy originally developed in HMP Wandsworth?
3. More generally, what should the Prison Service do to promote effective local and national policy and practice with foreign national prisoners?

### **1. Main experiences and needs of foreign national prisoners**

Six broad issues are identified as being particularly pertinent to the foreign national prisoner population: *a lack of information* (e.g. about the legal or prison system); *immigration-related problems* (e.g. deportation orders and indefinite detention by the Immigration Service); *language barriers* (which exacerbated all other problems); *isolation* (particularly from distant families); *a lack of preparation for release*; and treatment that showed contempt for their humanity and their human rights, especially *racist and disrespectful* staff attitudes. Many of these problems overlap to some degree.

### **2. Relevance of the work developed at HMP Wandsworth**

Chapter four of the report describes the main principles of the work developed in Wandsworth prison over a period of four years. This includes a system of foreign national groups, foreign national prisoner orderlies, regular evaluation of strategy, a foreign national committee and a core team. Chapter five reports the results of group and individual interviews with 19 staff and 58 prisoners in the research prisons. Their opinions were sought on the relevance of the approach to their particular prisons and on how it might usefully be developed into a more flexible 'blueprint' for policy and practice development across the prison estate.

Despite evidence of successful past projects and considerable individual commitment, none of the research prisons had an existing long-term strategy for work with foreign national prisoners, and staff were often frustrated by a lack of knowledge and guidance. There was almost total support in principle for the establishment of the key elements of the Wandsworth approach, but staff and prisoners were commonly concerned about limited staff resources and the hostility and/or obstructiveness of some staff to any form of work with foreign nationals. However, overall, there was no doubt that with a degree of organisation and will, an effective strategy for work with foreign national prisoners could be developed in each of the research prisons. Indeed, some had already adopted - and adapted - key aspects of the Wandsworth approach.

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### 3. Recommendations for change

Chapter six discusses key themes emerging from the research and makes eight recommendations for action at the area and national levels. They are:

1. *Guidelines* on local policy and practice with foreign national prisoners should be issued by Prison Service Headquarters.
2. Auditable *standards* based on those guidelines should be developed to motivate action in individual prisons, and to encourage and enable managers to give foreign national work a higher degree of priority in their business plans (both a national and area responsibility).
3. Consideration should be given to convening *staff liaison forums* on an area basis, to allow front-line staff to share information and resources, and to discuss issues relating to their work with foreign national prisoners.
4. Areas should give consideration to appointing a *foreign national policy/practice advisor*, especially during the strategy development phase; such an advisor might be an experienced co-ordinator from one of the prisons in the local area.
5. Research on the *use of Language Line* should be instituted by the centre.
6. Statistics relating to the *incidence of self harm* amongst foreign national prisoners should be gathered systematically to establish if a particular response is required to tackle this issue.
7. Research on the *access of foreign national prisoners to offending behaviour programmes*, and *the viability of setting up programmes for drug importers*, should be instituted by the centre.
8. *Advice on training*, developed from guidelines for foreign national policy and practice, should be issued from the centre.
9. Much of the above should be included in a distinct *Prison Service Order* which makes it clear that the work of each establishment relates to a coherent overall Prison Service foreign national strategy. Without such guidance from headquarters, it seems unlikely that sustainable and effective practice can replace the myriad of unco-ordinated short-term and short-lived initiatives that currently predominate in relation to work with foreign national prisoners.

Chapter seven outlines proposed guidelines for *individual establishments* wanting to establish effective models of work with foreign national prisoners. It is suggested that these guidelines could be incorporated into the Prison Service Order. They are:

1. Every prison should formulate a *coherent strategy* to meet the needs of foreign national prisoners. That strategy should be 'embedded' within the prison's wider diversity strategy.
  2. Each establishment with significant numbers of foreign national prisoners should form a foreign nationals committee to formulate, support and oversee the strategy. It should be chaired by a senior governor and have a wide-ranging membership. If there are insufficient foreign nationals to justify a full separate committee, a distinct sub-committee of the race relations committee should be formed.
  3. Foreign national support and information groups should be instituted by almost all prisons, even if there are no more than a handful of foreign national prisoners.
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4. Prisons with a number of deportees should give serious consideration to obtaining the assistance of a specialist and *accredited immigration advice service*. At the very least, communication with such agencies should be established, and their contact details should be easily available to staff and prisoners.
  5. All prisons should consider employing *foreign national orderlies* who can represent and assist other foreign nationals and be part of the team responsible for implementing the foreign nationals strategy.
  6. *Liaison officers* should be given protected time to work with foreign national prisoners.
  7. A *foreign national co-ordinator* should be employed wherever possible, to provide central co-ordination and be the driving force behind the strategy.
  8. The effectiveness of the foreign nationals strategy should be measured by means of *regular evaluation* that incorporates the views of prisoners themselves.
  9. Each prison should develop *local training programmes*, based on guidelines issued from the centre, for all staff and orderlies.

Finally, if the recommendations of this report are followed, and guidelines for foreign national work in prisons are issued, a long-term goal would be to evaluate how far policy and practice improves wherever they are implemented. Such an evaluation would be the most effective test of the value of the strategic approach described here.

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## 2. INTRODUCTION

There is an overwhelming amount of evidence, particularly from HM Inspectorate of Prisons reports, to show that the Prison Service's awareness of and response to the distinct needs of foreign nationals is generally inadequate. Yet there are foreign national prisoners from diverse backgrounds in nearly every Prison Service establishment in England and Wales (see appendix I and II). Of a prison population on 31st January 2004 of 73,440, 8,937 were recorded as foreign nationals, including over 900 women. The foreign national population now constitutes about 12 per cent of the prison population and is growing year on year; the equivalent figure for June 2002 was 7,638 foreign national prisoners, making up just under 11 per cent of the population. Furthermore, these figures may well underestimate the actual number: at the end of January 2004, 1,200 people in prison were recorded as being of unknown nationality and, if the experience in Wandsworth prison was to be generally true, about a fifth of this number could be foreign nationals.

It is against this background that the project reported on here was conceived. The main aim was to test out a simple theory: that the successful approach developed in HMP Wandsworth to address the specific needs of foreign national prisoners could, with some variation, be equally effective in other prisons. If this proposition turned out to be true, a specific objective was then to propose guidelines for developing services for foreign national prisoners on a national and local basis.

Although this paper draws on a wide range of sources, the research at the heart of the project is based on group and individual interviews with a range of staff and prisoners in six prisons in and around London. It aimed to:

- i) Establish the level of existing provision for foreign national prisoners in the research prisons;
- ii) Obtain the views of staff and prisoners on the evidence-led approach to work with foreign nationals developed in Wandsworth Prison; and,
- iii) Obtain their views on the potential obstacles to such an approach in their prisons.

The project as a whole had the following broader aims:

- a) To summarise the main lessons of existing research and other literature on the experiences of foreign national prisoners (see chapter three). Given the wealth of information about the main problems facing foreign nationals, it was not thought necessary to conduct more research which would almost certainly have duplicated those earlier findings. However, though not explicitly sought, this information was freely provided by most interviewees and their views are therefore reported here. The findings from annual surveys of foreign national prisoners in Wandsworth, conducted over a period of three years, are also incorporated into the discussion.
  - b) To define and describe basic principles for effective work with foreign national prisoners as developed in Wandsworth Prison. (See chapter four)
  - c) To refine the original approach in the light of research in other prisons, and articulate a more comprehensive framework for policy and practice development. The refined model was intended to be sufficiently flexible to be adaptable to different prison contexts (e.g. in prisons with limited resources or few foreign nationals). (See chapters 5-7)
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- d) To make evidence-based recommendations for Prison Service policy and practice development. This was to include a consideration of training, audit and evaluation implications at local, area and national levels. (See chapters 6 and 7)
- e) To assist in the development of a strategic London-wide approach and implementation of the model. This issue is not discussed here<sup>1</sup>.

All of these aims have, to varying degrees, been achieved. It was originally intended that the results of this research would contribute evidence-based guidance to a Prison Service Order on foreign nationals or a foreign national section of a Prison Service Order on Race Relations. The Prison Service's current position is that such guidance is not required.

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<sup>1</sup> This is not a relevant issue for this report. However, after achieving the formal purpose of the interviews, staff in every prison were, without exception, interested in discussing the implementation of the approach in their establishments. A national conference was held at HMP Wandsworth in March 2003 to promote constructive debate and encourage use of the model. A large proportion of the delegates were from London prisons, and many of the elements of the original model were implemented in these establishments. It is to be hoped that a more formal and consistent implementation of the model in a coherent London-wide approach can be encouraged through the distribution of this report.

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## 3. THE EXPERIENCES OF FOREIGN NATIONAL PRISONERS

### 3.1 Sources of Evidence

This chapter draws on existing research, on prisoner surveys conducted in Wandsworth Prison between 2000 and 2002, and on interviews with staff and prisoners in six other prisons in or near London.

a) **Existing research:** There is a limited but consistent body of research on the particular problems faced by foreign nationals in the prison system (e.g. Ellis, 1998; Green, 1998, 1991; Pourgourides et al, 1996; Cheney, 1993; Tarzi and Hedges, 1990, 1993; ACOP, 1990). This is supplemented by valuable data in a number of reports produced by HM Chief Inspectorate of Prisons (see references for recommended reports, 1995-2003).

b) **Wandsworth surveys:** An additional source of information used for the purposes of this section is Wandsworth Prison's annual prisoner evaluation exercise. This exercise is an integral part of the Wandsworth strategy, which was conceived as a sustainable, evidence-led approach to work with foreign national prisoners. The strategy recognises that the difficulties faced by prisoners, and progress in resolving these difficulties, can only be identified and measured with reference to foreign national prisoners themselves. The views of staff are valuable, but susceptible to wishful thinking or misconceptions about the degree to which their organisation has moved forward. While it could equally be argued that prisoners (who are generally unhappy about their incarceration) tend towards negativity, their perceptions of policies and practices intended to provide them with an improved regime are more defensible measures of progress.

Consequently, in Wandsworth, the evidence of progress or lack of it has come largely from the prisoners themselves, as a result of confidential questionnaires distributed over a period of 3-5 months every year (Wandsworth was in the process of conducting its fourth such exercise at the time that this report was written). This has been supplemented by the findings of three HMCI Prisons reports published between 1999 and 2003 (HMCIP 1999, 2001a, 2003d).

There are two questionnaires: one asks about the prisoner's views of the overall treatment of foreign nationals; the other asks about the helpfulness of the foreign national groups. Although the questionnaires are in English, prisoners who are not confident with the language are assisted by the foreign national orderlies (see chapter 5) and many are helped by friends during and after group sessions. Over 150 questionnaires were completed between 2000 and 2002, and they have contributed hugely to knowledge about the problems faced by foreign national prisoners in Wandsworth, to an understanding amongst staff of the possible solutions to those problems, and to the continuous development of the foreign nationals strategy. The results of each evaluation exercise are collated and fed into the foreign national committee's deliberations on the main priorities for the following year's strategy. Many of the most progressive developments in Wandsworth have come about as a result of suggestions made in the questionnaires (e.g. the recruitment of foreign national Listeners and the expansion of group provision).

The questions asked on the first of these questionnaires are very relevant to this section of the report, and are as follows:

- What are the main problems you face as a foreign national in this prison?
- Why do you think these problems happen?

- How do you think they could be put right?
- What, if anything, already helps you to deal with the problems you have?
- Any other comments?

The questions asked in the second questionnaire have a lesser relevance to this section but are still significant:

- Have the groups informed you about the best way to deal with your immigration problems?
- Have the groups been useful to you in other ways?
- Do you enjoy coming to the foreign nationals groups?
- How do you think the groups could be improved?
- Any other comments?

c) **Research prisons:** In chapter three, the results of the research in six prisons other than Wandsworth are discussed in detail. Despite the fact that the group and individual interviews held in these establishments were not intended to discuss what problems foreign national prisoners were experiencing, in most cases it was appropriate and necessary for those attending, to describe these before going on to other issues. Unsurprisingly, the range of issues raised by them were similar to those described above. They are reported below.

The main themes emerging from the questionnaires and the wider research will now be discussed.

### **3.2 The Messages of the Research**

There is little doubt that prison staff are generally unaware of the very distinct needs of foreign national prisoners, and that policy and practice provision is inconsistent and generally sub-standard (e.g. see HMIP, 2001, 2002a, 2002b, 2003a; Cheney, 1993; Bhui, 1995). It is striking to see the degree to which similar issues and conclusions recur in inspection reports - for example, in HMP Birmingham, the inspectors concluded that 'With regard to the issues for foreign national prisoners, little had been done to improve the situation for this group' (HMIP, 2002a, para. 3.38); in HMP Parc, 'The establishment had no formal policy or procedures concerning the needs of foreign national prisoners in its care (HMIP, 2003b, para. 3.57); in Littlehey, the inspectors had 'concerns that the needs of foreign national prisoners, and especially those for whom English was not their first language, were not being met fully' (HMIP, 2003c para. 3.26). In The Weare, inspectors commented on the concerns of staff and prisoners themselves about the particular difficulties faced by foreign nationals and the widespread lack of understanding of, or provision for, them (HMIP, 2001).

These reports, the Wandsworth research, and other studies, have highlighted the following major issues:

**Lack of information** - Foreign national prisoners experience particular problems as a result of a lack of information about the legal system (e.g. Ruthven and Seward, 2002; Cheney, 1993). Many are unaware of the workings of the criminal justice system in this country and have problems understanding prison procedures and rules, the availability of support for people who are suicidal, and basic entitlements. The three prisoners quoted below illustrate the problem:

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***'Well as my first time in my life of coming into prison I do not know anything about prison. I should say that I have problem at the moment.'* (Strategy questionnaire, 2001)**

***'Nothing is explained to you by prison staff ... hopeless information or lack of information'* (Strategy questionnaire, 2001)**

***'The main problem we all face in this prison is lack of information from prison staff. Cannot understand them when these speak to you'* (Strategy questionnaire, 2001)**

Those recommended for deportation or with other immigration-related problems, have an urgent need for information, especially on appeals procedures and immigration law and practice. The situation is particularly acute for detainees. As Ellis (1998) points out, in detention centres they would be able to receive incoming calls and faxes, and would be able to maintain better contact with legal representatives. In crowded prisons, access to phones is a daily problem for many prisoners. A significant number of the deportees and other foreign nationals completing the Wandsworth questionnaires stated that the foreign national groups were vital sources of accurate information:

***'I am grateful for the assistance in my problem of asylum and I think that is very important.'* (Groups questionnaire, 2000)**

***'[the groups have given] me answers about my condition in this jail as a foreign national - which nobody else (in my wing) could give to me.'* (Groups questionnaire, 2000)**

**Detention and other immigration-related problems** - A second issue is the immigration problems themselves. A significant number of foreign national prisoners face indefinite Immigration Act detention at the end of their sentences. There are often long delays for foreign nationals due for deportation, and many are at risk of being detained after the end of their sentences, either because they are awaiting a decision from the Home Office, or because arrangements have not been made for their removal. It is difficult to estimate accurately the numbers of detainees being held at any one time solely under Immigration Act powers because of inconsistent and inaccurate recording. This problem was identified as long ago as 1990 by Tarzi and Hedges, who correctly stated that the only way to establish a reasonably accurate estimate of detainees was to systematically work through each prisoner's file (see also Ellis, 1998, pp.2-5).

A thorough 'snapshot' survey of Immigration Act detention was conducted in Wandsworth in January 2003. It showed that the prison held just over 75 people subject to immigration holds, of whom 20 were detainees. Of these detainees, three were likely to be detained for less than a month because of minor delays in obtaining travel documents or delayed action by the Immigration Service. Five had already been detained for between 18 months and two and a half years - one because he could not obtain travel documents from his embassy (Indian); and the other three because they had been turned down for asylum, lost several appeals and were in the process of making further applications under asylum and human rights law. Most of the rest had been detained for between one month and six months, either because of Immigration Service procedural delays or because of the difficulty of obtaining travel documents from embassies.

The main reason that the figure of 20 was not far higher (in 1999 the comparable statistic was nearly 40), was the proactive identification of immigration-related need and the provision of

specialist assistance from an accredited immigration advice agency, the Detention Advice Service. The task of contacting immigration is shared between the DAS worker (who works intensively on the most complicated and urgent cases), the foreign nationals co-ordinator and the executive officer in the Inmate Administration Department who takes personal responsibility for all immigration-related communications.

**Language barriers** - A third issue that is consistently identified relates to language barriers, which can exacerbate all other problems. Respondents to the Wandsworth surveys regularly mention the frustration of being misunderstood by staff, of having little to read in their own language, of missing out on basic provisions (e.g. showers, association and groups) on a daily basis because they have not understood staff instructions or questions, and of insufficient 'ESOL' (English for Speakers of Other Languages) classes to help ameliorate language problems:

**'... is more difficult for us, if you don't speak good English and you can't be with someone from your origin'. (Strategy questionnaire, 2002)**

**'We are often dismissed for our requests by the prison officers because they doesn't want to listen to us who have problems with explain ourselves in English'. (Strategy questionnaire, 2000)**

**'... we can't explain our needs ... [need] more class of English'. (Strategy questionnaire, 2000)**

Poor communication between staff and prisoners clearly has implications for risk of self-harm assessment, good order and discipline, etc. Cheney's (1993) research shows that foreign national prisoners are also often unusually fearful, not only of staff, but also of the system because they do not understand it.

**Isolation** - A fourth issue is isolation from distant families and cultures (Richards et al, 1995, 1995a; Howard League, 1994; Cheney, 1993; Tarzi and Hedges, 1990, 1993). Foreign national prisoners are more likely to be serving long sentences, often for drug importation (Green, 1998; Cheney, 1993) and to have few visits, so many have no way of gaining support other than that which is available through the prison. Foreign national women significantly boost the minority ethnic prison population, making up about 20 per cent of all women in prison, and three-quarters of the female courier population. According to one study around 70 per cent (Green, 1991) have children, come from poorer backgrounds than foreign national men, and many explain their offending as a means of making a better life for their children. This study is now dated, but 'Hibiscus' (part of the 'Female Prisoners Welfare Project'), the main voluntary organisation working with women foreign nationals in this country, considers that the situation has not changed significantly (personal communication from the Director of Hibiscus, 2003). More recent research by the Prison Service also showed that around 60 per cent of women in prison had children under the age of 18 or were pregnant (HM Prison Service, 1999).

Not surprisingly, depression and general mental health needs are often greater amongst foreign national prisoners because of the additional strains they face in a foreign country and criminal justice system (e.g. Paton and Jenkins, 2002; CVS Consultants and Migrant and Refugee Communities Forum, 1999; Pourgourides et al, 1996). Some may have experienced torture, persecution and abuse in their homelands. The mental health of detainees may be particularly fragile as they can be held with little idea of their eventual release dates (Paton and Jenkins, 2002; Pourgourides et al, 1996; Tarzi and Hedges, 1990). There is currently no convincing published evidence of a heightened incidence of self-harm and suicide amongst foreign national prisoners, but both common sense and anecdotal reports indicate the need for research to establish whether or not this is an issue of wider concern. For example, prison

inspectors were told by a Race Relations Officer in HMP Birmingham that some 25 per cent of foreign national prisoners received from court were already subject to risk of self-harm/suicide procedures (HMIP, 2002a), and a number of prisoners filling out the Wandsworth questionnaires vividly described the kind of pressures that can result in self-harm. For example:

***'They [i.e. staff] are not communicate with us properly. They use them powers to shut us out. Things can be better we are all human ... Some of these people should not be working in prison, they stress us out too much. That's the reason some of us hang our self ... We need help. So we don't have to kill our self in prison.'* (Strategy questionnaire, 2002)**

**Lack of preparation for release** - Foreign national prisoners are often ill-prepared for release because they do not have sufficiently good English to participate in pre-release classes or, if they are to be deported, they may not be considered a priority for such provision. Many are unable to access offending behaviour courses because of language problems and there are very few courses specifically for drug importers, who make up a relatively large proportion of foreign national prisoners. If deportation orders are served with little prior notice, there is often little time to inform relatives or organise travel arrangements to home villages or towns. Foreign nationals who are deported are also ineligible for discharge grants (see Bhui, 2004, for more discussion of the resettlement needs of foreign national prisoners).

**Lack of respect and racism** - Another important recurrent theme is racism and lack of respect from prison staff, experiences which are not exclusive to foreign nationals (Wilson, 2004). However, foreign national prisoners may experience them even more acutely as a result of the other disadvantages described above. In response to the question 'What are the main problems you face as a foreign national in this prison?', many questionnaires simply stated 'discrimination' or 'racism'. Others were more detailed:

***'...I find ... that nearly all the officers are racist and because they have not travelled they think sun only rises from England and sets in England or Scotland ...'* (Strategy questionnaire, 2002)**

***'... xenophobia and lack of respect for whom are different from others, either by religion, appearance or by education.'* (Strategy questionnaire, 2000)**

***'racial abuse mentally emotionally and physically.'* (Strategy questionnaire, 2001)**

***'... most important is: some of the officers treating inmates like animal. Some of them are swearing like fuck off, fucking, bastard. If they say 5 word, I of them bad word.'* (Strategy questionnaire, 2001)**

**Other issues** - There are a number of other problems specific to foreign national prisoners (e.g. lack of appropriate toiletries, dietary needs, etc.), which are discussed in more detail in many of the HMIP reports and in the work of Cheney (1993) and Tarzi and Hedges (1990; 1992) in particular.

The following real life case study helps to illustrate many of the problems described above, including immigration difficulties, isolation and discrimination as a result of language problems:

*Mr A was an Iraqi Kurd who had been convicted of using false documentation to enter the UK and sentenced to six months. He had rashly left the European country where his asylum claim was still being processed and was arrested in England while en route to Canada, where*

*his wife and children had been given full refugee status. He accepted his punishment.*

*His release date came and went. He had no idea why he was still being detained and had no information he could understand. The Immigration Service's detention notification arrived in English, a language of which he still had only a very basic understanding. No one had made an effort to speak to him in his own language and when he was finally spoken to using an interpreter, he said it was the first time he had spoken his own language for four months. He did not even know that there were newspapers or books available in his own language. An officer would open his door each week and shout the word 'library', which is where he could have found material in his own language; but as he didn't understand the word and was very nervous anyway, having escaped persecution by one authority, he kept quiet and usually stayed in his cell. He said he spent hours every day trying to imagine a time when he could see his family again - he had not had any contact with them and became increasingly depressed and eventually suicidal.*

*He was referred to a specialist worker - it took a few hours to establish the nature of his case and to explain what could be done; a couple of days to link him with other prisoners who could speak his language and to get him information and books he could understand; a week or so to get a good immigration solicitor to argue his appeal; a month of liaison with the Home Office until his file was acted upon, and another three weeks until he was finally given temporary leave to enter the country pending a formal decision on his asylum application (which turned out to be positive). He could not go back to the country in which he had first applied because the time limit given for his return to that country had elapsed while he was in prison.*

*This was a man who had escaped a genocidal regime, with a clear-cut case for asylum. He had no previous convictions and had not been in any trouble until he decided to make his own way to his family. He ended up serving double the amount of time to which the court had sentenced him in prison, contrary to all principles of justice and equality. (Adapted from case study given in Bhui, 2003)*

### **3.3 Supporting Evidence from the Six Research Prisons**

In chapter five, the results of the research in six prisons other than Wandsworth are discussed in detail. Despite the fact that the group and individual interviews held in these establishments were not intended to discuss what problems foreign national prisoners were experiencing, in most cases it was appropriate and necessary for those attending to briefly describe these before going on to other issues. The range of concerns raised by them was similar to those described above, the only exception being that no one mentioned lack of preparation for release. Examples are listed below:

**Lack of information/specialist advice** - Feltham prisoners said they had seen very little in translation and had no knowledge of the specialist immigration advice worker who visited the prison on a regular basis, even though some of the group had been in Feltham for some months and had serious immigration problems. Prisoners at The Mount were sceptical about the impartiality of the Immigration Officer who visited the prison once a month - 'she is trying to get us deported' - while prisoners in Wormwood Scrubs complained of the 'low quality of legal advice' and misinformation. One of the probation officers in the Holloway group also commented that the induction process was far too general, making no attempt to engage with the very particular issues faced by foreign national women.

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**Immigration problems** - Staff in Brixton and in Feltham mentioned the extreme difficulty of knowing who to contact in the Immigration Service and then getting through to them on the phone. Prisoners in Wormwood Scrubs and The Mount spoke of the high stress levels of those experiencing immigration problems, especially if they were detained.

**Language** - Feltham and Wormwood Scrubs prisoners mentioned that filling in forms is a very important part of prison life and they felt disadvantaged in this respect because of their poor grasp of spoken or written English. The same groups complained about regularly 'misunderstanding instructions'. Feltham prisoners knew nothing about the 'Language Line' telephone interpreting service available to every prison as it had never in their knowledge been used to speak to them or to their fellow prisoners. They commented that had they known, they would have asked staff to use it to speak to them. Wormwood Scrubs and The Mount prisoners complained of inadvertently breaking rules as a result of communication problems. Prisoners in Holloway and Wormwood Scrubs mentioned how important ESOL (English for Speakers of Other Languages) classes were to them.

**Isolation** - The women in Holloway were particularly concerned about their families abroad and especially worried about their children. Extended separation from children was described as a major stress for women who had anticipated being away for only a short period of time. Having time to use phones and the expense of international calls was mentioned by prisoners in nearly every prison. In Wormwood Scrubs, prisoners pointed out that time differences in their home countries meant that they were often unable to speak to relatives who worked or were asleep during the times that they could call them.

**Lack of respect and racism** - Brixton prisoners were particularly vociferous about staff racism and linked this to other problems, e.g. lack of time on the telephones. One Brixton prisoner referred to a 'different kind of racism to that experienced by black British [prisoners]'. Prisoners in Brixton and Feltham talked more generally of a lack of respect from staff, with one prisoner saying with some exasperation, 'We're foreign nationals - we're also human beings' (Feltham prisoner). It is notable that Brixton is one of the prisons upon which part two of the CRE's investigation into racism into the Prison Service was focused (CRE, 2003b). In common with part one (CRE, 2003a), which focused on the death of a young Asian man in Feltham, it found that the Prison Service was guilty of unlawful racial discrimination.

The next chapter considers how some of the problems outlined in this chapter were tackled in HMP Wandsworth.

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## 4. A GOOD PRACTICE APPROACH

This chapter briefly describes the nature and principles of the original approach to work with foreign national prisoners developed in Wandsworth between 1999, when the Prisons Inspectorate strongly condemned the lack of provision for foreign nationals (HMIP, 1999); and 2003, when the Inspectorate described work with foreign national prisoners in Wandsworth as being the best in the country (press release accompanying 2003d). A previous report had also praised highly the progress of the Wandsworth strategy (HMIP, 2001). The strategy was intended to tackle in a co-ordinated, systematic way, the problems discussed in the previous chapter. It has continued to develop, and this account is essentially a snapshot of what existed at the close of November 2003.

The overriding objective of the Wandsworth foreign nationals strategy was to institutionalise it to the point that it would become sustainable and not collapse if a single key individual happened to leave. Foreign national strategies in other prisons have almost always faltered on the departure of such individuals, who take with them crucial knowledge and expertise.

However, the intention is not to suggest that the Wandsworth approach could not be substantially improved upon. The process of systematically thinking and writing about the Wandsworth strategy during the preparation of this report has shown that many things could have been done better. However, while much could be added, the research does suggest that nothing should be taken away. In other words, the different elements of the approach and the principles on which it is based, are sound. This conclusion is also supported by the high level of support that the main elements of the approach (especially the foreign national groups and the help provided through them) have received in prisoner feedback forms<sup>2</sup>.

### 4.1 Main elements of the Wandsworth approach

1. Regular foreign national groups were a major part of the approach and were intended to provide information and support. There were 12-15 groups a month by November 2003, with priority going to those identified as having immigration problems, prisoners at risk of self-harm or suicide, and prisoners who were vulnerable for other reasons, such as language problems, isolation or mental health problems. The general groups were open to all nationalities on both the 'Main' side of the prison and on the Vulnerable Prisoner Unit (mainly sex offenders). There were groups for Spanish/Portuguese/Italian speakers and for Irish travellers and other Irish people. The former group was supported by 'Vamos Juntos', a partnership agency that usually works with Latin American prisoners. The latter group was convened by a worker from a second partnership agency, the Brent Irish Advisory Service. There was a regular immigration workshop for all those with acute and ongoing immigration difficulties, who required more time than could be given in the larger groups. An advice worker from the Detention Advice Service (DAS), the prison's major partnership agency for foreign nationals and one of the most established independent immigration advice agencies, convened this group and often attended larger groups. Governors, prison officers and staff from many other departments regularly attended to discuss issues and answer questions, providing a powerfully direct means of communication. The evaluation questionnaires conducted every year since 2000 (see chapter 3), reflected strong support for the groups, and an enduring appreciation for the assistance they provided.

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<sup>2</sup> It is important to acknowledge that, as the author was involved in developing the original Wandsworth approach, it is inevitable that some element of bias may be present in the judgements and the research responses. However, there was no alternative to this methodological weakness as there was no alternative researcher. Every effort has been made to minimise any such bias.

2. A second core element was a range of information for foreign national prisoners and staff working with foreign nationals, much of it translated. It included a locally developed manual detailing, for example, the principles of the Wandsworth strategy, basic advice on immigration, repatriation, deportation, detention and asylum; basic local policies affecting foreign nationals; and contact details for community support agencies and embassies. One of the most important translated documents was a leaflet in 25 languages which included information about many important issues, including the groups, other specific help available for foreign nationals and basic prison rules and policies (see appendix two).

3. Over time, another key factor emerged and became without doubt one of the most important components of the strategy - that is the creation of a number of 'foreign national orderly' posts for prisoners. The orderlies systematically visited new arrivals, helped to identify those in greatest need, distributed important information (including the translated leaflets), kept lists of inmate interpreters, and visited vulnerable prisoners on a daily basis, referring on to staff as appropriate. They also took referrals from officers who identified people in need of support. These posts were a tremendous success, contributing to a calmer, more co-operative regime, because frustrated foreign national prisoners had an effective means of voicing concerns and obtaining help on a reasonably immediate basis. As a result, the strategy was more sustainable, especially as the strong commitment from the prisoners themselves was, over time, matched by the support of the vast majority of prison staff who could see the tangible benefits of their work. The most recently published Wandsworth inspection report (2003d) praised the foreign national orderlies, noting that they often had more knowledge and information than staff in other establishments. Other research has shown the great value of giving responsibility to prisoners (e.g. Solomon and Edgar, 2003; Levenson and Farrant, 2002).

4. Another objective was to establish a foreign nationals committee bringing together a range of prison staff to support a foreign nationals strategy. The committee was chaired by a senior governor and included representatives of key departments, such as the Independent Monitoring Board (formerly known as the Board of Visitors), chaplaincy, and inmate administration, as well as officers and governors. A 'core' foreign nationals team then evolved from this wider group; it consisted of a seconded probation officer/foreign nationals co-ordinator, a specialist immigration advice worker, several foreign national prisoner orderlies and foreign national liaison prison officers/race relations officers, and the governor who chaired the committee. Perennial staff shortages meant that the officers were always under-represented, despite considerable personal commitment to the work. Their involvement was obviously crucial but was being offset to some degree by the other three elements. The prison's decision to contract a seconded probation officer, specifically to drive forward the foreign national work, gave the strategy overall co-ordination; the decision to fund a DAS worker for two days a week provided invaluable support; and the sheer volume of work done by the orderlies added credibility and visibility. The recognition that the officer involvement was vital to the ongoing health of the strategy finally led to profiled foreign national officer time in late 2003. The partnership agencies were supported by the existence of a coherent strategy, of which their work was a part, and supported by prison-based staff who helped them to manage any difficulties.

#### **4.2 Underlying principles of the approach**

Six principles have helped to achieve the above:

1. A written basis to the strategy; everything of importance, including progress reports, information documents, minutes, policies, problems and resolutions to those problems were

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documented for use in the future. This provided a store of data to help inform new staff, avoiding the common problem of new staff continuously 'reinventing the wheel', and minimising the loss of expertise and knowledge on the departure of key staff.

2. Ongoing evaluation of the strategy from the people who are in the best position to assess it, namely the prisoners themselves; this was achieved by means of the confidential evaluation exercise discussed in the previous chapter. Many of the often astute suggestions made by the foreign national prisoners were integrated into the following year's strategy.

3. Handing over as much responsibility to prisoners as possible; this principle forms the basis of the foreign national orderly role. Prisoners also chaired most groups, and sometimes took minutes which were then circulated amongst staff. This approach occasionally led to some resentment and concern amongst a few staff who thought the men would abuse the responsibility given to them. In fact, the exact opposite happened and the groups became noticeably more mature and self-regulating after prisoners started to chair them.

4. Keeping prison officers as *informed* as possible and *demonstrating* the positive results of having a coherent strategy; when governors, officers and other staff came to groups, it was both to answer questions and to hear what the prisoners had to say. They could also see the results of effective foreign national work on the wings, where the pressure on them was substantially reduced as they had a quick avenue of referral. From 2002, staff had a comprehensive manual for foreign national work, compiled by the foreign national team and containing material such as the prison's foreign national policies, useful addresses, and a brief explanation of the problems foreign national prisoners typically face.

5. Consistency in the provision of groups; the only way to build credibility with prisoners and staff was to provide groups when advertised. Although this was sometimes very difficult, especially at times of staff shortage, it led to the complete acceptance that the group was a constant in the prison's regime. While individual persistence and commitment were in reality essential to achieving such consistency, a sustainable strategy must eventually become an institutional, not an individual, responsibility.

6. A probation-led strategy; the secondment of a probation officer employed specifically to do the work, helped to ensure consistency. If a prison officer had been given primary responsibility for the work, there is no doubt that s/he would have been required to do other work given constant staff shortages and the fact that, for prison officers, security and operational needs must take priority over all else. In addition, the training of probation officers may be more suited to the requirements of the role (see chapter 5 for more discussion of this).

These elements and principles assisted progress from one group a fortnight, no written basis and no coherent policies, to the level described above. This development can also be traced clearly through a reading of the HMCI Prisons reports on Wandsworth between 1999 and 2003.

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## 5. THE RESEARCH

### 5.1 Purpose of the Research

It might reasonably be supposed that the approach developed in Wandsworth could work elsewhere. However, some evidence of its transferability to other contexts is necessary to establish its wider relevance or lack of it, and this is why the research described below was conceived. It focused on the views of prisoners and key staff on the viability of the Wandsworth approach within their prisons. These included two local prisons, a training prison, a high security prison, a young offender institution and a women's prison, all working within differing resource environments. Comments on specific parts of the model are summarised in detail in this chapter, and major themes are analysed and discussed in more detail in the next chapter.

### 5.2 Method and the Research Prisons

Group interviews attended by a total of 57 foreign national prisoners (and one British prisoner in HMP The Mount) were conducted in six prisons. Twelve individual interviews and three group interviews were conducted with a total of 19 key members of staff in the same establishments. Most interviews were conducted between April and July 2002. Staff and prisoners were subject to slightly different interview questions, as outlined below, in order to make them as relevant as possible.

Liaison staff in each prison were asked to collect together groups of 5-10 prisoners. They chose some prisoners randomly, others because they had previously attended foreign national groups and had greater insight into the major issues. All prisoners were assured that they would only be identified in this report by their nationalities and home prison. The group format of the prisoner interviews meant that prisoners could, if they wished, remain silent, although in practice nearly all group members took the opportunity to give their views. The fact that any opinions given would be ascribed to the whole group was also intended to reassure prisoners about anonymity. All staff were told they would be identified by their job titles and home prisons if they agreed to participate.

It is important to note that this method, like all research methods, is susceptible to a degree of subjectivity. The aim was to establish the perceptions of key individuals with a particular knowledge or interest in the problems faced by foreign national prisoners, in order to assist the development of national Prison Service policy and guidelines for work with foreign nationals. The aim was *not* to present a detailed critique or implementation plan for particular prisons - this is rightly the responsibility of the management of those prisons.

### 5.3 The Interview Format

All respondents were told that there was no need to describe the problems facing foreign national prisoners because these were well established by previous research. However, as is outlined in Chapter 3, many interviewees nevertheless spoke at length and with passion about the problems they faced, and these were included in the research. The group and individual interviews were all structured as follows:

1. All interviewees were asked 'What in your view currently works best in meeting the needs of foreign nationals in this prison?'
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2. The Wandsworth approach was then outlined in detail and the respondents were invited to comment on the applicability in principle of each individual element of the approach in their establishment. If they considered that an element was applicable, they were further asked to consider what, if any, changes they would make to ensure it was optimally effective in their establishment. If any part of the approach was thought fundamentally to be unworkable, respondents were asked to give reasons to explain why, in their view, this was so. Specifically, they were asked to comment in detail on:

- a) The viability and usefulness of foreign national groups;
- b) The usefulness of specialist agencies (e.g. immigration advice services and community support groups);
- c) The importance and practicability of providing translated information;
- d) The potential for the establishment of a foreign nationals committee with wide representation;
- e) The potential usefulness and viability of employing prisoners as foreign national orderlies;
- f) The usefulness of prisoner feedback in the form of evaluation questionnaires.

Staff were asked to comment on two further areas:

- g) The viability of a core foreign nationals team, including foreign national liaison prison officers;
- h) The viability and value of developing a detailed, written basis for a foreign nationals strategy in their prison, including, for example, strategies and progress reports.

3. All interviewees were then asked 'What would stand in the way of implementing the model?' in part or as a whole in their establishments.

4. They were asked 'What other suggestions do you have?' and further comments were then invited on the strengths and weaknesses of the suggested approach.

#### **5.4 The Prisons**

The research prisons were chosen mainly because of their proximity - the research was intended primarily to assist the development of a strategic London-wide approach to foreign national prisoners - partly because of the different categories and types of prisoner they held, and partly because of the high numbers of foreign nationals they held. They were:

- Brixton - Local prison, foreign national population in mid-2003 was 229, constituting 30% of the population at that time.
  - Holloway - Women's prison, foreign national population in mid-2003 was 125, constituting 26% of the population.
  - Wormwood Scrubs - Local prison, foreign national population in mid-2003 was 484, constituting 40% of the population.
  - Feltham - Young offender institution, foreign national population in mid-2003 was 150, constituting 22% of the population.
  - The Mount - Training prison in Hertfordshire, foreign national population in mid-2003 was 220, constituting 29% of the population.
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- Belmarsh - High security prison, foreign national population in mid-2003 was 252, constituting 29% of the population<sup>3</sup>.

### **5.5 Nature of Research Samples**

The profile of the interviewees in each prison is outlined below. The reported nationality of each prisoner is based on self-definition. Unless otherwise stated, each group was convened specifically to conduct the research.

#### **Wormwood Scrubs interviewees**

- A group of six prisoners, consisting of four Jamaicans, one Spanish and one Portuguese man. No other staff members were present.
- A group of sixteen men, all Jamaican. This group was convened as a foreign national post-sentence induction group, which two probation officers ran on a weekly basis to provide basic information to newly sentenced foreign national prisoners. The author accepted an invitation to present a section on the major immigration-related issues (e.g. deportation, detention, repatriation) which foreign nationals need to be aware of, and was afterwards allowed to speak to the group about the research.
- The Race Relations Liaison Officer (RRLO).
- A governor with responsibility for foreign national prisoners.
- Two probation officers with some responsibility for providing services to foreign national prisoners (interviewed individually).

#### **Brixton interviewees**

- One group consisting of 10 people, three Algerians, two Jamaicans, two Turkish men, one Ugandan, and two Kosovans. The probation officer convening the meeting was also present.
- One senior prison officer with a particular interest in foreign national prisoners.
- The chair of the then Board of Visitors (now Independent Monitoring Board).
- A probation officer with special responsibility for foreign national prisoners.

#### **Holloway interviewees**

- A group of five women, one Spanish, one Dutch, two Jamaican and one Barbadian. A probation officer was present for some of the time.
- A group of one governor and three probation officers with some current or past responsibility for work with foreign national women.

#### **Belmarsh interviewees**

- A group of 10 prisoners, one Zimbabwean, four Afghans, one Sri Lankan, one Algerian, one Kenyan, one Sierra Leonan, and one man from another, unspecified, African country. This meeting was the fortnightly group already run by a probation officer and a Race Relations Liaison Officer primarily to inform and advise foreign nationals about different parts of the prison regime. An ESOL teacher and an officer were also present in the

<sup>3</sup> All figures are taken from provisional prison statistics for 2003. The equivalent official figures for mid-2002, when the research was conducted, are not available. However, according to figures given by staff working in those establishments at the time, they were, in most cases, slightly lower than in 2003.

room. The author was allowed to speak to the group for the purpose of the research for the second half of the meeting.

- A Race Relations Liaison Officer. We were then joined by a senior officer, who also had responsibility for race relations.
- A probation officer with some specific responsibility for work with foreign national prisoners.

#### **The Mount interviewees**

- A probation officer with a particular interest in foreign nationals work.
- The 'Independent Race Relations Volunteer'. This is a very unusual position, formalised by the prison and held by a highly committed man who worked in conjunction with the probation department.
- A group of six prisoners, one French, two Jamaican, one Italian, one Nigerian and one British man of Indian origin who had been mistaken for a foreign national, but asked to stay as he had much to contribute on this area. Both the probation officer and the Independent Race Relations Volunteer were also present.

#### **Feltham interviewees**

- A probation officer with a particular interest in work with foreign national prisoners.
- Five young offenders, one Iraqi, one Jamaican and three Kosovans. The same probation officer was also present.
- A group of three staff, a governor who was also the main Race Relations Liaison Officer; a principal officer who also had responsibility for race relations, and the same probation officer.

### **5.6 Results**

The first thing to note is that despite very large foreign national populations, none of the research prisons had a coherent strategy to meet their needs. None had established clear and consistent working practices and policies, which would allow work with foreign national prisoners to develop and to be sustainable in the longer term. Staff were generally frustrated at their lack of knowledge, the lack of guidance on work with foreign national prisoners, and, particularly at the lack of time to develop such knowledge and to work constructively with foreign nationals.

The prisoner groups and foreign national orderly system, both central planks of the Wandsworth approach, aroused by far the greatest interest amongst most interviewees, and are summarised first, along with the description of existing provision. Comments on other issues are summarised following this section.

#### **a) *Comments on existing provision, and on the viability and purpose of foreign national groups and orderlies***

Summary: There was, in principle, total support for the establishment of groups along the lines of the Wandsworth approach from the prisoners; there was almost total support from the staff. In a number of the prisons, a limited number of groups already ran, but there was a lack of consistent, coherent provision. The main concerns expressed by both prisoners and staff related to the viability of convening groups in the face of limited staff resources and the

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hostility and/or obstructiveness of some staff. Specific comments and issues from the different prisons are as follows:

### **Feltham**

*Existing provision:*

Feltham had no existing group provision for foreign national prisoners. There was, however, a high level of commitment from the governor and principal officer in charge of race relations, and from a probation officer particularly interested in foreign national work, for whom a formal role, with specific time allocation, was planned. Unlike other prisons, Feltham had established a very effective telephone system which allowed foreign nationals to make calls to families abroad for a reasonable cost. However, the prisoners did not report being aware of any special provision being made for them.

*Comments on groups and orderlies:*

- All prisoners were enthusiastic about the prospect of regular foreign national groups.
- There was a strong fear amongst prisoners of groups being constantly cancelled and undermined by staff with 'bad attitudes'.
- Amongst staff, there was an equally strong fear of groups being unmanageable because of the immaturity and volatility of young offenders. Staff were also sceptical about the prospect of finding appropriate 'red band' orderlies. However, this was before the prisoner group was held, and it is notable that all the staff interviewed changed their positions after this group had finished. The attending member of staff was surprised and pleased with the maturity and enthusiasm of the boys and young men who attended. She discussed this with other staff and it was agreed that their fears were overstated and that it was quite possible to find prisoners capable of filling the orderly positions. She commented that the obvious appreciation of the value of such groups meant that prisoners would probably be keen not to disrupt the proceedings.
- Staff pointed out that a large number of houseblocks, spread over a large area, with very limited movement between blocks, meant that there would be significant logistical problems in enabling orderlies to do their jobs. However, staff were convinced of the importance of the job and keen to find a way around this problem - one suggestion which came out of the group discussion was doubling up the foreign national job with the race relations representatives who were soon to be appointed in each houseblock.

### **The Mount**

*Existing provision:*

The Mount had no specialist provision for foreign national prisoners, but did benefit from the work of a highly committed volunteer worker, who was much praised by prisoners for his willingness to contact the Immigration Service on their behalf. An immigration officer did visit once a month but the prisoners were very ambivalent about this service, mainly because it was not thought to result in impartial advice being given to people with immigration difficulties.

A probation officer also provided some assistance to foreign national prisoners, but was not given contractual time to do this work. Staff commented on the under-use of Language Line (they thought this was because it was seen as being too expensive) and on the minimal awareness about foreign national issues inside the prison generally. The staff interviewees were particularly disquieted about the under-use of Language Line in the healthcare unit,

where accurate communication is obviously vital. Induction was criticised by prisoners for including nothing of relevance to foreign nationals, but mention was made of a Listener leaflet being available in different languages.

*Comments on groups and orderlies:*

- Both prisoners and staff were concerned at what was termed 'soft segregation' - i.e. only enhanced level prisoners (who are recognised as being the best behaved prisoners and are therefore eligible for most privileges) being allowed to attend groups in order to minimise potential security problems. (This would mean that many prisoners most in need of the group would not be able to attend, and cannot be justified. For example, immigration problems do not vary according to a prisoner's status in relation to the Incentives and Earned Privileges Scheme.)
- One prisoner commented that 'even if the governor sanctions it, every officer has his own rules ... the possibility to criticise the prison [in groups] will be feared by officers and prison management'.
- With regard to the foreign national orderly role, prisoners spoke at length about their mistrust of officers allowing it to succeed: officers would appoint 'only people they want to appoint'.

## **Belmarsh**

*Existing provision:*

A staff member stated that in Belmarsh a group had already been running, with some lengthy gaps, on a fortnightly basis for a number of years. There were two main reasons for the inconsistency of provision: i) the probation officer with responsibility for convening the groups was given very little time to do this work; and ii) Belmarsh is a high security prison which means that on the frequent occasions that uniformed staff were unavailable to attend the group, it was cancelled. A subsequent personal communication from the probation officer indicated that this problem had been resolved as a result of a particularly committed Race Relations Liaison Officer taking specific responsibility for supporting the probation officer's work. However, this was clearly not a reliable basis for sustainable provision.

*Comments on groups and orderlies:*

- A prisoner stated that foreign national groups work because foreign national prisoners have a 'unity of purpose' and 'are more comfortable approaching another foreigner'
- The probation officer commented that without the help of foreign national orderlies any system of work was always liable eventually to collapse.
- Prisoners praised the fact that the groups allowed foreign nationals to come together and share information. They were fearful, however, that 'bureaucracy might block' further development of work for foreign national prisoners.

## **Holloway**

*Existing provision:*

Staff described how Holloway had a well-established group, a large proportion of which was always comprised of Jamaican women. The group had started as a support group but evolved into a support and information group over time. The staff targeted non-resident women (i.e. women whose permanent addresses were overseas), who were often more isolated and

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needy. However, it had not been provided consistently as a result of prison and probation staff shortages. As in many other prisons, the foreign national liaison prison officers were usually unable to meet their commitments and the pressure was therefore on the probation staff, for whom foreign nationals were a target group. The foreign national group was intended to run every week but at the time of the group interview (June 2002), it had not happened for the previous three weeks. Hibiscus, an organisation working with female foreign nationals, provided a worker who was based in the prison and gave mainly individual advice and assistance with a variety of problems, including immigration issues. This was a well-regarded support service.

*Comments on groups and orderlies:*

- The prisoners' group mentioned that even with a 'freeflow' system (i.e. prisoners are unlocked and allowed to go to classes unescorted) it was difficult for them to get to groups because some officers were unwilling to let them go to the designated group room (something the women felt would have been easier to achieve with the help of trusted prisoner orderlies).
- When it did run, the Holloway group had many visitors, ranging from governors and voluntary agencies to embassy representatives, solicitors and immigration officers. However, it was considered by staff to be unwieldy and too often an unfocused 'free for all' because of the large numbers of women who were allowed to attend (30-50).
- Both staff and prisoners mentioned food, health and officers' attitudes as being high on the group's agenda, and staff emphasised the frequent problem of contacting children and families abroad. (This contrasts with male prisons, where immigration issues and language problems were more often mentioned, along with staff attitudes.)
- In discussing the possible role of the foreign national orderly, one prisoner commented 'we can help ourselves', but was worried that staff would not trust her or other prisoners enough to enable them to carry out the duties of an orderly. Staff commented on the 'crucial role' that orderlies could fulfil in getting information to other prisoners.
- The staff group and governor identified a problem with retaining orderlies long enough for them to develop experience, because staff were not, they said, allowed to place 'holds' on the women for any reason. The overcrowding pressures on the women's estate were given as the reason for this policy, which had led to the same problem with Listeners, 'befrienders' and 'peer group supporters'.

## **Brixton**

*Existing provision:*

Brixton was the only prison, apart from Wandsworth, where more than one type of group was running on a consistent basis. The prison had made a serious commitment to this work by employing a probation officer as a part-time foreign nationals co-ordinator, and he had, according to prisoners and all the other staff interviewed, succeeded in significantly improving provision in a relatively short space of time. This prison was the closest of all those surveyed to offering something akin to the Wandsworth approach, but still had no overall strategy for developing foreign national work. A small general group (8-12 prisoners) was convened by the probation officer on a weekly basis when prison officers were available to escort prisoners. This group was described by him as 'scratching the surface' of many issues and it was clear from the comments of both staff and prisoners that it was in need of greater

resources and support. The small size of the group (dictated by the lack of more spacious accommodation) meant that most prisoners were able to come only once, a source of considerable frustration for many of them. The group was frequently attended by other staff invited by the probation officer, the Imam and the Board of Visitors (now the 'Independent Monitoring Board' or IMB).

A group for Irish nationals and travellers was run on a monthly basis by a representative from the Brent Irish Advisory Service, supported by the probation officer. There was a fortnightly group convened by 'Vamos Juntos', a voluntary Latin American organisation, again organised by the probation officer. The probation officer himself ran a monthly group for those subject to extradition proceedings (who were not necessarily foreign nationals), an issue peculiar to Brixton which receives all such prisoners. Finally, he convened an occasional (every two months) group for detainees and asylum-seekers. The lack of funding for a specialist immigration advice agency was a considerable problem, limiting the service provision to this critical group<sup>4</sup>.

*Comments on groups and orderlies:*

- All but one of the staff interviewees commented on the widespread resistance from many prison officers to the establishment of any kind of specialist group provision for foreign national prisoners. There were also complaints from prisoners who had missed groups that they were expecting to attend, because they were not unlocked on time. Many of these men had stayed in their cells instead of going to the gym, library, etc. and had therefore missed out on two counts.
- On the positive side, two prisoners were described by the probation officer and the Chair of the Board of Visitors as being 'orderlies in all but name' and 'the glue holding everything together' as they assisted the probation officer to bring these groups together. However, the lack of an agreed job description or paid employment meant that this was inevitably a loose and vulnerable arrangement.
- A senior prison officer highlighted the importance of foreign national orderlies being properly supported by staff. In discussing the potential problem of tension between some nationalities (in groups and on the landings) because of regional tensions (e.g. between Iraqis and Kurds), he also commented: 'people in difficult circumstances tend to help each other regardless of internecine conflict in home countries'. Regarding the value of employing prisoners to do the work, and the security implications of giving them a lot of responsibility, he commented that there is 'No finer way to control prisoners than [the use of] other prisoners' and 'people look after people, not systems'.
- The need for a 'culture change' was highlighted during the interview with the probation officer and BoV chair. They agreed that a major problem likely to hinder the effectiveness of the orderlies was simply getting them unlocked, and suggested that a system of auditing would need to be in place to ensure that they were out and doing their jobs at the appropriate times.
- The probation officer and BoV member highlighted the importance of being clear about the principles and need for foreign national groups - this was because some British prisoners had complained that the groups were 'racist' for excluding them.

<sup>4</sup> However, since the appointment of a diversity team in mid-2003, Brixton has undertaken to provide full funding for a specialist advice service to prisoners with immigration problems.

## Wormwood Scrubs

### *Existing provision:*

Wormwood Scrubs had a very high foreign national population, largely comprised of Jamaicans and Latin Americans, and therefore had a particular need for foreign national provision. In the past, this prison had been recognised as a centre of good practice, but when the probation officer responsible for the work moved on to another post, the provision she had built up gradually unravelled. At the time of this research, the consistent provision was a monthly Spanish and Portuguese speakers' social group run by an outside agency, and a 'post-sentence' group run by a seconded probation officer and two probation officers from what was then (April 2002) the London Probation Area's Foreign National Unit. This latter group, much appreciated by the attending prisoners, ran every 1-2 weeks and provided advice to newly sentenced prisoners on a range of issues, including immigration, transfer, sentence planning, early release and visits. There was induction information in a range of languages. Other groups had been planned but had not taken place because of a lack of staff or a lack of co-ordination. A DAS worker provided valued individual advice but felt hindered by the lack of a coherent support strategy to assist her work. Overall, provision was considered by all staff and prisoners to be wholly inadequate to the needs of the prison. The Race Relations Liaison Officer was not aware of what groups were running and thought that general staff awareness of foreign national needs was low. There was a fledgling foreign nationals committee.

### *Comments on groups and orderlies:*

- One of the interesting issues raised by a number of staff and prisoners was the question of who should have responsibility for convening groups. One probation officer listed a range of requirements for running effective groups and considered these to be problematic for non-probation staff to meet. These were: skills in groupwork dynamics, multi-agency working experience, awareness of immigration issues, diversity/anti-discriminatory practice training, and communication skills training. On the other hand, a senior prison officer felt that prison officers who had formerly worked in an on-site drug and alcohol rehabilitation unit would be ideally suited to running foreign national groups - he distinguished between tutoring on structured, pre-planned programmes, and the very different demands of running 'more free-flowing' support and information groups with sometimes highly distressed and anxious prisoners. Experience of this latter kind of group would, in his view, have particular relevance to running foreign national groups.
- As in many other prisons, the problems thrown up by the limited availability of prison officers to support groups was raised by almost all of the prisoners and staff. All of the prisoners in the smaller group interview of six thought that most staff would be unsympathetic to regular groups, but half were adamant that, despite this, staff would not seek to stop the groups happening because they would respect their importance.
- The Race Relations Liaison Officer emphasised the importance of building a training programme for orderlies. He also thought the likelihood of orderlies being allowed to move around the prison to do their jobs was low, because of the discomfort such a role would create amongst some staff.
- The issue of 'goodwill' to make anything work was stressed by one of the probation officers.

**b) Comments relating to the viability and purpose of all other aspects of the approach.**

Summary: Apart from expressions of support, little comment was made in any prison on the subject of specialist agencies, translated information and the concept of the core team. The other comments therefore relate to various miscellaneous aspects of foreign national work. However, the issue of who should do the work of a foreign national co-ordinator and what would assist or hinder that work, was a major theme.

**The Mount**

- The importance of governor support and awareness was highlighted by staff, as was the value of a co-ordinator being appointed to encourage this. A vicious circle was discussed, in which a co-ordinator would not be appointed without such support, but without a co-ordinator, the level of awareness of the problems faced by foreign nationals would not be sufficient to encourage such an appointment. One staff member gave the example of a governor expressing surprise at the fact that there were foreign nationals in the prison who might be unable to speak English and understand instructions.
- The prisoner group discussion about the role of the foreign national co-ordinator was also particularly interesting, and revealed a great deal of distrust of prison officers fulfilling this role. It was argued that the level of trust in an officer appointed to the role of foreign national co-ordinator would be low because of the generally poor level of communication and trust between uniformed staff and prisoners: 'An officer is an officer. It doesn't matter how good that officer is ... many officers are ignorant of guidance or rules themselves.' The approach to probation staff was different (although of course the fact that the interviewer was a probation officer may well have had an influence here); they were 'seen' as independent and 'fair' by prisoners.
- The role of foreign national co-ordinator was seen as vital by staff who cited several instances of 'tripping upon' important information or resources for foreign national prisoners 'by accident'.
- The Independent Race Relations Volunteer commented on the 'desperate need' for someone to co-ordinate foreign nationals work and felt that with such co-ordination there was no reason for groups not to take place.
- An important issue raised by the Race Relations Volunteer in The Mount was that of foreign national prisoners who are transferred - there should, he argued be some way to transfer information about language difficulties from prison to prison. Clearly, if this were done, staff in the receiving prison would be able to identify prisoners in need of support from the foreign national team relatively quickly.
- In terms of translated information, staff mentioned the value of inserting a few lines into the foreign national prisoners resource pack (a new edition of which is being prepared by the Prison Service) to explain the possibility that a foreign national strategy may exist in individual prisons.

**Wormwood Scrubs**

- A probation officer talked of a 'snowball effect' overcoming resistance amongst the staff group if the model were to be instituted - in his view, once something was up and running, its positive effects could be demonstrated, persuading some sceptical staff of its value and encouraging others to take the line of least resistance and 'go along with it' whatever their feelings on the matter.
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- The governor stated that although foreign national liaison officers were identified, they were not active because their time could not be spared. She was critical of the lack of guidance and targets from headquarters and what she regarded as a lack of commitment. She strongly advocated performance targets to give prisons the incentive to prioritise foreign national work. She stated that 'A co-ordinated strategy at a higher level is crucial', a 'roving advisor' should be appointed to assist prisons to develop their own strategies, and support services such as interpreters and translations, should be made available on a London-wide basis, managed by the London area office.

### **Brixton**

- The profile which the existence of a capable co-ordinator with specific responsibility for this group of prisoners had brought to foreign national work was praised by prisoners and staff alike.
  - The probation officer mentioned how useful it would be for all foreign national co-ordinators to meet on a monthly basis to give each other support and to discuss problems, solutions and other issues. Although a group for all those involved in such work has occasionally been convened in London, he felt there was also much value in having a smaller, more focused meeting where a process of mutual 'supervision' could take place.
  - The probation officer felt that a separate foreign nationals committee was unnecessary and that the work could effectively be subsumed in the race relations committee. He also suggested that a specific induction programme could be developed for foreign nationals and that performance standards would be an important means of helping to ensure that foreign nationals were put through such an induction and to increase the priority for foreign nationals work generally. Finally, he also mentioned that despite many excellent prison officers, in his view, as a group they generally had a lack of appropriate training for foreign national work.
  - Prisoners expressed their concern that foreign national co-ordinators could become sidelined or overwhelmed with complaints and individual problems and therefore stressed the need to choose the recipients of such posts carefully.
  - The senior officer stressed the importance of having a co-ordinator to manage and respond to any form of evaluation of provision in the prison. He also stated that a Prison Service Order with clear guidelines about the role of the co-ordinator and about other foreign national issues, was crucial.
  - The same senior officer offered some thoughts on why prison officers might not be the most suitable staff members to manage foreign national groups and on why orderlies would be a vital resource, arguing that prison officer training had not yet caught up with ideas on the best way to control prisons. There were, he thought, two broad categories of officer: one thought that developing relationships and 'getting on with people' was the way to work effectively, and the other was mistrustful and unwilling to give up power and control, especially to prisoners. This latter group would, in his view throw up the main obstacles to a successful strategic approach to foreign national work.
  - The BoV member and probation officer also talked of the importance of the foreign nationals committee doing a 'PR' job for any foreign nationals strategy, and the importance of a 'national push' on foreign nationals work.
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### **Holloway**

- The women talked of the 'incredibly high level of need', and the need to 'have a champion' for foreign national prisoners.
- The staff group considered that a major problem was that 'no one person is taking responsibility' for the work, and that such a person must be 'trusted and experienced'.

### **Belmarsh**

- The probation officer and race relations officer emphasised the importance of ring-fenced time for a foreign nationals co-ordinator, and the fact that governor support was critical to achieve this. However, they did not feel that foreign nationals work would be given much priority because of general staffing shortages and other prison priorities.

### **Feltham**

- All staff interviewees at Feltham were enthusiastic about the prospect of a probation officer being appointed to do foreign nationals work. However, they were concerned that the role would not be given sufficient priority given the lack of guidance or performance requirements. Most of the work so far done by the probation officer had been as a result of her personal interest and commitment, rather than an organisational commitment.

Staff in other prisons should find that the feedback reported above provides useful indicators of the kind of problems they might face in their own prisons. The next chapter picks out and explores in more detail some major themes, as well as further issues that might need to be addressed.

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## 6. KEY ISSUES AND RECOMMENDATIONS TO THE PRISON SERVICE AT A NATIONAL AND AREA LEVEL

The study has demonstrated support throughout the research prisons for the approach described and, in particular, an enthusiasm for the concept of foreign national groups, orderlies and co-ordinators. Staff and prisoners in the research prisons believed that, with minimal adaptations, the basic approach was transferable to their establishments.

A more complex picture has emerged in relation to perceptions of the viability of implementing a foreign nationals strategy given particular local and national circumstances: enthusiasm for the approach was tempered by many concerns. In this chapter, a number of important issues arising directly from, or linked to, the research are analysed, with particular attention given to potential weaknesses in the model. A range of proposals for improving national and area Prison Service policy and practice are made, before a refined model, recommended for use in individual establishments, is presented in chapter 7. Much of the discussion below refers back to the research results outlined in chapter 5.

### 6.1 Questions and Themes

#### ***How important is probation involvement and are non-probation staff suited to the foreign national co-ordinator's job?***

All of the research prisons had given or were planning to give specific responsibility for implementing foreign national work to probation staff. This is partly, as stated in chapter 5, because probation staff seconded to do a specific job with foreign nationals cannot be given other duties at a time of prison officer shortage (although probation departments are themselves not immune to staff shortages, as evidenced in Holloway). The training of probation officers may also seem more suited to the requirements of the job, as was argued by the probation officers in Wormwood Scrubs. It is useful to look at some of the actual requirements of the job before continuing this discussion - they are:

- Co-ordination, management and communication skills;
- Groupwork and assessment skills;
- Awareness of the issues and good background knowledge;
- Writing and analytical skills;
- Presentation skills which can help in training of other staff and raising the profile of work;
- Knowledge of community resources;
- A strong commitment to anti-discriminatory practice.

Probation officers undergo an intensive two year degree level professional training covering these skills in some depth, while prison officer training is completed in eight weeks and focuses more on security related issues. There is still no reason why prison officers should not have all of the attributes listed above. But there is good reason to argue that probation staff are more likely to have them, and more likely to be enabled to use them. For example, the commitment to anti-discriminatory values and to treating offenders/prisoners with respect is

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something that is prominent in probation history and training and is something with which probation staff as a group are generally associated. This contrasts with the reputation of prison officers, as a group, as being generally unsympathetic to such values and in need of initiatives such as the drive towards the 'decency agenda' launched by the previous Director General, Martin Narey and continued by his successor, Phil Wheatley.

These are general stereotypes, but they do seem to help give probation staff more credibility with offenders (as evidenced, for example, in the feedback from the prisoner groups in The Mount and Brixton). The senior officer in Brixton also summed up the potential problem of a negative prison officer culture overly-focused on the maintenance of power and control and mistrustful of initiatives intended to enhance the decent treatment of prisoners.

Probation officers' availability, training and reputation is therefore likely to make them appropriate co-ordinators. However, it would be naïve to suggest that this would apply in every prison and offensive to suggest that prison officers cannot do the job. Consequently, the most appropriate conclusion must be that *whoever meets the criteria above* is likely to do a good job, regardless of professional background. Initial prisoner mistrust of uniformed staff should be surmountable in most, if not all, establishments.

Perhaps the most important points are i) that staff should be given protected time to do the work, ii) that they should have the motivation and aptitude to do the job, and iii) that there should be a team involving *both* prison officers and probation staff, who can support and advise each other. RRLOs are particularly important, and it is very noticeable that in most prisons their personal support and involvement had been very helpful in assisting whatever progress had been made (e.g. in Belmarsh, many of the groups would not have taken place without that support).

### **Local or central support?**

The issue of governor support was considered to be crucial by a number of staff respondents, although perhaps the most telling contribution on this subject was from a governor responsible for foreign national prisoner policy in Wormwood Scrubs. She pointed out the desirability of central direction and guidance in order to give governors something tangible to support, and to reassure them that resources were not being misdirected. The probation officer in the same prison who talked of the vital importance of governor and prison officer 'goodwill' was touching on a similar theme - i.e. the vulnerability of any work with foreign nationals without governor support buttressed by a commitment to foreign national work from Headquarters. This problem is compounded by the current high turnover of governors and consequent lack of consistent and stable leadership.

Two specific and linked points mentioned on several occasions were: i) the lack of any identified source of advice on foreign national work, and ii) the lack of a communication network for staff undertaking such work.

In relation to the second point, it would be very useful to establish a means of information and resource exchange between staff in various prisons (a probation officer in Belmarsh mentioned the particular value of being able to exchange information in translation, and a probation officer in Brixton suggested a monthly co-ordinator's support group), co-ordinated either by headquarters or on an area basis. The London probation area has convened such a meeting for prison and probation staff on a fairly frequent basis, and it has proven to be a popular initiative.

The first point should be ameliorated to some extent by the issuing of national guidelines. However, there seems to be an important role for specialist advisors who can give practical

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advice. The governor in Wormwood Scrubs stressed the value of such input, particularly during the early stages of strategy development. Such advisors might work on a voluntary basis or on temporary secondment.

### ***The need for auditable standards***

Performance indicators and monitoring seem critical to the success of foreign nationals strategies across the prison estate. Time and again, across every prison, the message was the same - in a target-driven system, with very limited resources, those resources will be devoted to the areas of monitored work which will allow the prison to claim some credit during regular audits. While the obvious necessity and importance of foreign national work meant that governors tended to be sympathetic to arguments for greater provision, they felt unable to make a commitment to it for this reason. As one uniformed member of staff commented (Wormwood Scrubs RRLO), no one 'gets into trouble if it doesn't happen'.

There is little doubt, given the evidence of inconsistent and unco-ordinated work discussed in this report, that minimum standards and audit/self-audit to measure adherence to them, are a crucial element of any successful and sustainable foreign nationals strategy. Support for this position comes from the Prison Service's own 'Guidance for Self-audit in Prison Service Establishments' (published on Quantum, the Prison Service intranet, accessed in July 2003, undated). This document explains the process of audit and discusses measures of compliance with Prison Service standards. It states that:

***'The importance of self-audit in supporting the effective delivery of standards cannot be over-estimated ... a high quality self-audit system is vital to the effective performance of each establishment.'* (Section 3)**

Staff in Brixton also highlighted the value of simple self-audits to ensure that foreign national orderlies were unlocked to do their jobs.

### ***How relevant is the approach to women prisoners?***

The research in Holloway suggested that the approach could apply there and there is nothing about foreign national prisoners in the general literature to suggest that a radically different approach would be required for the women's estate. Nevertheless, some important differences would need to be reflected in the priorities developed within individual strategies. For example, three-quarters of women foreign nationals are imprisoned for drug trafficking offences and many have primary childcare responsibilities. These factors point to the need for greater attention to drugs education and good quality links with home countries, using support organisations such as Hibiscus. However, as the research looked only at one women's prison, it would not be appropriate to draw firm conclusions without more research in other women's establishments.

### ***What if there are few foreign nationals prisoners in an establishment?***

The first point to be made is that prison statistics show that there are foreign nationals in virtually every single Prison Service establishment. Foreign nationals constitute about 12 per cent of all prisoners (see appendix one) and are a growing population. Consequently, there is a need for every prison establishment to be aware of the particular needs that they present.

Clearly, it is not cost-effective or necessary for every prison to have foreign national provision as encompassing as that developed in Wandsworth. But there is no reason why the basic elements (e.g. group provision, orderlies, etc.) should not be implemented with due regard to

proportionality (e.g. some prisons will need fewer groups and orderlies). Variations in the model will also need to be agreed in many prisons according to their individual structures and functions, even if they have high numbers of foreign nationals. For example, Feltham will have to have different orderlies in each of its dozen or so houseblocks, because no movement is allowed between them.

Every prison should have a foreign national strategy that seeks to meet the needs of foreign national prisoners, no matter how many or how few there are. This is clearly becoming an expectation. For example, although there are very few foreign nationals in HMP Cardiff, the Inspectorate report (2003e) makes a point of criticising the lack of distinction between the need to maintain good race relations and 'the need to develop services specifically for foreign national prisoners' (p.76). It goes on to recommend 'a comprehensive policy covering the needs of prisoners who are foreign nationals' (p.145). Once it is accepted that each prison should have a foreign national strategy, the issue of providing appropriate support for those establishments that have little experience of working with foreign national prisoners and little contact with specialist organisations (which tend to be grouped around London) should be addressed. For example, one way of ensuring that each prison has access to immigration advice might be to negotiate a central contract with one of the respected immigration advice agencies to provide telephone advice and information.

### ***A separate foreign nationals committee or a single race relations committee?***

This issue was originally raised by staff in Brixton, who considered a foreign nationals 'slot' in the race relations committee to be sufficient. But the question is closely linked to the one above, as prisons with few foreign nationals may consider a separate committee to be an excessive and unnecessary commitment. It may seem a sensible use of resources to encompass discussion of foreign national issues within a single meeting, but there is a considerable danger with this arrangement that foreign national issues will become lost in broader discussions about race relations, something that has been a problem in a number of establishments (as evidenced in many HMI Prisons reports). This is certainly not conducive to the development of a coherent strategic approach to foreign national work. In fact, the development of a foreign nationals committee was specifically highlighted by the most recently published HMI Prisons report on Wandsworth (2003d) as an example of good practice to be followed elsewhere. This is appropriate, given that other major elements of the approach, such as groups and constant evaluation, can only be generated once such a team is in place.

Consequently, it seems more appropriate to ensure that in every prison with foreign nationals, there is at least a foreign nationals sub-committee of the full race relations committee which is responsible for driving forward and monitoring progress. Certainly, in prisons with large numbers of foreign nationals, such as the London establishments, foreign national work cannot be properly addressed without a separate meeting. Any recommended minimum number of foreign national prisoners to trigger a full, separate committee will inevitably be somewhat arbitrary, but, based on experience, any prison with more than 10 per cent or 40 foreign national prisoners, whichever is the greater, should probably form a separate committee.

### ***How can the use of Language Line be encouraged?***

Every Prison Service establishment has had access to the telephone interpreting service 'Language Line' since 1994. Language Line staff have also provided workshops for RRLOs and sent out guidance and publicity material to all prisons. But, despite the huge potential benefits of this service, there is little doubt that it remains greatly under-used - this conclusion has been consistently highlighted by Inspectorate reports across a wide range of prisons (e.g. see HMIP, 2003, 2002, 2001); it is a conclusion supported by the Wandsworth

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experience and the feedback from the research prisons. There appear to be two main reasons for this:

a) *Expense*: governors pay for Language Line from their individual budgets, and staff access in many prisons is granted only with permission from governors or wing managers. This clearly deters staff from making use of the service. The recent Inspectorate report on The Mount notes that:

***'We were told that Language Line was seen as too expensive and there was no budget for this service.'* (HMIP, 2003, para.2.32)**

Similarly, the Wormwood Scrubs Inspectorate report states that:

***'Encouragement had recently been given to the use of Language Line by the Foreign National Governor, but it was still generally believed to be too expensive and its use had been very limited.'* (HMIP, 2001b, para.1.62)**

However, it is worth noting that the Wandsworth experience found that it actually cut costs, probably because the relative speed and efficiency of Language Line interpreters minimised the need for expensive face-to-face interpretation. The value, in terms of improved communication with sometimes very confused foreign national prisoners (and therefore adherence to the principles of equal opportunities), is harder to measure, but undoubtedly highly significant. The Inspectorate report on The Mount again shows why use of Language Line can be vital:

***'There was a need to develop the use of this service for interpretation in a range of formal settings such as in adjudications or in the preparation of parole reports. Such services could be crucial to understanding the anxieties of prisoners who are at risk of self-harm.'* (para.2.32)**

b) *Staff misconceptions about the difficulty of using the service*: experience over many years in Wandsworth strongly suggests that a large number of staff think that special phones are needed to access the service (in fact, it only requires a normal phone and the prison's specified access code), that Language Line interviews can only be conducted by specially trained personnel (it is simple enough for any member of staff to use it), and that it takes an inordinately long time to be connected to an interpreter (an interpreter is almost always available within a few seconds).

Simple guidelines on using Language Line should therefore be distributed in every prison (see appendix three for an example). It would also be very helpful to have a more thorough research-based knowledge of the use and usefulness of Language Line in prisons. Consequently, Ellis's (1998, p.18) recommendation that a study be made into the use of Language Line in different establishments should be supported.

### ***How should foreign national status be defined?***

A common question in establishments was 'who do we define as foreign nationals?' It seems to have arisen for two main reasons: first, in many prisons the process for identifying foreign nationals is not reliable or consistent - this means that black British people have often been wrongly identified as foreign nationals, creating much confusion. Second, the need to prioritise according to need means that sometimes only foreign nationals resident abroad have been considered for the specific services which have been made available, and in some cases this has been extended to an exclusion of foreign nationals with EU residency, even though many of them may be subject to deportation proceedings.

While there is some overlap between the issues faced by minority ethnic British prisoners and foreign nationals, these groups have distinct needs. For example, foreign nationals can have immigration problems, are more likely to have communication difficulties and to need information about how the criminal justice system in this country works. Such prisoners may well be white and European - there should not be an assumption that a white foreign national will have less need for information and support than a black foreign national prisoner. On the other hand, black British prisoners may face more racism and have different cultural needs to both foreign nationals and white British prisoners. There needs to be a separate response to this issue.

It is recommended that foreign nationals are defined literally as those prisoners who do not have British passports. Prioritisation by need can then occur within this clear and obvious definition. It is up to individual prisons to decide whether they have the capacity to include people with dual nationality.

### ***How can foreign nationals be identified and assessed?***

Nationality and place of birth are among the details recorded by the reception staff who interview all newly arrived prisoners. Drawing on this data, prison staff should be able to create a LIDS (Local Inmate Data System) enquiry providing a reasonably comprehensive list of foreign national prisoners. Similarly, whenever an immigration detention order is made, this information should always be on the computer database and a list of deportees and detainees can therefore be generated. Although the reliability of recorded nationality is variable, such lists are at least a good starting point. In Wandsworth, the foreign national orderlies are often told by other prisoners of new foreign national arrivals whose nationality may not have been correctly recorded. They are also required to visit new arrivals and complete an assessment form (see appendix four). There is no reason why such forms could not be copied and put into a prisoner's file when completed, thus helping to ensure some continuity of care and action.

### ***Training implications***

Staff in most prisons expressed concern at their lack of knowledge about how to address the major problems facing foreign national prisoners. It is also something that has become clear as a result of numerous requests to Wandsworth staff, from prisons across the country, for advice on work with foreign national prisoners.

Clearly, there is scope for a range of training to be provided, covering, for example, the main concerns of foreign national prisoners, working with the Immigration Service, groupwork skills, strategy development, and responding to particular needs. However, it seems more appropriate to first agree guidelines and standards on foreign national work, and to then develop a training strategy centred on the demands that would be made on prison-based staff as a consequence. Once guidelines and standards on foreign national work are developed, it would seem appropriate for training guidelines to be issued from Prison Service Headquarters and Training Services.

Two points can be made at this stage: first, joint training delivered by prison-based staff and outside specialists together, seems important. The prison-based staff (preferably including uniformed staff) can provide knowledge of the establishment's culture as well as local understanding, experience and credibility. Meanwhile, outside specialist trainers can provide wider knowledge and experience (e.g. of developments on a national scale, the workings of the Immigration Service, the theoretical underpinning of the model and wider debates about immigration issues in this country). More discussion of this approach, and other useful advice is contained in the Home Office Review of Training in Racism awareness and Valuing Cultural Diversity (Home Office, 2002).

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Second, it is also important to recognise the limitations of any training - for example, training in immigration issues will never be sufficient to take the place of accredited specialist immigration advice workers, who are able to keep up with changes in immigration policy, procedure and law.

### **Does every prison need a specialist immigration advisor?**

Immigration problems or potential immigration problems are high on the agenda of foreign national prisoners. It is therefore vital to have *access to accurate and impartial* immigration advice. This does not necessarily mean that advisors should regularly visit every prison. But it does mean that prisons should attempt to make links with reputable immigration advice agencies, which could then advise prisoners by telephone or letter.

It is important to note that while visiting immigration officers can be a great help, they are not always an appropriate resource. For example, in The Mount, the visiting immigration officer could be helpful to prisoners wanting to comply with and expedite deportation proceedings, but was perceived as a hostile figure by those who were contesting deportation.

A particularly important point is the need to support partnership workers from any agency. Their work should form a part of the strategy, and prison-based staff (in most cases the foreign national co-ordinator is likely to be the main link) can help them to resolve any difficulties they may face inside the establishment.

### **Offending behaviour courses for drug importers?**

Offending behaviour courses for drug importers was not a prominent concern mentioned during the research, but this is an issue that is periodically raised given the disproportionate number of foreign national prisoners who are drug couriers. As they may well be disadvantaged in the parole process unless they can demonstrate that they have addressed their offending behaviour, it seems reasonable to suggest that research on the availability, accessibility and potential effectiveness of courses for foreign national drug importers should be considered. Such a review may conclude that existing courses, particularly Enhanced Thinking Skills programmes, will be sufficient, but an investigation is still necessary. Accessibility of courses for foreign nationals with poor English language skills is an important issue, pointing to the need for sufficient ESOL provision.

### **Sustainability: individual personalities and the wider diversity strategy**

A sustainable strategy must be an institutional, not an individual, responsibility, even as it taps into the commitment and skill of individual members of staff. The issue of competent and enthusiastic individuals designing and carrying out effective work in individual prisons and then the whole project gradually or suddenly collapsing on their departure is a significant problem for the Prison Service, and not just in the field of foreign national work. This problem has been a central consideration during the development of the Wandsworth strategy and during the project which is the subject of this report.

There are two points to be made: first, having the *ability, values and commitment* to develop work with foreign nationals, is critical to success at all times. However, one of the aims of this report is to help put in place the *guidelines and requirements* that will ensure that RRLOs or new foreign national co-ordinators should not in future need to have the persistence and stamina that developing entirely new projects requires. Building on existing guidance, policy and practice is easier than fighting for recognition, and there is no reason why prisons employing competent individuals with appropriate *institutional backing* (from the national service, as well as from area and local prison managers) should not succeed in sustaining a coherent, long-term, foreign national strategy.

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It is important that the model does not exist in isolation and is instead embedded in a wider diversity strategy (see Home Office, 2002). Insufficient attention to cultures of racism, stereotyping and discrimination in individual prisons will result in foreign national work, like any other initiative which requires respect for diversity, being eroded. Just as each element in the foreign national model can support the others, a foreign nationals strategy must be buttressed by, and provide support to, other initiatives that support diversity, cultural change and changes in policy and practice. Some or all of these may be very difficult for some staff to accept, and they may well attempt (overtly, covertly, consciously or sub-consciously) to undermine the work. They are far more likely to succeed if the strategy is not integrated into a coherent institutional approach that is intolerant of discrimination and is instead supportive of the principles of respect and decency. This point was touched upon by staff in Brixton, who considered that 'culture change' was a prerequisite of effective change; certainly, if more consideration had been given to this issue at the start of the Wandsworth strategy, it would probably have made progress far easier.

### ***Is a separate Prison Service Order necessary?***

There is very little central guidance on policy and practice with foreign national prisoners. The main exception is the recently updated PSO 4630 on immigration detainees, which is accompanied by a few other disparate statements spread amongst a variety of Prison Service Orders. Consequently, prison staff who want guidance on anything other than immigration-related issues are working within a virtual policy vacuum. This does little to encourage the development of knowledge and good practice.

There are strong arguments for a new, distinct Order. First, there are obvious moral and organisational reasons to treat progress on foreign national issues with some urgency. Such reasons include the steep rise in foreign national prisoners (up from eight per cent of the population in 2000 to 12 per cent in 2004); the consequent stress caused to them and to staff attempting to provide support for them; and the increasingly close scrutiny of the Prison Inspectorate. Marking the importance of the issue with a distinct PSO on foreign nationals would therefore seem to be sensible both in strategic and symbolic terms.

A more prosaic reason for a separate PSO is contained in the above discussion under the heading 'How should foreign nationals status be defined?' That section highlights the fact that the distinct experiences and needs of foreign nationals are sometimes ignored because they are wrongly subsumed by the often very different needs of minority ethnic British people.

## **6.2 Summary of Area and National Recommendations**

1. *Guidelines* on local policy and practice with foreign national prisoners should be issued by the Prison Service.
  2. Auditable *standards* based on those guidelines should be developed to motivate action in individual prisons, and to encourage and enable managers to give foreign national work a higher degree of priority in their business plans (both a national and area responsibility).
  3. Consideration should be given to convening *staff liaison forums* on an area basis, to allow front-line staff to share information and resources, and to discuss issues relating to their work with foreign national prisoners.
  4. Areas should give consideration to appointing a *foreign national policy/practice advisor*, especially during the strategy development phase; such an advisor might be an experienced co-ordinator from one of the prisons in the local area.
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5. Research on the *use of Language Line* should be instituted by the centre.
6. Statistics relating to the *incidence of self-harm* amongst foreign national prisoners should be gathered systematically in order to establish if a particular response is required to this issue. If the risk of self-harm is found to be higher, research should be commissioned to examine the particular risk factors for foreign national prisoners.
7. Research on the access of foreign national prisoners to offending behaviour programmes, and the viability of setting up programmes for drug importers, should be instituted by the centre.
8. *Advice on training*, developed around the centrally-issued guidelines for foreign national policy and practice, should be issued from the centre.
9. Much of the above should be included in a distinct *Prison Service Order* which makes it clear that the work of each establishment relates to a coherent overall Prison Service foreign national strategy. Without such guidance from headquarters, it seems unlikely that sustainable and effective practice can replace the myriad of unco-ordinated short-term and short-lived initiatives that currently predominate in relation to work with foreign national prisoners.

The next chapter will outline suggested guidelines for individual prisons wishing to institute effective work with foreign national prisoners. It is recommended that they form part of the Prison Service's guidance to individual establishments on work with foreign national prisoners.

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## 7. RECOMMENDED GUIDELINES FOR INDIVIDUAL ESTABLISHMENTS

The proposed model discussed below has been developed around the basic principle that equality of treatment for foreign nationals can only be achieved by addressing their specific needs and the well-documented disadvantages they face in the prison system. The strategy should also be sustainable, evaluated, dynamic (changing according to need), and give responsibility to prisoners wherever possible and appropriate. The model described here consists of nine main elements and has been refined with reference to the research and the issues discussed in chapter 6. It will be most effective if it is implemented in the context of the national and area recommendations set out in that chapter.

### 7.1 The Refined Model

**Foreign Nationals Strategy** - The most fundamental objective must be for each prison to produce a distinct and coherent strategy to meet the needs of foreign national prisoners. This must be produced even if there are few foreign nationals in the prison. The strategy should be well-designed according to established principles (e.g. it should be based on an assessment of need and set out specific time-limited objectives). Crucially, it must be embedded within the prison's wider diversity strategy and progress against agreed objectives should be rigorously recorded and evaluated.

**Foreign Nationals Committee** - Each prison with sufficient numbers of foreign national prisoners (10 per cent or 40 per cent, whichever is larger) to warrant a separate foreign nationals committee, should form such a group with a wide-ranging membership, which is chaired by a senior governor, in order to plan and help to implement that strategy. If there are insufficient foreign nationals to justify a full separate committee, a sub-committee of the race relations committee should be formed. If the number of foreign national prisoners is too small to justify a part or full-time foreign nationals co-ordinator, the RRLO should carry an explicit and specific responsibility for addressing the needs of foreign national prisoners by developing and implementing a foreign nationals strategy.

The foreign nationals committee should oversee and support the strategy. It is recommended that it should include the following people:

- The governor with responsibility for foreign national prisoners.
- The race relations liaison officer (RRLO).
- Foreign national prisoner orderlies (FNOs).
- The foreign nationals co-ordinator (FNC); and, if s/he is not a probation or probation service officer, a member of the seconded probation team.
- Foreign national liaison prison officers (FNLOs) or, if there are no specifically detailed officers, officers with a particular interest in this work.
- A representative from the Inmate Administration department, ideally the person who deals with immigration paperwork.
- Representatives from the following agencies: chaplaincy, the Independent Monitoring Board, psychology, education (preferably the ESOL tutor), the library and legal services.

Different prisons may decide that other staff should attend depending on their involvement and availability. Each major decision regarding foreign nationals policy and practice should be discussed and agreed by the committee and each member should be prepared to support

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the strategy in his or her own area of influence within or outside the prison. The chair of the Foreign Nationals Committee should always be a governor, preferably a senior one, and their main role is to ensure that the strategy is visible at a senior management level and to support the objectives of the committee.

**Foreign National Groups** - These should be instituted by almost all prisons. Even if there are no more than a handful of foreign national prisoners, they should be given the opportunity to come together, and gain support and advice. The groups should have a primary focus on giving information about issues which specifically affect foreign national prisoners. These are likely to include immigration problems, maintaining contact with families, and difficulties experienced as a result of language problems, which limit the prisoner's ability to communicate orally or in writing. The groups should also provide a forum for mutual support and allow for direct communication between prisoners and staff, who should be invited to attend whenever possible. Such groups are likely to reduce frustration, help develop pro-social behaviour in the prison and a co-operative atmosphere.

The FNC/RRLO and FNLOs should take the primary responsibility for convening groups, but group members should be encouraged to chair whenever possible. Prisons with a number of deportees should give serious consideration to obtaining the assistance of a specialist and accredited immigration advice service. Communication with such agencies should be established, and their contact details should be easily available to staff and prisoners.

**Foreign National Orderlies** - All prisons should identify prisoners who can represent and assist other foreign nationals. It is recommended that full or half-time foreign national orderlies are employed as a matter of course if there are any more than 20 foreign nationals in the prison, and they should be employed in all cases where the foreign nationals committee deems that such a post would be of value. The following aims and responsibilities are recommended as part of any basic job description:

FNOs should be allowed movement between wings wherever possible. If this is not possible, there should be separate full or half-time orderlies on different wings. They should ideally be given training in suicide awareness. A training and induction programme, incorporating advice and guidance work, should be established for them. They will be responsible to the Foreign Nationals Co-ordinator or, if there is no FNC, to the RRLO, and they should have the following suggested responsibilities:

1. Distribution of information to foreign national prisoners on the wings (e.g. translated leaflets, addresses of useful organisations and embassies).
  2. Systematically visiting new arrivals to assist with urgent problems (e.g. immigration referral, language problems).
  3. Taking leaflets, publicity about groups and other information to relevant wing offices for distribution.
  4. Helping to represent the views of foreign nationals to staff.
  5. Keeping a list of prisoners who are willing to interpret.
  6. Learning about the aims of the strategy in order to spread information and raise the profile of foreign national work around the prison.
  7. Helping to identify foreign nationals in need of particular help (e.g. because of language difficulties, psychological problems, etc.) and encouraging them to seek appropriate help.
  8. Attending regular meetings with the FNC / RRLO and other members of the foreign nationals team as appropriate.
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9. Assisting the FNC/RRLO to evaluate the foreign nationals strategy.

**Foreign National Liaison Officers** - Foreign national wing officers should ideally be given specific time to act as liaison officers. Their tasks might include the following:

1. Act as a source of information for other officers as well as prisoners, taking a 'lead role' in foreign national issues on each wing.
2. Convene and run foreign national groups.
3. Use Language Line or face-to-face interpreters to interview on the wing foreign nationals who have language problems and are unable to communicate in groups.
4. Attend quarterly foreign national committee meetings and help to develop all areas of practice and policy.
5. Attend training and conferences relating to immigration, foreign nationals and groupwork.

Liaison prison officers are a crucial strand of a sustainable strategy and must always remain a central objective.

**The Foreign National Co-ordinator** - The co-ordinator's most basic role is to be the driving force behind the strategy. They should also provide central co-ordination and communication regarding foreign national issues, helping to prevent duplication of effort and ensuring that important initiatives are supported and visible. More specifically, they should manage and convene groups; write and distribute important information; write and review the strategy in conjunction with the foreign nationals committee; liaise with outside agencies; support the FNOs and other members of the team; and report to the committee and the chair on the progress of the strategy.

Implementing this model will require shifts in power - for example, allowing prisoners to chair groups and to work as orderlies can be challenging to some staff. An awareness of this and a willingness to provide reassurance and support to staff can be an effective way of assisting the development of the strategy. The co-ordinator will therefore also have a strategic role, understanding and responding to problems which can inhibit implementation of the strategy, both on an individual level (e.g. reassuring officers about the orderly role and encouraging governors to support the strategy), and on an institutional level (e.g. responding to need by proposing policy changes and developing strategy).

**Specialist Immigration Advice** - The immigration system is administratively complex, and subject to frequent legislative change. There is little prospect of a non-specialist worker being sufficiently up-to-date and informed to provide the kind of assistance required by prisoners with immigration problems. Only certain accredited organisations are permitted to give individual specialist immigration advice. It is therefore crucial for each establishment to make contact with such an organisation and to establish a formal partnership where numbers make it necessary.

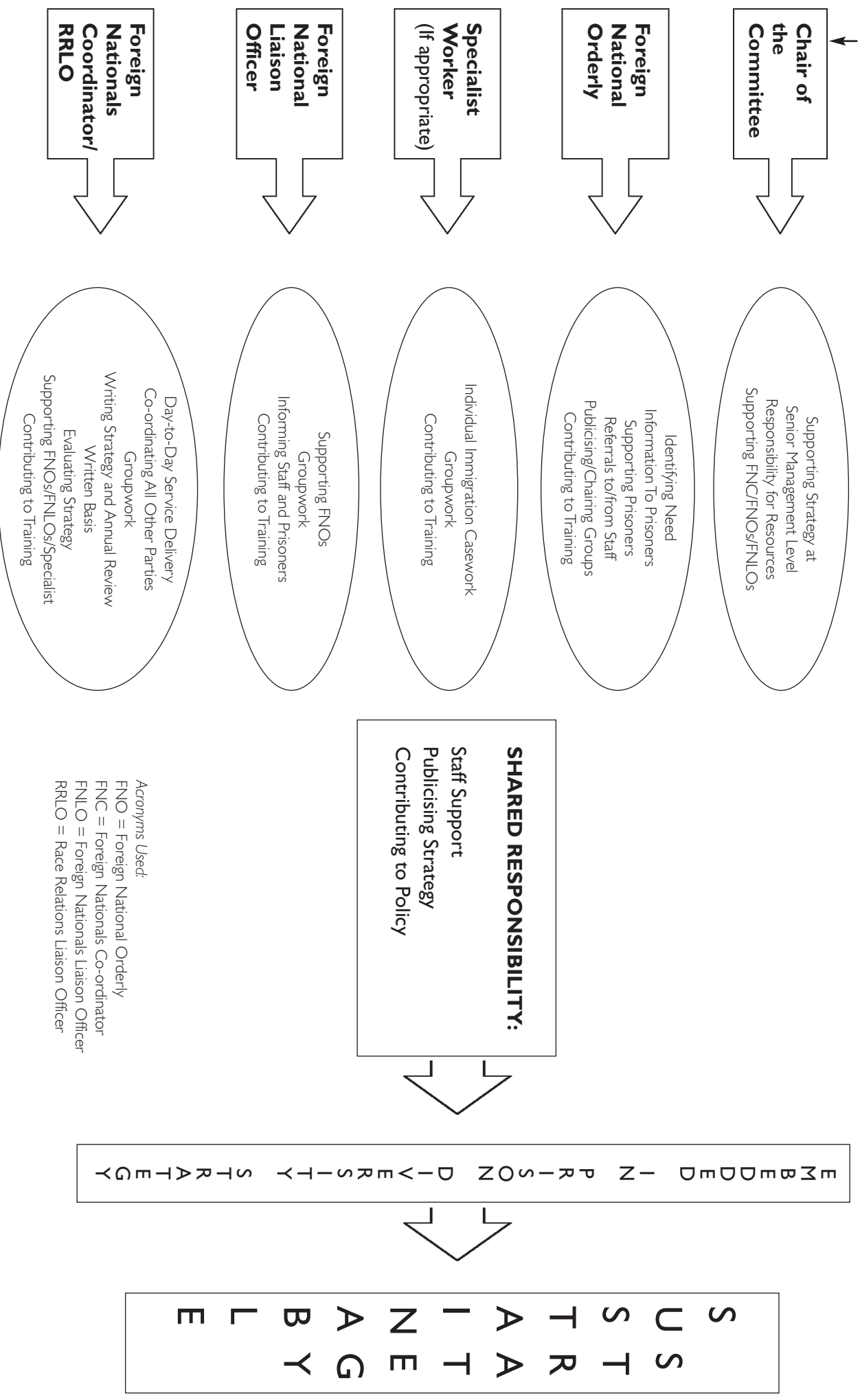
**Evaluation of Strategy** - Foreign national prisoners are themselves in the best position to evaluate the provision of services in an establishment and their views must be incorporated into the development of strategy through, for example, questionnaires and focus groups.

**Training Strategy** - Each prison should develop local training programmes, based on the guidelines issued from the centre, for all staff and orderlies. Training should be jointly delivered by staff from inside the prison (ideally including uniformed staff) and specialist external trainers.

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## The Foreign National Strategy Model (Diagram)

The diagram represents the basic approach and the main elements of the model. It is expected that each establishment will need to adapt parts of the model to particular local circumstances.



Acronyms Used:

- FNO = Foreign National Orderly
- FNC = Foreign Nationals Co-ordinator
- FNLO = Foreign Nationals Liaison Officer
- RLO = Race Relations Liaison Officer



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## 8. CONCLUDING REMARKS

This report and the project on which it is based were supported by HMP Wandsworth, Prison Service Headquarters, the Probation Service and the Butler Trust. It found that despite pockets of good practice, none of the research prisons had policies and procedures that would allow work with foreign nationals to be sustained over the longer term. Most damaging was the general absence of strategic direction or prison-wide co-ordination of work. The clearest conclusion of this study is that, provided there is adequate support at national and area levels, good practice, as described in chapter five, should be achievable in all Prison Service establishments<sup>5</sup>.

It is hard to imagine a situation in which it would be inappropriate to implement the main elements of the model. For example, there are few circumstances in which prisoners could not be employed as orderlies. Even where such exceptional circumstances exist, possibly in some high security environments, representatives of foreign national prisoners should still be able to contribute to provision by attending committees or chairing supervised groups. Prisoners who want to work constitute an abundant resource, that must not be wasted. Enabling them to help others and take responsibility for themselves is also a key element in successful resettlement and therefore in reducing reoffending (e.g. see Levenson and Farrant, 2002).

Since the bulk of this report was completed (in 2003), more attention has been given to foreign national prisoners by the Prison Service. For example, a national conference for staff working with this group was convened by Prison Service Headquarters to replace the smaller scale bi-annual forum convened by the London Probation Area Foreign Nationals Unit. While such initiatives are welcome, it is highly improbable that they will lead to sustainable local practice and policy development. The evidence in this report suggests that without more central guidance on work with foreign national prisoners any progress will be piecemeal.

The main exception to the general lack of guidance is the narrowly focused Prison Service Order 4630 which provides no guidance on work with foreign national prisoners beyond their status as potential or actual detainees. What focus there is on foreign national prisoners is therefore very clearly related to immigration detention and removal. Though important, immigration status is only one of the many issues that need to be addressed by a coherent foreign nationals strategy. Consequently, prison staff are still working within a virtual policy vacuum, which does little to encourage the development of knowledge and good practice and usually results in poor outcomes as described above.

If the recommendations of this report are followed and guidelines for foreign national work in prisons are issued, a long-term goal would be to evaluate how far policy and practice improves wherever they are implemented. Such an evaluation will be the most effective test of the value of the strategic approach described here.

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<sup>5</sup> In fact, with adaptations, some of the model could equally apply to immigration removal centres, where detainees experience many of the same issues revealed in the prison research.

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## APPENDIX I

### Foreign national prisoners population, England and Wales on 31st January 2004

(Prison population and probation statistics section, Home Office)

	British nationals	Foreign nationals	Missing	Total	% Foreign Nationals
All establishments	63,304	8,937	1,200	73,440	12%
Acklington	824	21	1	846	2%
Albany	484	28	0	512	5%
Altcourse	948	32	14	993	3%
Ashfield	229	4	11	244	2%
Ashwell	497	34	1	532	6%
Askham Grange	126	9	0	135	7%
Aylesbury	289	49	0	337	14%
Bedford	403	68	10	481	14%
Belmarsh	593	279	24	896	31%
Birmingham	1,221	137	13	1,371	10%
Blakenhurst	775	79	14	868	9%
Blantyre House	114	7	2	123	6%
Blundeston	314	121	10	445	27%
Brinsford	439	16	4	458	3%
Bristol	496	70	8	575	12%
Brixton	455	298	32	784	38%
Brockhill	141	5	11	157	3%
Buckley Hall	254	22	0	276	8%
Bullingdon	765	129	4	898	14%
Bullwood Hall	115	28	2	145	19%
Camp Hill	430	120	6	556	22%
Canterbury	261	37	2	300	12%
Cardiff	620	30	6	656	5%
Castington	244	2	1	247	1%
Channings Wood	593	24	1	618	4%
Chelmsford	454	85	16	555	15%
Coldingley	284	94	2	380	25%
Cookham Wood	102	40	0	142	28%
Dartmoor	542	37	1	580	6%
Deerbolt	449	1	0	450	0%
Doncaster	1,069	55	103	1,227	4%
Dorchester	204	16	9	229	7%
Dovegate	699	133	1	833	16%
Dover *	0	327	1	327	100%
Downview	140	58	3	200	29%
Drake Hall	199	80	0	280	29%
Durham	649	31	2	682	5%
East Sutton Park	75	19	2	96	20%
Eastwood Park	254	32	3	289	11%
Edmunds Hill	180	43	1	223	19%
Elmley	744	190	13	947	20%

Erlestoke	352	46	0	398	11%
Everthorpe	440	15	1	456	3%
Exeter	489	23	11	523	4%
Featherstone	559	45	0	603	7%
Feltham	474	185	56	715	26%
Ford	397	77	0	474	16%
Forest Bank	932	58	19	1,008	6%
Foston Hall	189	25	0	213	12%
Frankland	603	39	0	642	6%
Full Sutton	536	51	1	588	9%
Garth	591	38	2	631	6%
Gartree	360	31	1	392	8%
Glen Parva	740	41	4	785	5%
Gloucester	286	7	16	309	2%
Grendon/Spring Hill	495	58	1	554	10%
Guys Marsh	457	80	1	538	15%
Haslar *	0	155	2	157	99%
Haverigg	530	18	0	548	3%
Hewell Grange	163	14	1	178	8%
Highdown	576	147	24	746	20%
Highpoint	560	196	10	766	26%
Hindley	463	11	6	480	2%
Hollesley Bay	233	59	2	294	20%
Holloway	338	109	23	470	23%
Holme House	905	17	2	924	2%
Hull	987	32	8	1,027	3%
Huntercombe	280	50	6	335	15%
Kingston (Portsmouth)	124	10	0	134	7%
Kirkham	516	26	0	542	5%
Kirklevington	213	8	0	221	4%
Lancaster	221	2	0	223	1%
Lancaster Farms	478	9	11	498	2%
Latchmere House	170	26	0	196	13%
Leeds	1,156	63	8	1,227	5%
Leicester	340	32	4	376	8%
Lewes	408	56	5	468	12%
Leyhill	454	55	0	508	11%
Lincoln	435	19	17	470	4%
Lindholme	572	28	107	707	4%
Littlehey	597	86	4	688	13%
Liverpool	1,345	70	11	1,426	5%
Long Lartin	379	55	0	434	13%
Low Newton	262	6	0	268	2%
Lowdham Grange	419	94	3	516	18%
Maidstone	423	102	10	535	19%
Manchester	1,113	101	90	1,305	8%
Moorland	696	27	1	723	4%
Moorland Open	224	6	0	230	3%
Morton Hall	100	199	1	301	66%
New Hall	370	15	8	393	4%
North Sea Camp	270	14	1	285	5%
Northallerton	196	1	1	197	1%

Norwich	605	76	13	695	11%
Nottingham	493	51	6	550	9%
Onley	372	34	10	416	8%
Parc	916	21	6	943	2%
Parkhurst	400	80	4	484	17%
Pentonville	850	304	60	1,214	25%
Portland	367	65	5	437	15%
Preston	649	13	3	665	2%
Ranby	744	39	1	784	5%
Reading	235	19	4	258	7%
Risley	1,006	43	2	1,051	4%
Rochester	221	35	1	257	14%
Rye Hill	516	128	2	646	20%
Send	139	78	0	217	36%
Shepton Mallet	172	11	1	184	6%
Shrewsbury	308	8	2	318	3%
Stafford	605	24	1	630	4%
Standford Hill	338	91	8	438	21%
Stocken	565	48	1	613	8%
Stoke Heath	575	11	5	590	2%
Styal	388	34	12	434	8%
Sudbury	532	40	0	572	7%
Swaleside	556	196	6	758	26%
Swansea	288	6	7	301	2%
Swinfen Hall	281	21	1	303	7%
The Mount	505	223	13	741	30%
The Verne	285	286	3	574	50%
The Weare	316	56	0	371	15%
The Wolds	314	18	0	331	5%
Thorn Cross	230	7	1	238	3%
Usk/Prescoed	369	13	0	382	3%
Wakefield	519	24	2	545	4%
Wandsworth	1,032	319	108	1,459	22%
Warren Hill	171	16	0	187	9%
Wayland	546	135	7	688	20%
Wealstun	545	13	1	559	2%
Wellingborough	466	31	1	498	6%
Werrington	128	2	6	136	1%
Wetherby	266	4	5	275	1%
Whatton	327	18	0	344	5%
Whitemoor	352	61	1	414	15%
Winchester	545	49	11	604	8%
Woodhill	691	92	50	833	11%
Wormwood Scrubs	684	450	20	1,153	39%
Wymott	801	31	2	834	4%

\* Dover and Haslar are Prison Service run Immigration Removal Centres.

## APPENDIX II: Prison Population by Nationality - January 2004

<b>British nationals</b>	<b>63,304</b>		
<b>Foreign Nationals</b>	<b>8,937</b>		
<b>Africa</b>			
Algeria	141		
Angola	61		
Botswana	2		
Burundi	4		
Cameroon, United Republic	11		
Central African Republic	13		
Chad	3		
Congo	53		
Cote D'Ivoire (Ivory Coast)	5		
Egypt	15		
Ethiopia	21		
French Guiana	2		
Gabon	1		
Gambia	24		
Ghana	130		
Guinea	3		
Guinea/Bissau	1		
Ivory Coast	14		
Kenya	55		
Liberia	22		
Libya	19		
Malawi	10		
Mali	1		
Mauritania	4		
Mauritius	8		
Morocco	38		
Mozambique	2		
Namibia	2		
Niger	1		
Nigeria	399		
Rwanda	10		
Sao Tome and Principe	1		
Senegal	6		
Seychelles	1		
Sierre Leone	56		
Somalia	220		
South Africa	137		
Sudan	36		
Tanzania	9		
Togo	10		
Tunisia	10		
Uganda	52		
Zaire	42		
Zambia	12		
Zimbabwe	76		
<b>Asia</b>			
Bangladesh	144		
Bhutan	1		
Burma	1		
China	144		
Hong Kong	12		
India	231		
Indonesia	4		
Japan	1		
Korea Republic of (Sth)	9		
Koren Dem Peoples Rep (Nth)	1		
Malaysia	18		
Maldives	1		
Mongolia	3		
Myanmar, Union of (Burma)	1		
Nepal	2		
Pakistan	367		
Phillipines	13		
Singapore	5		
Sri Lanka	137		
Surinam	5		
Thailand	4		
Vietnam	42		
<b>Central/South America</b>			
Argentina	6		
Belize	1		
Bolivia	6		
Brazil	27		
Chile	13		
Columbia	133		
Costa Rica	4		
Ecuador	9		
El Salvador	1		
Guatemala	1		
Mexico	10		
Nicaragua	2		
Panama	2		
Peru	4		
Venezuela	48		
<b>Europe</b>			
Albania	71		
Andorra	1		
Armenia	5		
Austria	4		
Azerbaijan	3		
Belgium	39		
Bosnia-Hercegovina	6		
Bulgaria	8		

<b>Europe cont.</b>		<b>Middle East cont.</b>	
Croatia	6	Kuwait	7
Cyprus	56	Lebanon	24
Czechoslovakia	19	Saudi Arabia	9
Denmark	13	Syrian Arab Republic	6
Estonia	4	United Arab Emirates	7
Finland	4	Yemen Arab Republic (North)	6
France	103	Yemen Peoples Dem Rep (Sth)	2
Georgia	8	<b>North America</b>	
Germany	113	Canada	26
Gibraltar	3	United States of America	100
Greece	25	<b>Oceania</b>	
Hungary	15	Australia	26
Irish Republic	658	Fiji	3
Italy	129	French Southern Territories	1
Kazakhstan	1	Kiribati	1
Kyrgystan	2	New Zealand	9
Latvia	15	Papua New Guinea	1
Lithuania	52	<b>Other</b>	
Macedonia	3		14
Malta	10	<b>West Indies</b>	
Moldova	33	Anguilla	1
Netherlands	220	Aruba	3
Norway	2	Bahamas	4
Poland	50	Barbados	30
Portugal	125	Bermuda	3
Romania	95	Cuba	5
Serbia	8	Dominica	7
Slovakia	7	Dominican Republic	8
Slovenia	2	Grenada	13
Spain	95	Guyana	20
Sweden	8	Haiti	2
Switzerland	7	Jamaica	2,493
Turkey	252	Montserrat	13
Russia	92	Netherlands Antilles	14
Uzbekistan	1	Netherlands Antilles	2
Yugoslavia	81	St Christopher & Nevis	1
<b>Middle East</b>		St Kitts and Nevis	7
Afghanistan	61	St Lucia	17
Bahrain	1	St Vincent & The Grenadines	8
Iran	87	Trinidad and Tobago	115
Iraq	156	Virgin Islands	2
Israel	14	<b>Not known</b>	
Jordan	7		1,200

Source: Prison Population and Probation Statistics section, RDS

## APPENDIX III: Information for Foreign Nationals

**Governor's Statement** - Prison can be a confusing and frightening place, especially if you have not experienced anything like it before. You should always expect to be treated with respect and humanity, and discrimination on grounds such as nationality, ethnicity or language is completely unacceptable. Similarly, we expect you to behave responsibly while you are here. This leaflet is intended to help you understand prison routines and rules, and to let you know about sources of help and advice. I hope it contributes to your stay being safe, constructive and healthy.

Governor

### HELP FOR FOREIGN NATIONALS

**Foreign Nationals Groups** - Information and support groups for foreign nationals (defined as anyone who is not a British citizen) take place in both the main part of the prison and the Vulnerable Prisoners Unit. Other groups, e.g. for people who speak the same language, are also run regularly. All the groups are run by any combination of the foreign nationals co-ordinator in the probation unit, specialist foreign national workers from outside agencies and specially trained prison officers. Each wing has at least one foreign national liaison prison officer. In the groups you can:

- Obtain advice on immigration problems, such as possible deportation.
- Meet people who speak your language.
- Speak to other people in the prison, such as governors or education staff.
- Speak to people from outside agencies, such as immigration law firms or voluntary organisations which help foreign nationals in prisons.
- Listen to talks by other prisoners on, for example, their countries and cultures. You can also give talks yourself.

If you want to come to the group simply write a general application to the *foreign nationals co-ordinator* or ask your landing officer to fill in a referral form.

**What If I Cannot Speak English?** Wandsworth makes good use of interpreters and a telephone interpreting service called 'Language Line'. Staff can speak to you quickly and easily using this service in almost any part of the prison.

Even if you cannot speak English, you should still come to the group at least once. A member of staff could arrange to speak to you using an interpreter. There is always time at the end of the group to speak to one of the staff.

**Education** - The education department runs regular courses on a variety of subjects. One of these is for people who want to learn English. These are called 'ESOL' (English for Speakers of Other Languages) classes. Send an application to the education department if you want to attend.

**Other Information in Your Language** - The Prisoners' Information Book and a book about visiting and keeping in touch are published in most languages and copies are always available in the library. The library also has a number of books (fiction and non-fiction), as well as other useful information in a wide range of languages. You will be able to use the library once a week.



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## STAYING IN TOUCH

**Visits** - Visiting Orders (called VOs) are issued to sentenced prisoners every two weeks. You should write the names and addresses of the people you want to visit on them and then post the order to them. Instructions for the visitor are written on the VO. Remand prisoners do not receive VOs, and are allowed four visits a week. Your visitor should bring some form of identity, such as a passport, and proof of address.

**Telephone Calls** - We realise that many foreign nationals may be very far from their families and friends. In addition to any calls you pay for, you are therefore able to make a maximum of one free ten minute telephone call to your home country each month in exchange for one visit. Please write an application to your landing officer asking for a foreign nationals phone call and attach a VO if you have one.

You can buy phone cards from the Canteen. Social calls can be made during association time only and may be monitored. To make a call to your lawyer, please write his or her name and number on an application and hand it to your landing officer.

**Letters** - You are allowed one 'ordinary letter' per week to send anywhere in the UK. You can exchange two ordinary letters for one international airmail letter. You can also exchange your free phone call for two airmail letters. Outgoing post should be handed in (unsealed) with applications before breakfast. You should receive any incoming post on the day it arrives.

## APPLICATIONS

If you wish to contact any department in the prison, have a problem with anything or any questions, you can complete an **application**. These are kept near your landing office. Fill them in, remembering to include your name, prison number and cell number, and hand them in before breakfast. You will receive a slip confirming that you have handed the application in, which can also help to identify the officer who has dealt with it. The following are examples of the applications you might make:

- To apply for **work** fill in the RMU form.
  - To see a **doctor, dentist or optician**, complete the Medical Application form. If you need more urgent medical attention, tell your landing officer who will arrange for you to be seen as an emergency. To obtain medication for minor ailments such as a headache, cold, etc., you can arrange to go 'special sick' at mealtimes, which means that you will see a nurse.
  - To obtain details of **religious services** and to see a representative of your religion, send a General Application to the 'Chaplaincy'.
  - To attend ESOL classes or for any other **education**, send a General Application to Education.
  - If you want to **change your diet**, e.g. to vegan or pork free, fill in a General Application and hand it to the officer supervising the hotplate (the place where meals are served) at mealtime.
  - To obtain help with anything to do with **legal services**, e.g. if you want to appeal against your sentence or conviction or have outstanding fines, send a General Application to Legal Aid.
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## LANDING RULES

1. Treat all other prisoners and staff with respect.
2. Only use the cell bell for emergencies.
3. You can only smoke in your cell and the exercise yard.
4. Do not run, shout, eat or drink on the landings.
5. If you need to leave the landing, ask permission from an officer.
6. Be correctly dressed when leaving your cell: tuck your shirt into your trousers, wear socks and underpants at all times and do not wear slippers on the landing.
7. You are responsible for keeping your cell tidy. You should not stick pictures on the walls. Use the notice boards provided.
8. Do not carry bags over your shoulder or put your hand in your pockets.
9. Get out of bed and get fully dressed when unlocked for breakfast. Do not go back to bed until 5.30pm at the earliest.
10. Do not lend property (e.g. phone cards, radios) to or borrow from another prisoner.
11. Do not store excess clothes or belongings. Put excess clothes in the laundry bag on the wing landing.
12. At meal times, take only the diet you have requested.

## OTHER IMPORTANT INFORMATION

**Food and Exercise** - You will receive three meals a day. If you have special dietary needs, e.g. vegan, halal, kosher, etc., they will be met. You will be able to exercise in the open air every day unless there are exceptional circumstances such as very poor weather.

**Canteen** - You can buy basic items such as phone cards and tobacco through the canteen. How much you can spend in the canteen depends on your privilege level (see below).

**Incentives and Earned Privileges Scheme** - This scheme rewards prisoners for good behaviour. There are three privilege levels: basic, standard and enhanced. The amount of money you can spend in the canteen and the number of visits you are allowed, depend on your privilege level. When you first arrive, you will automatically be on the standard level. You will progress to enhanced or be dropped to basic depending on how you behave.

**Help with Drug Problems** - If you have a drug or alcohol problem and want help, write a general application to the Substance Misuse Throughcare Co-ordinator. Someone will then visit you to advise on rehabilitation courses or other help.

**Drug Testing** - While you are in prison, you may at any time be asked to provide a sample of urine for drug testing. If you test positive, you may be charged under prison rules and be punished, usually with extra days added to your sentence.

## HELP WITH OTHER PROBLEMS

**What If I am Feeling Depressed or Suicidal?** If you are feeling depressed, please let someone know. The Samaritans are an independent agency and will offer you support and help. The Listeners are prisoners trained by the Samaritans and will visit you if you need someone to talk to. Your landing officer can put you in touch with a listener, and you can fill in

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a general application to see the Samaritans. If you think that other prisoners may harm themselves or need support please tell your landing officer so that help can be given.

***What If I Have a Request or Complaint Which Has Not Been Resolved on the Wing?***

If you have a serious complaint, you can ask for a 'Request & Complaint' form which goes to the Governor, Area Manager or Prison Service Headquarters. If you are not satisfied, you can write to the independent 'Prison Ombudsman', whose address can be obtained from posters around the prison. You can also make an application to see someone from the Board of Visitors, an independent body of people which oversees the correct running of the prison. If your complaint relates to racist treatment, you can also make an application to see the prison's Race Relations Liaison Officer.

***What If I Am Being Bullied?*** Bullying will not be tolerated in this prison. If you are being bullied or know of anyone else who is being bullied, please tell your landing officer so that action can be taken against the perpetrator.

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## APPENDIX IV

HMP WANDSWORTH FOREIGN NATIONALS  
THROUGH-CARE COMMITTEE

### How to Use Language Line

The Language Line interpreting service can be used to communicate with prisoners from any telephone which has an outside connection. Ideally, two phones should be connected to the same line to allow simultaneous translation, but this is not essential.

1. Establish exactly which language the prisoner speaks. You may find the language identification card helpful.
2. Call the language line number 020 7713 0090 and have the ID number ready - it is available from all wing senior and principal officers.
3. You will be asked to state the id number and the language required. In most instances, the operator will connect you to an interpreter almost immediately.

PLEASE NOTE:

- You should speak to the prisoner directly and allow the interpreter to give literal translations. For example, do not say: "Can you ask him if he has immigration problems?" but: "Do you have an immigration problem?"
  - Language line is intended for short sessions. If you need to speak for more than 30 minutes and the situation is not an emergency, you should book an interpreter - a list of accredited interpreters can be obtained from the foreign nationals co-ordinator in the probation unit.
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# APPENDIX V

HMP WANDSWORTH FOREIGN NATIONALS  
THROUGH-CARE COMMITTEE

## Foreign National Orderly Assessment Sheet

Date of first contact:

Name:.....Number.....Location:.....Nationality.....

1. Immigration problem? Yes / No

If yes, what are the details?

2. Status/Category and Length of Remand/Sentence/Detention?

3. Wants to attend ESOL / other education? Yes / No

4. What languages spoken?

5. Has applied for work? Yes / No

6. Has applied for extra spending money for phone cards? Yes / No

7. Has received induction? Yes / No

8. Needs to come to group? Yes / No

If so, when?

9. Needs referral to other agencies? Yes / No

Which ones has he been referred to?

10. Has received foreign national leaflet in own language? Yes / No

11. Vulnerable? Yes / No

If so, why and what support needs?

12. Other issues / remarks

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<sup>6</sup> The resource pack has now been updated and is due to be issued in two distinct parts: one section will be for staff and one will be for prisoners. The prisoner section will be translated into a number of languages.

## SUGGESTED FURTHER READING

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