

Criminal Justice Anti-Racism Action Plan for Wales

Working alongside people
and communities for a fairer,
stronger, and more just society



Cyfiawnder Troseddol
yng Nghymru
**Criminal Justice
in Wales**





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in Wales and lead author:

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Forewords



In 2020, the death of George Floyd and the Black Lives Matter movement saw people across the world come together to protest against racism and demand change. Sadly, central to these protests were people's experiences of racism and discrimination within the Criminal Justice System.

The protests reminded all of us that racism is not a problem for ethnic minority people to resolve, it is for every one of us to eliminate. Racism is a shameful truth and stain on the fabric of our society that we must remove together.

The Criminal Justice Board for Wales responded swiftly to this impassioned call for action. Leaders in Criminal Justice, not least in Policing, and Welsh Government colleagues agreed to embed a one public service response to advance race equality across Wales. This collective commitment is important because to eradicate racism from any aspect of our Criminal Justice System we must commit to eliminate it from society. This is why this plan is aligned with the Welsh Government's Anti-Racist Wales Action Plan.

However, we know this isn't the first plan to make ambitious statements and commitments to address racism within the Criminal Justice System. Therefore, quite rightly, whilst developing the plan people have been sceptical and asked us, why and how will this plan be any different to the others before it?

Our response to that was twofold. Our promise to those

who worked with us is that the plan will be built with you and success will be determined by you.

The plan was co-produced with ethnic minority people across Wales at every step of the way. The Independent Oversight and Advisory Panel has been established to provide the mechanism to hold us to account for our actions and test whether what we are doing is making a real difference at both grassroots and operational levels.

The right to equal treatment is a basic human right. As the Chair of the Criminal Justice Board for Wales I am committed to ensure that by working together we never again fall short of reaching your legitimate expectations.

Amy Rees

Chair of the Criminal Justice Board for Wales



I am professionally and personally honoured and proud to have been asked by my colleagues – first in Policing in Wales (the Police & Crime Commissioners and Chief Constables) and then by the wider group of Criminal Justice in Wales – to lead the work of developing this progressive Anti-Racism Action Plan. Working with highly dedicated colleagues across criminal justice I believe we have set the tone for the fair, diverse and inclusive Criminal Justice System that we aspire to create in Wales.

As an ethnic minority woman, I have experienced racism, as well as witnessing systemic racism and racial prejudice experienced by my families and friends. I understand and share the frustration of ethnic minority people at the lack of change to date, coupled with a denial in the past that change was needed. I am therefore determined to use this plan and my position to ensure people who use the Criminal Justice System do not experience racism in any form.

My criminal justice colleagues and I were clear from the outset that this plan was to be written with, and delivered for, ethnic minority people across Wales. We upheld this commitment and engaged with over 600 ethnic minority people across Wales, as well as academics and specialist leaders who work to address racism in all its forms.

This has resulted in a plan that I feel is honest, transparent and accountable to our ethnic minority committees. Our communities were clear, that this plan will only be different and make real change happen if we start from a place of reflection and we acknowledge the devastating mistakes of the past, experienced by ethnic minority people. Sadly, we do not have to look far back in history to see those mistakes publicly documented. The Scarman Report, following the riots in 1981 and Macpherson Report following the murder of Stephen Lawrence in 1993 are two such pivotal watershed moments. This plan accepts that whilst these reports and many others since call for systemic, institutional, cultural and societal change, these changes have not been realised yet. This plan addresses these challenge head on.

It is also important to state that criminal justice does not exist in a vacuum, we are part of and influenced by wider society. That is why we agreed at the outset that our

plan had to be aligned with the Anti-Racist Wales Plan being prepared by Welsh Government so that in future in all aspects of life, ethnic minority people do not face any form of racism, hate or discrimination.

During the development of this plan, I stressed that we could no longer mark our own homework. The plan must be held up to scrutiny by the members of our society that it aims to serve. My colleagues agreed. So, in parallel to developing and launching this plan we established the Independent Oversight and Advisory Panel who are made up of a diverse range of people with lived experience and expertise relating to racism and social injustice. I am confident they will constructively challenge our ambitions and outcomes.

Finally, I know we have a big challenge ahead, but I am confident that across Criminal Justice in Wales, and not least in Policing in Wales, we have the right people, plan, structures, passion, drive and resources in place to ensure that the time for change is now.

Emma Wools

Deputy Police and Crime Commissioner for South Wales



I am incredibly honoured and proud to have been appointed as Chair of the Independent Advisory Panel. I am committed to making a real difference so that we can live in a fair and anti-racist society.

The events that followed the killing of George Floyd shone a light on the racial disparities in our own Criminal Justice System. The protests that we witnessed following George Floyd's death has led to demands that we seriously look at making tangible changes that bring about a real difference. We need to acknowledge and tackle the current over-representation of people from racial and ethnic minorities in the Criminal Justice System and we need to transform the current system that meets the needs of ethnic minorities as well as being representative of people from all ethnic backgrounds.

Making strides to address this is a focus for me personally. I want members of our community to have confidence in a system that is fair open and accessible to all. A system where no person faces discrimination and where all feel confident that they can trust in the system and its people.

I am pleased that we are taking the tackling of racism seriously and that we are working together with our community members to raise the awareness and to address racial inequality. As Jane Hutt, the Minister for Social Justice said in her oral statement on the 7th of June 2022 in the Senedd, we should 'support wholeheartedly the global fight to root out racism and racist ideology and strive towards a more equal Wales, tackling systemic and structural race inequality'

In Wales the Criminal Justice Board has acted swiftly to work together with our ethnic community members to co-create up our anti racist action plan. It is aligned with the Welsh Government's Anti-Racist Wales Action Plan. We know that our plan is ambitious and aspirational, and many may be sceptical as to whether change will occur. The Welsh Public should rightly expect us to

demonstrate that change will occur. The co-production of the plan with ethnic minority groups and members of the community along the way is to ensure that the voices of those with lived experiences of racism are heard and acted upon. This collective approach is an important step to address the racism within the Criminal Justice System with the goal to create a system that listens and represents the public it serves.

The establishment of the Independent Oversight and Advisory Panel will provide the scrutiny that will hold the Criminal Justice Board to account and ensure that we can see a difference across all levels of the Criminal Justice System as well as the wider society.

We recognise the challenges ahead but with your support and commitment, I am confident and committed as Chair of the Advisory Panel, that we can make a difference on our journey to a fair and anti-racist society.

Chantal Patel

**Chair of the Independent
Advisory Panel**

إِنَّا مُحَمَّدٌ أَبَا أَحَدٍ مِّن رِّجَالِكُمْ وَلَكِن رَّسُولَ اللَّهِ وَخَاتَمُ



Declarations

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This plan is our opportunity to build a society that is tolerant and respectful of one another. It's time to act, challenge and make a difference.



Pam Kelly

Chief Constable, Gwent Police

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Anti-racism is rooted in action, and it is now our collective responsibility to deliver on the commitments we have made, whilst, crucially, being held to account by the communities we serve.



Chris Jennings

Executive Director Her Majesty's Prison & Probation Service and Public Protection Group Commissioner

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In the Oath of Office every new police officer promises to act 'with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people'. Our Anti-Racism Action Plan seeks to enhance the way we, with our partners, apply those key principles to everything we do together to deliver Criminal Justice in Wales



Rt Hon Alun Michael

Co-Chair of the Steering Group of Criminal Justice in Wales

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As Minister for Social Justice, I am very pleased that our colleagues in Policing and Criminal Justice in Wales have adopted a committed approach to tackling racism and embedding an anti-racist approach to criminal justice across the Welsh system. The approach complements the Welsh Government's Anti-Racist Wales Action Plan as part of a coordinated effort to eliminate deep rooted systematic and structural racism.

I welcome the way in which the Plan has been developed; listening to the lived experience of communities and individuals, whose stories shame us all but nevertheless must be heard and acted upon.

Whether we serve the public in devolved bodies or remain under the aegis of Westminster and Whitehall, we all serve the same public and must pursue the same values of fairness and equality.

I value our capacity for cooperation in Wales across all agencies and we must apply that capacity to rooting out racism together and working towards becoming an anti-racist nation.



Jane Hutt MS

Minister for Social Justice, Welsh Government



01

Introduction

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Racism is built on so many lies that in order for us to be anti-racist, we absolutely have to start being honest with ourselves and one another – that means choosing to take responsibility for our own complicity

The Criminal Justice Board for Wales agreed in October 2020 that one of the main priorities for its commitment to race equality would be to advance and develop a transparent and committed Anti-Racism Action Plan for the Criminal Justice System in Wales.

It was clear at the time of global outrage following the death of George Floyd that in Wales we too had our own challenges and public criticism regarding how we serve the interests of ethnic minority people with the need to create a fairer system and society. The protests under the banner of Black Lives Matter have rightly meant that all organisations that make up the Criminal Justice System in Wales have reflected on their practice and performance.

The evidence and supporting data from across the Criminal Justice System including Policing have found clear inequality and disproportionality in relation to the experiences of people from an ethnic minority and showed that this reflected wider evidence of racism within society.

We fully acknowledge that there is a history of racism, unfair treatment and race inequality in

the Criminal Justice System and that this is still work to be done and that we need to change. We also understand that racism within society and within Criminal Justice has caused racial trauma for many ethnic minority people in Wales and the UK. Ethnic minority people who experience hate crimes or unfair treatment due to race often feel humiliated or traumatised. This is often due to cumulative, collective and historical racism.

We recognise that the way we work and the systems we use have, in the past, not fully considered ethnic minority needs and experiences. Policing in particular and Criminal Justice generally has often failed to include the perspectives of ethnic minority people and groups. It must also be acknowledged that inter-ethnic tension and racism is an issue and there must be work to better understand this, challenge it, and create an inclusive Criminal Justice System and society. This reality has created a system where ethnic minority people and groups sometimes feel excluded, that their needs and rights are not met, and that they may experience racism.

We fully acknowledge that there is a history of racism, unfair treatment and race inequality in the Criminal Justice System

This Anti-Racism Action Plan for the Criminal Justice System in Wales has been drawn up in the best way possible, through significant engagement and co-production with the individuals, groups and communities in Wales that are most affected by racial disparity and with those with lived experience of the impact of racism. This action plan reflects a determination across all of the organisations represented on the Criminal Justice Board for Wales (CJBW) to do all we can, individually and collectively to root out any racism in Justice in Wales.

Our commitment to co-producing this action plan and continuing to listen to the lived experiences and needs of the Welsh public and those working within or having experience of the Criminal Justice System will support us in taking a "One Public Service" approach, recognising that it is for us as agencies and professionals to understand and address the needs of the public we serve.

We believe that this Anti-Racism Action Plan for the Criminal Justice System in Wales to be an enormously significant development and pledge to work by all means possible to make it a success and we look forward to working with the Welsh public to make this a reality.







02

The need for an Anti-Racism Action Plan

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We all require and want
respect, man or woman,
black or white. It's our basic
human right

Aretha Franklin

2020/21

In Wales the percentage of Stop and Searches for ethnic minority people was 8.95% despite the total ethnic minority population in Wales being 5%.

This means that the number of Stop and Searches are not proportionate to the population

CJIWB Data Group, 2022

8.95%

5%



Snapshot of evidence:

3,052

In 2020 to 2021, there were 3,052 race hate crimes in Wales.

16%

This was a 16% increase from 2019 to 2020

UK Government, 2021

66%

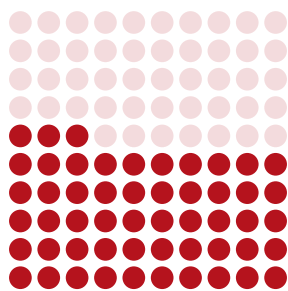
Race hate crimes comprise around 66% of all hate crimes recorded in Wales in 2020 to 2021

UK Government, 2021

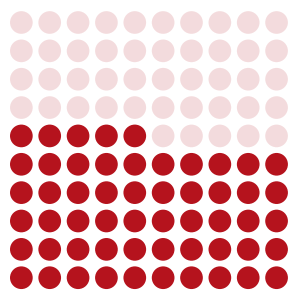
There is clear over-representation of ethnic minority people in our justice system and under-representation of staff particularly at senior levels

Prison Reform Trust, 2021

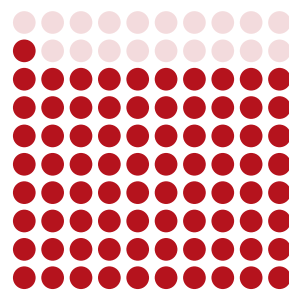




53%

Black people

55%

Asian people

81%

other ethnic minority groups**are more likely to be sent to prison than White people**

Prison Reform Trust, 2021



Inspectors found that prison staff underestimate the cultural requirements of Gypsy, Roma or Traveller and ethnic minority people in prison and lack training and confidence on supporting ethnic minority people and supporting cultural issues

Prison Reform Trust, 2021

17%

The number of Muslims in prison has more than doubled over the past 18 years making up 17% of the prison population despite making up only 5% of general population

Prison Reform Trust, 2021

53%

Young ethnic minority people make up 53% of those remanded in custody and comprise 51% of all children and young people who are confined in Young Offender Institutions

Williams, 2020

Ethnic minority people in prison often report more negatively about their experience in prison and relationships with staff and are more likely to experience restraint and segregation

Prison Reform Trust, 2021

Research highlights that in Wales, ethnic minority people are over-represented at every stage of the criminal justice system

Wales Centre for
Public Policy, 2021

Institutions are reflective of society where racism exists and the current global and local public discontent has shone a spotlight on racial disproportionality

The killing of George Floyd, and several deaths and miscarriages of justice in the UK and in Wales, have been felt across the world and especially by ethnic minority groups and added to increased calls for change. The growing voice of the global Black Lives Matter movement and support for this at local and national levels showed our need to build trust and confidence in the Criminal Justice System, particularly with the Black communities across Wales. This is a time for positive change and there is a clearly a need for significant work to address race inequality and racism in the Criminal Justice System and within wider society.

It is against this background that we approach this Anti-Racism Action Plan, recognising that racism has been evident across the whole of the Criminal Justice System and that it has had a particularly toxic impact within Policing over many years. Sir William Macpherson's (1999) defined institutional racism

as "the collective failure of an organisation to provide appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racial stereotyping." This still has relevance today and we must change and now is the time to build an anti-racist Criminal Justice System in Wales.

Institutions are reflective of society where racism exists and the current global and local public discontent has shone a spotlight on racial disproportionality. It is imperative that as public sector bodies we work actively to eliminate any form of racism. It is our public duty to have zero tolerance for racism in the Criminal Justice System and we will be taking a strong anti-racist approach in Wales. We will change systems that create race disproportionality and directly challenge and

deal with racist behaviour whenever we are aware of it.

We know that we need to build trust with and work alongside ethnic minority people so that everyone in Wales knows and believes there is a fair and just Criminal Justice System. We need to develop greater cultural understanding, sensitivity and competent practice in meeting ethnic minority people's needs where we actively listen, hear, understand and learn from their experiences.

This Anti-Racism Action Plan outlines the commitments and actions to be achieved in the next three years. The Criminal Justice Board for Wales will appoint an Independent Oversight and Advisory Panel that will review the success and progress of the action plan and hold us to account for this work and will further guide development and action as is needed to continue towards achieving an anti-racist Criminal Justice System in Wales.



03

Key stages of developing the Anti-Racism Action Plan

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I believe each individual
can have a say and
make a difference

Malorie Blackman



KEY STAGES OF DEVELOPING THE ANTI-RACISM ACTION PLAN

This anti-racist action plan has been created through engagement with key stakeholders during the last 18-months. During this time, we have listened, heard and responded to the experiences and voices of those from an ethnic minority using a community engagement approach where we have co-created this plan together. We made sure that we took a positive and inclusive approach with a diverse number of ethnic minority people and groups and took an inter-generational approach working alongside adults, children, and young people to create this plan. This will be the approach going forward and as the plan develops and evolves over time we will continue to work collaboratively with ethnic minority people and listen to all generations because being anti-racist involves everyone.

The organisations that have been involved in creating and signing up to this plan are members of the Criminal Justice Board for Wales and include; the Crown Prosecution Service, HM Courts and Tribunals Service, HM Prisons and

Probation Service, Policing in Wales (the Police and Crime Commissioners and Chief Constables in Wales), Youth Offending Managers, the Youth Justice Board, Public Health Wales, and has been supported by Welsh Government, the Victims Commissioner for England & Wales, the Future Generations Commissioner for Wales, the Violence Prevention Unit for Wales, Safer Wales, on behalf of the Community Justice Network, the Wales Safer Communities Network, Clinks, and the Welsh Local Government Association. The Board will be responsible and accountable for working towards and delivering the outcomes set out in the action plan (please see Appendix II for a detailed description of the roles of these organisations).

There has also been significant engagement and co-production of this plan working alongside ethnic minority individuals, groups, and communities, and organisations that provide services and support to ethnic minority people across Wales and the UK.

During the writing of this plan, we engaged with and collaborated with a total of 642 people across 16 different organisations including;

- Ethnic Youth Support Team
- Race Council Cymru
- Welsh Refugee Council
- Maslaha
- Ethnic Minority and/or Black Staff Networks within the Criminal Justice System
- Be The Change
- Travelling Ahead
- North Wales Race Equality Network
- the Centre for African Entrepreneurship
- the Prison Advice and Care Trust
- Newport Live
- HMP Cardiff
- Unity in Diversity

We would like to thank and have deep gratitude for the honesty and integrity of those people who were involved in supporting and guiding this action plan. The ethnic minority people involved in providing their feedback on the drafts of the action plan and the learning they have provided us from using their own lived experiences in shaping this anti-racism action plan has been invaluable. We have listened to and been supported in this journey in shaping this action plan from ethnic minority people from within the Criminal Justice workforce as well as those who have experience of the System and wider Welsh society.

This action plan feels genuinely co-produced with integrity of process and inclusion at its core. We would not have had the action plan without the direction of all these people, with their expertise and honest challenges, as well as the committed Criminal Justice workforce who will be responsible for delivering this action plan. We appreciate your time, patience, and trust in this work.



642

People engaged

16

Different organisations

The graphic on the following page illustrates the key steps that have been taken over the past 18 months.

Development of the Anti-Racism Action Plan

2020

October

Criminal Justice Board for Wales agreed to apply a one public service approach to advance Race equality across Wales

November

Established the Criminal Justice in Wales Race Equality Strategic Task force

2021

March

Survey undertaken with Criminal justice partners to shape the objectives

May

Groups established under the Taskforce to focus on three work areas:

1. Community communication
2. Engagement, Education, training and cultural competency
3. Data collection & performance

June

Initial Anti-Racism Action Plan for Wales drafted, with Professor Mark Jones commissioned to lead the writing of the public facing Plan

July

Initial critical analysis undertaken by Welsh Centre for Policy Development and wider stakeholders

September

Second plan drafted and funding provided for an open 'CJ Community engagement scheme', managed by Clinks

October

10 third sector organisations successful in obtaining grants to engage with their members and communities to review and feed back on the second draft of the Anti-Racism Action Plan

2022

January

Roundtable held with 10 organisations to discuss how their feedback has informed the plan

February

Three 'Horizon Scanning Workshops' held with members of the Criminal Justice Board, Operational Management leads and ethnic minority community groups to make all staff aware of what needs to happen to ensure the vision in the plan is effective

March

Horizon scanning feedback is used to update the fourth version of the Plan

April

Second targeted engagement round with asylum seekers, ethnic minority people in prison, young people with lived experience of the Criminal Justice System and members of ethnic minority staff networks to shape the plan

May

Stakeholder consultation leading to final draft

August

Final content agreed

Sept

Launch & Publication



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04

Defining Anti-Racist Action

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If your actions don't live
up to your words, you
have nothing to say

Dr DaShanne Stokes

Our approach to developing and delivering this Anti-Racist Action Plan is in keeping with Welsh Government's definition and understanding of anti-racism. This action plan is evidence based and has been informed by those with expertise in this space and importantly by and with experts who have lived experiences of the Criminal Justice System and/or are working in the field of anti-racism.

A key understanding in anti-racist practice is that previous approaches that were based on equality or diversity were too passive and therefore, to really make positive change, we need to challenge the previous ways as they have not worked. We cannot repeat the mistakes in our history and we must look to new ways and approaches that challenge the structures and systems in the Criminal Justice System and this is exactly what we are going to do in this plan with you, the Welsh public at the heart of all we do.

Whether devolved or non-devolved, we work in a devolved environment so we acknowledge that the definition of anti-racism that has been set out in the Welsh Government Anti-Racism Action Plan (2022: p10) provides the background against which we set out our collective intentions:

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We have defined anti-racism as... Actively identifying and eradicating the systems, structures and processes that produce radically differential outcomes for ethnic minority groups.

It involves acknowledging that even when we do not regard ourselves as 'racist' we can, by doing nothing, be complicit in allowing racism to continue.

It is not about 'fixing' ethnic minority people or communities, but rather about fixing systems that have not benefited and at times even damaged ethnic minority people.

It is about working with the considerable strengths and leadership of ethnic minority people and using their lived experiences in how we, collectively, shape and deliver.

It is about making a positive lasting difference.



This Anti-Racist Action Plan is essential to support all ethnic minority people and groups living in Wales. We will take an anti-racist approach and actively identify and eradicate the systems, structures and processes that produce significantly different outcomes for ethnic minority individuals and groups. The Criminal Justice Board for Wales acknowledges that, even if most of us do not regard ourselves as 'racist', unless we actively challenge racism then we are part of the problem and share responsibility for allowing racism to continue.

Anti-Racism is also about acknowledging that we all need to have honest reflection about ourselves and identify any unconscious bias or stereotypes that we may hold and actively challenge those. Anti-racism is about having those sometimes-uncomfortable conversations with self and becoming more comfortable challenging ourselves in becoming anti-racist. It is important to recognise that individually we can make a significant positive

difference. White people within the system, those working in supporting services that engage with the Criminal Justice System and the wider public can all be powerful allies to ethnic minority people and in this work. Together we can make a significant difference and create an anti-racist Criminal Justice System in an anti-racist society.

This Anti-Racism Action Plan will apply to all services in Wales that work within the Criminal Justice System so there is a joined up and 'One Public Service Approach.' A one public service approach is a way of working that ensures that practice is embedded across all organisations, public services and sectors of society. This action plan has been developed in partnership with Welsh Government to align the vision, commitments and actions with their Anti-Racist Wales Action Plan (2022) so that the Criminal Justice Board for Wales can deliver a high quality and seamless experience within a Welsh context. The main purpose in using a one public service approach is that it should

effectively meet the needs of all people in Wales and that due to joined up and integrated services all people and groups are supported in ways that meets their needs. A one public service approach means that everyone can flourish and make informed choices to meet their full potential.

Individual organisations will have their own national and regional/local plans relating to race equality and this action plan provides an excellent opportunity to ensure that the individual organisation's objectives and commitments in this area are achieved and contribute to system-wide change, reform and transformation.

We believe that by agreeing a common approach to the key issues and by working together as a partnership on key areas we will drive and facilitate system change to ensure that we are united in our efforts to eliminate racism where it exists and become an Anti-Racist Criminal Justice System in Wales.





05

Your voices creating this Anti-Racism Action Plan

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A diverse mix of voices
leads to better discussions,
decisions, and outcomes
for everyone

Sundar Pichai

As we highlighted earlier, we have deep gratitude and are hugely thankful to the ethnic minority people (both those within the workforce and the Welsh public) who have given their time, support and shared their lived experiences to ensure this Anti-Racist Action Plan is co-produced. Listening to the depth, variety and diversity of ethnic minority experiences of the Criminal Justice System and Welsh society during the last 18-months has been humbling. The power from those people who have shared their often painful and challenging stories of racism and the impact of racism on their lives and family's lives have not been lost and we honour them in the creation of this Anti-Racist Action Plan.

Some of the comments and feedback over the course of our engagements were powerful and really helped us in shaping and guiding this plan. Some of the overall feelings and experiences have been captured below to illustrate the discussions that were had during the multiple engagements we delivered.

A young person who engaged with Ethnic Youth Support Team stated that "The principles cover everyone, a good set that we can support" and another young person supported the plan by saying that "the promises will make a difference because it will improve social cohesion and bring about a sense of belonging among the people." Although this is just a snapshot of two young people there was significant support and positive feedback on the vision, commitments and actions of this action plan.

However, there were also clearly feelings of mistrust of the Criminal Justice System and some young people pointed out that

"just because [they] are saying this, it does not mean they're actually going to do it" and an adult on a different engagement commented "We have been here before and nothing changes, so why should we believe you?"

The horizon scanning workshops captured a similar and powerful feeling amongst ethnic minority people that "all too often, we respond well initially and then momentum is lost for us, it was like that with Stephen Lawrence, Mubarak, then Lammy. It's a rollercoaster and you can see the CJ system ripple effect – there's always an initial impact of these things and then 10 years later we do a survey and little has changed – the same systemic issues exist."

These words have real impact and we do not take them lightly as it clearly shows how, as the plan acknowledges, we really need to build trust with ethnic minority groups and communities and show strong anti-racist action going forward.

During the horizon scanning workshops a strong voice was that there was a need for "communities to actually feel like they are being listened to." This feeling was highlighted across all engagements and really supported our commitment to having a co-produced plan with ongoing engagement and review of this action plan and it's work by ethnic minority people across Wales via further engagements. The members of the CJBW Independent Oversight and Advisory Panel led by the Chair will also hold this Anti-Racist Action Plan to account. They will support ongoing development of the action plan to meet the needs of an anti-racist approach, the vision, commitments and actions and the needs of ethnic minority people across Wales.

There was also general agreement that we needed this action plan and one person who spoke to Race Council Cymru captured this well and felt that "This plan is very timely and much needed", and other responses liked the honesty of the plan and they appreciated "that you say you know you need to get better, and that's why you've made this plan." It was agreed by the majority of people who engaged with us that we were and are working in an honest, open, and transparent way not done previously and that we clearly were committed to real change.

Although all the lived experiences and views shared across the last 18 months of engagements cannot be fully written here perhaps the most powerful and impactful messages from people were that to achieve an anti-racist Criminal Justice System the system as a whole must "work with a genuine collaborative approach" that will "create a real listening culture" where all of us "act on what is heard" and this will positively change the system to an "active culture where people are part of Criminal Justice System."

We understand we have a long way to go and that this is the starting point of a journey

but we are confident that with your continued support we will build from this point and develop a high quality Criminal Justice System that meets the needs of all people in Wales. We take the role of listening and acting upon your lived experiences, powerful voices and views seriously and understand that as custodians of these powerful messages whilst creating this action plan we have great responsibility to you to make sure we translate them into positive action and create an anti-racist Criminal Justice System in Wales. We will honour your trust in this work and we will work tirelessly in achieving the vision, purposes and aims of the action plan and the seven commitments and associated actions.

We would again like to thank all people involved in developing and co-producing this Anti-Racist Action Plan and it would not have been possible without your honest insights and experiences. We also look forward to continuing these collaborative relationships with all people involved with the Criminal Justice System to ensure an anti-racist Criminal Justice System with a one public service approach is achieved in Wales.

This is the starting point of a journey but we are confident that with your continued support we will build from this point and develop a high quality Criminal Justice System that meets the needs of all people in Wales.

Vision and Purpose

Our vision and purpose is to make the Criminal Justice System in Wales the fairest, the most efficient and the most effective it can be with anti-racism as a core value and approach.

For generations the Criminal Justice System has come under criticism for racial disparity and disproportionality of outcomes in its systems. This has been viewed as reflecting individual, societal, systemic or structural and institutional racism. Individually and collectively, few organisations escaped censure for being tainted by some or all of these forms of racism. All organisations within Criminal Justice in Wales have sought to understand and tackle the issue of racism. These efforts have been given fresh impetus by the world-wide reaction to the death of George Floyd, leading to a greater sense of urgency and reflection in Wales and across the United Kingdom for decisive and sustained action to be taken to make our systems fairer and anti-racist.

Each organisation has its own responsibilities but in Wales we work collectively across devolved and non-devolved bodies in a common endeavour to make the Criminal Justice System in Wales the fairest, the most efficient and the most effective that it can be. When we work together in Wales towards positive goals, we can achieve more than we can achieve alone. This is why we are committed to working alongside Welsh Government in creating a one public service approach in Wales. Despite being proud of the positive benefits of sharing responsibility we believe we also have to recognise the challenges within our own organisations as well as the Criminal Justice System as a whole. In the past we have made mistakes individually and across the system and this is why we must work to eradicate all forms of racism together. That is why we not only embrace our own organisation's commitment to tackling racism but we have to collectively learn from the failings of the past so that we can work hard to eradicate racism now and in the future.

Our Aim and Principles

Our aim, is for everyone throughout the agencies that make up criminal justice in Wales to actively join in turning the following into action:

“

We are committed to an anti-racist Criminal Justice System that actively identifies and challenges racism and holds to account individuals and organisations in their work in tackling race disparity. We will work to remove any aspects of systemic or institutional racism that may still remain. Anti-racism is about action and we will challenge racism through actively developing our knowledge, practice, policy and governance.

We will work together to change the unfair disproportionate over representation of all people from an ethnic minority in the Criminal Justice System, taking an inclusive human definition that includes all ethnic minorities including

often forgotten Gypsy, Roma, and Traveller people and people who seek sanctuary or are given labels such as Sanctuary Seeker, Asylum Seeker, Migrant or Refugee.

We will work to develop a Criminal Justice System workforce that is ethnically diverse and reflects the individuals, groups and communities it serves.

Ultimately, we will work to build trust from all people who come into contact with the Criminal Justice System and to ensure that everyone receives equitable treatment and fair outcomes, whatever their ethnicity, as is their human right and in accordance with the Public Sector Equality Duty.



Whether we work in devolved or non-devolved organisations we serve the same public so we will work towards an anti-racist Criminal Justice System working actively with the Welsh public through the following seven commitments:

We will:

1



Challenge Racism

Build an
Ethnically
Diverse
Workforce



2

3



Involve, Listen
and Take Action

Be Transparent,
Accountable and
Co-ordinated



4

5



Educate the
workforce

Promote
Fairness



6

7



Focus on
Prevention, Early
Intervention and
Rehabilitation



Cyfiawnder Troseddol
yng Nghymru
Criminal Justice
in Wales



06

How we will deliver this Anti-Racist Action Plan

“

Change will not come if we wait for some other person or some other time. We are the ones we've been waiting for. We are the change that we seek

Barack Obama

It is essential that we make sure that this action plan is appropriately governed and that we are effectively held to account for ensuring we meet the vision, commitments, and actions we have outlined.

This Anti-Racist Action Plan cannot and will not be a document that is forgotten about and 'gathers dust' as it is far too important for this to happen. This action plan is our commitment to you and is a 'live' document that will be refreshed annually in collaboration with the Independent Oversight and Advisory Panel and updated on an ongoing basis to meet the needs of people across Wales in creating a fairer and anti-racist Criminal Justice System.

We explain below how this action plan will be governed and delivered and who is accountable, so that there is clarity of function and responsibility in the Welsh context. This transparency is here so you understand how this action plan will work at both national, regional and local level ensuring there is a one public service approach that is anti-racist and meets local group and community experiences and needs.

The Policy Context

It is important to acknowledge that The Lammy Review (2017) is one of the key documents that influences the approach of this anti-racism action plan and we will work in the spirit of this report to try and deliver the changes need within the Criminal Justice System as outlined by Lammy where-ever possible. David Lammy (2017) highlights that any reform and change will not be possible without individuals and groups taking responsibility outside of the Criminal Justice System and therefore the system needs to work with local individuals, groups and community organisations. In this way, this Anti-Racist Action Plan needs the Welsh public's support in achieving its vision, commitment and actions, and the Criminal Justice System looks forward to working with affected groups and communities and the wider public to achieve this.

This plan has also been written in the context of supporting other key Welsh and UK policy and legislation including; Welsh Government Anti-Racist Action Plan (2022), the Nation of Sanctuary: Refugee and Asylum Seeker Plan (2019), the Rights of Children and young Persons (Wales) Measure (2011), the Equality Act (2010), the Human Rights Act (1998) and the Wellbeing of Future Generations (Wales) Act 2015.

As explained earlier in this document, this plan is not meant to replace individual organisational strategies, plans and/or effective ways of working in an anti-racist way but to enable us to work together to better understand, develop, enhance, and share good practice across the Criminal Justice System to create a one public service approach in Wales to anti-racism. Each organisation has its own responsibilities and remit but no organisation carries out its remit in total isolation.

Devolved and Non-Devolved Criminal Justice in Wales

To employ a one public service approach to anti-racism in Wales it is important to understand the constitutional position in Wales and the lines of responsibility of leaders. The situation is unique since criminal justice responsibilities are devolved to Scotland and Northern Ireland but not to Wales. It is important that there is clear understanding of the devolved environment within which we work and the context in which non-devolved agencies operate so that we together deliver an anti-racist agenda.

Wales has had a devolved government since 1999 and there have been a variety of developments since that time that have brought decision making closer to people who live in Wales. There are areas of policy and practice where Wales can lead or innovate and develop its own policy and practice and these are known as devolved powers. There are also areas that have not been devolved to Wales and are governed by Westminster and Whitehall.

There have been several examples of the further transfer of powers from Westminster to Cardiff Bay since 1999. The Welsh Assembly has become the Senedd, with its own law making and tax raising powers. The Senedd now makes primary legislation in areas such as health, education, and transport, but the control of Policing, Prisons, Probation, the Crown Prosecution Service, and Courts still sits with Westminster.



There are many examples of core responsibilities that can only be discharged fully by non-devolved agencies working with devolved bodies. Mental health services, education support, housing and employment are relevant to most Criminal Justice bodies while some responsibilities – for instance Community Safety and Youth Justice – are part devolved and require close partnership working.

That is why leaders within the non-devolved organisations in criminal justice in Wales have become adept at working within the Welsh devolved environment and so are skilled and committed to working in partnership with all devolved organisations to the delivery of justice, rehabilitation, positive interventions and prevention of harm. In relation to racism, those leaders have participated in addressing the challenges in Wales but also have regard to the policies and practices determined by Westminster and by their own department or agency. The need for great care and respect for the constitutional realities became clear during the COVID-19 Pandemic when for the first time the police had the responsibility to enforce Welsh Government legislation, passed by the Senedd under devolved health powers, and there were consequent implications for other Criminal Justice bodies. Rather than having a focus on the difficulties everyone worked collaboratively to make the most of the situation by working cooperatively in the public interest.

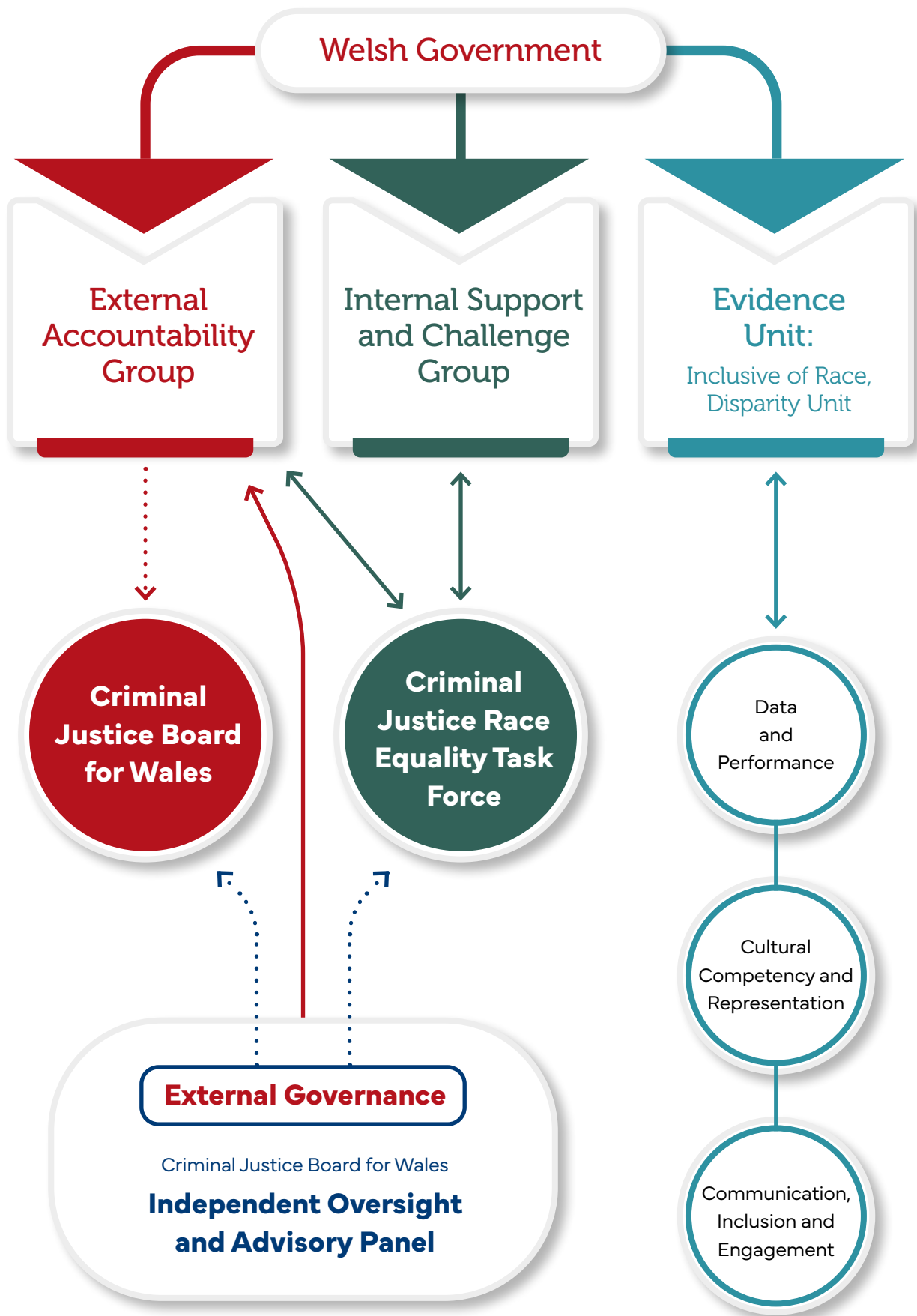
There are two key elements to effective governance which are defined below:

1.

Governance for the management and delivery of the Criminal Justice Anti-Racism Action Plan for Wales:

Supported by the following image, the Criminal Justice Board for Wales has established a Race Equality Task Force which has delegated authority from the Criminal Justice Board for Wales to act as the senior strategic body for Wales and oversee the implementation, management, and delivery of the Criminal Justice Anti-Racism Action plan. Three working groups have been set up under the Taskforce to manage the delivery of three core key elements of the plan. These include, data and evidence, cultural competency and representative workforce and communication and engagement.

The role of the Independent Oversight and Advisory Panel will be to work with the Criminal Justice Board for Wales and its Race Equality Taskforce to address all forms of discrimination and disadvantages experienced by ethnic minority people in the Criminal Justice System. It will provide challenge, advice, and independent oversight of anti-racism to criminal justice in Wales.



Key:

..... Members are invited to attend meetings

———— Members will become core members of each group

2.

Interface and relationship with the Welsh Government and the Welsh Government Anti-Racist Wales Action Plan.

There is significant race inequality caused by factors outside the Criminal Justice System, which is why we are committed to a “One Public Service” approach to achieving an anti-racist Wales. Therefore, robust interconnection between the Welsh Government Anti-Racist Wales Action Plan (2022) and the Criminal Justice Anti-Racism Action Plan (2022) is essential. The two documents are designed to complement each other to maximise impact and outcomes. The diagram above helps to visualise how the different governance groups across devolved and non-devolved landscape in Wales will work together.

This interface is described below:

- Strategic interface:**
 To mutually inform and support senior stakeholder groups, the Chair of the Criminal Justice Race Equality Taskforce and the Criminal Justice Board for Wales Independent Oversight and Advisory Panel will become core members of the Welsh Government External Accountability Group. In parallel, a member of the Welsh Government’s External Accountability Group and Internal Support and Challenge group will be invited as a core member to the Race Equality Taskforce. Whilst not a core function, the Chair of the Independent Advisory and Oversight Panel and a member of the Welsh Government’s External Accountability Group can be asked to attend or be invited to the Criminal Justice Board to discuss issues or items at various points in the year.
- Operational interface:**
 The Head of the Welsh Government Evidence Unit (includes Race Disparity Unit) will work closely with the Chairs of the Criminal Justice Data and Performance working group to ensure mutual support and comparability of the approach to the development and interpretation of evidence (data and live experiences).
- Local Criminal Justice Board:**
 Each Local Criminal Justice Board brings together partners across criminal justice to improve the effectiveness and efficiency of the Criminal Justice System in the Police Force area. In Wales there are four local boards, each led by the Police & Crime Commissioner, who come together through the Criminal Justice Board for Wales to pursue cross-cutting priorities that affect the people in Wales who come into contact with the Criminal Justice System and develop a work programme for Wales with a delivery plan. Advancing race equality and implementation of the Anti-Racism plan is one such priority. Each local board has its own delivery plan which is the vehicle for the Chair of each local board to develop and implement action in the local context, monitor and hold to account local partners for collective delivery of the Criminal Justice Anti-Racism Action Plan and escalate local issues or challenges to Taskforce when necessary.

It is important to note that the groups manage delivery of the two plans and they are based on a One Public Service approach which embodies the following principles:



Legitimacy

**JOINT COMMITMENT
AND EXPERTISE**



Investment

**ALIGNING RESOURCES
WHEREVER POSSIBLE**



Transparency

**SHARING PROGRESS AND
CHALLENGING EACH OTHER**



Evidence-led

**MONITORING OUTCOMES
AND SHARING EVIDENCE**

This is reflective of the values outlined in the Welsh Government Anti-Racist Wales Action plan (2022) of transparency and openness, lived experiences being central to decision making and taking a rights-based.







07

**Where we
are now**

“

Injustice anywhere is a
threat to justice everywhere

Martin Luther King, Jr

We know we need to improve our practice in terms of taking a stronger anti-racist approach and we believe that by working together we can achieve this and create a strong anti-racist approach within criminal justice in Wales.

We believe that it is everyone's business to be anti-racist and proactively challenge racism as well as develop approaches to practice and policy that support our workforce and most importantly the people of Wales.

We are committed to an anti-racist approach in Wales and together we believe we can achieve a fairer and more equitable society where the ethnic diversity of the people of Wales is reflected in all the work of the Criminal Justice System.

We have listened, heard and responded to you in forming this anti-racism action plan through multiple community engagement activities over the last 18 months as detailed above.

We will continue to listen, hear and respond to you to make sure that our anti-racism action plan meets the needs of all ethnic minority individuals and groups including the needs of particularly vulnerable groups and those with other

protected characteristics such as women, children and young people, LGBTQI+ people, those with a disability, Roma, Gypsy, and Traveller individuals and groups, and Sanctuary Seekers as they are often forgotten or ignored.

Together we can transform the Criminal Justice System to have an anti-racist and one

public service approach. We will empower, rehabilitate and reintegrate people into their lives, communities and wider society. We will make sure that victims of crime are effectively supported in their experiences. Our aim is that all people who have contact with the Criminal Justice System are treated fairly, with respect and have their needs met.



Our Seven Commitments to the Welsh public

We have developed seven commitments that we believe will enable us to achieve our aim of creating an anti-racist Criminal Justice System in Wales for all victims, witnesses, people who have offended, or employees.

Each commitment is underpinned by a series of cross cutting collaborative actions that show what we will do and how we will do it. These actions will be further defined as part of a multi-agency programme of work to deliver change across the system, with Senior leads and action owners assigned to drive forward delivery.

We will continually monitor and review progress against our commitments and will ensure that the Criminal Justice Board for Wales Independent Oversight and Advisory Panel can hold us to account for delivery.



We will:



1

Challenge Racism

We will be proactive in challenging racism in society where Criminal Justice can have influence, and will work to eradicate racism and racial bias across the system.

We will ensure ethnic minority communities are aware of our anti-racist commitments.

a.

Developing Positive Messaging

- We will work in partnership with ethnic minority individuals and groups to ensure their positive lived experiences can be used to challenge the negative stereotypes of ethnic minority people in our society. We will work with people from all ethnic backgrounds to challenge bias, discrimination, racism and stereotypes around race, ethnicity and religion, including Islamophobia and antisemitism.
- We will develop and publish a Communications and Media Strategy to support the delivery of the Anti-Racism Action Plan for the Criminal Justice Board for Wales. This will include activity to promote strongly anti-racist criminal justice services, including through the medium of social media. Where possible we will also work in partnership with social media platforms to challenge and effectively deal with online racism.

b.

Creating Positive Realities

- We will produce and publish information to demonstrate where ethnic minority people are gaining employment and/or promotions within the Criminal Justice System and work to enable more ethnic minority role models to be visible across the system.

c.

Challenging Internal Negative Stereotypes

- We will proactively identify and challenge stereotypes within our workforce and commissioned services, particularly where such bias, discrimination and/or racism impacts on decision making and outcomes.

d.

Challenging Racism and Hate Crime

- We will evaluate current anti-racism and hate crime programmes and projects that are delivered by the Criminal Justice System within an Education and community setting, in order to ensure they are fit for purpose in promoting an anti-racist approach. We will develop and/or build on targeted education and community intervention programmes that are aimed at promoting anti-racism and tackling societal racist attitudes and behaviours, including hate crime.
- We will develop Out of Court Disposal approaches for perpetrators of hate crime, learning from the pilots currently being carried out in England. This will seek to repair the harm caused to hate crime victims and to educate and challenge hate crime perpetrators on their discriminatory and racist views.



We will:



An Ethnically Diverse Workforce

We will increase the representation of ethnic minority people working in the Criminal Justice System as employees and leaders, creating a safer and more inclusive workforce that represents our local communities.

a.

Understanding and Increasing Diversity and Representation

- We will increase the representation of ethnic minority people in the workforce, using positive action at all levels and in all areas. We will set targets of representation as required throughout the Criminal Justice System, publish our progress and be accountable in meeting these.
- We will seek to recruit ethnic minority people from local communities to better understand, represent and be responsive to the needs and experiences of the individuals, groups, and communities it serves.
- We will also work to better understand, recruit, retain, and progress ethnic minority staff with other protected characteristics, recognising the additional challenges faced due to intersectionality.
- We will develop a new framework to promote the recruitment, selection, retention, and progression of an ethnically diverse workforce for use across the Justice System in Wales. All organisations will support its development and be supportive of meeting the framework's standards, where possible working in collaboration to avoid duplication and ensure an integrated approach.
- We will evaluate the current positive action approaches to recruitment, retention and progress within the Justice System and highlight and share good practice.

- We will introduce and support a Criminal Justice in Wales All-Wales Ethnic Minority staff network to support open communication and the sharing and learning of experiences. This will build on Ethnic Minority staff networks that already exist, enabling wider collaboration. We will use the All-Wales staff network to engage with and report on the lived experiences and needs

of the ethnic minority workforce across the system in Wales in order to guide practice and actions within our Anti-Racist Action Plan. We will develop a new role of chair for an All-Wales Ethnic Minority staff network, and will ensure that existing ethnic minority staff networks and their chairs in the Justice System are well resourced and supported to maximise their influence and outcomes.

b.

Leadership and Mentoring

- We will review and evaluate the current leadership, coaching and mentoring programmes for ethnic minority people working within the Criminal Justice System and highlight and share good practice. Criminal justice organisations, where possible, should offer leadership talent mentoring schemes for all ethnic minority employees and reverse mentoring schemes where ethnic minority employees' mentor senior managers on their practice. This work will be evaluated and reported on through the Wales Level Taskforce and evaluated via local criminal justice governance boards.

c.

Workplace Culture

- We will ensure a zero-tolerance approach to racism within our workplaces, ensuring that where they do not already exist clearly defined processes are in place for tackling any such reports. We will promote the involvement of Ethnic Minority Staff Networks in reviewing the handling of incidents and putting forward any suggestions for improvement where needed.
- We will share the findings of relevant research on internal culture, acting on areas of concern and aiming to make continual improvements. We will examine together the possible gaps in such research and how we can learn from each other about internal culture and the experiences of ethnic minority staff, acting on areas of concern and aiming to make continual improvements.

d.

Promoting the Criminal Justice System as an Inclusive Career Option

- We will work collaboratively, including with other partners and the third sector, to ensure there are opportunities for showcasing the whole of the Justice System to children and young people. This will include outlining career options and promoting our anti-racist approach.
- We will review and evaluate the current programmes and projects that are delivered by the Criminal Justice System at all education levels that are targeted specifically at promoting careers and experiencing work within the system to ethnic minority people. We will share good practice and where there are gaps develop practice that engages with ethnic minority children and young people / adults. We want children, young people, and young adults from minority ethnic communities to feel inspired, wanted and needed in future employment and career paths within the Criminal Justice System.
- We will develop an employability strategy for engaging ethnic minority people right across all education sectors so that there are opportunities for employability experiences within the Criminal Justice System in Wales including employability fairs, work-based experiences, placements, and graduate programmes.

e.

Strategic Planning and Monitoring

- Each Criminal Justice System organisation will provide an annual update on the actions and approaches taken to improve and sustain workforce representation of ethnic minority people and will be accountable for their outcomes. The Wales Level Taskforce will be involved in the evaluation of developments.



We will:



Involving, Listening and Taking Action

We will better understand the personal and collective experiences of ethnic minority people involved in the Criminal Justice System in order to take action to meet their needs.

We will make sure lived experiences support and drive decision-making for new policy and practice.

a.

Co-Production and Partnership

- We will involve and work alongside ethnic minority people within the Criminal Justice System to introduce and maintain a co-production model and community engagement and involvement programme. To do this we will engage directly with a diverse range of ethnic minority individuals and groups as well as third sector and community organisations. We will appoint a lead or leads in each organisation for this work, in order to ensure accountability for the success of the programme. The programme will be evaluated annually, including by the Independent Oversight and Advisory Panel.
- Community engagement roles will be developed within all services (if not present) to support the delivery and function of the co-production and community engagement programme. We will use blended approaches when working alongside and feeding back to groups and communities, including communication in their first language, and considering verbal and digital options to take account of digital poverty and language issues.
- We will increase the inclusion of specialist ethnic minority organisations in all relevant boards and partnerships to ensure the full diversity of ethnic minority needs are heard, listened to and acted upon.

b.

Developing Positive Community Relationships

- We will do more to build trust with ethnic minority individuals and groups, ensuring ongoing engagement to listen to the experiences of ethnic minority people. We will be better at explaining some of the processes used so that everyone clearly understands why they are used and what their rights are. For example, we will explain that the purpose of seeking data at the point of collection is to redress inequalities and support an anti-racism agenda.



c.

Research, Policy and Practices

- Using our co-production approach, we will focus on how to develop further positive outcomes and inclusive services that offer culturally competent and inclusive support and working practices for all ethnic minority people across Wales.
- We will develop our understanding of the intersectionality of race and other protected characteristics to better understand multiple forms of oppression and how these can shape experiences of the Criminal Justice

System for ethnic minority people. We will develop our knowledge and skills in this area through working with community groups and specialist services, and where needed carry out research to better shape services to meet the needs of all ethnic minority people.

- We will also work to better understand the experiences of inter-ethnic minority discrimination and how we can support those that experience it.

d.

Developing Greater Understanding and Inclusivity

- We will offer greater diversity in the way we describe and understand people from an ethnic minority. It is important to acknowledge that the term 'ethnic minority' is a broad label, and we are fully committed to better understanding the full diversity and lived experiences of all ethnic minority individuals and groups in Wales, including those from Roma, Gypsy, and Traveller communities, young people, women, and sanctuary seekers.

f.

Gaining Ongoing Expert Advice and Guidance

- We will work with Clinks, and other organisations supporting voluntary organisations in the Criminal Justice System, to ensure we can better understand, support and meet the needs of people from an ethnic minority within the prison, probation, and Youth Justice System. Our aim is to ensure that the organisations and people they support are informed and engaged in order to transform lives and communities.

e.

Informing Communities

- We will ensure we work alongside ethnic minority individuals, groups and communities so that they are informed of the progress taken by Criminal Justice organisations to meet their needs, effect change and achieve the overarching vision and commitments of this plan.



We will:



4

Transparency, Accountability and Co-ordination

We will create greater transparency and accountability across the Criminal Justice System in relation to tackling ethnic disproportionality and promoting an anti-racist approach.

We will invite external scrutiny on our performance and ensure effective structures are in place to deliver our commitments.

a.

Independent Scrutiny and Oversight

- We will establish an Independent Oversight and Advisory Panel made up of external members of the public to continually review and scrutinise the delivery of this Anti-Racism Action Plan. The panel will be ethnically diverse and include people with lived experiences of the Criminal Justice System to assist in robust support and challenge of the plan's progress. The panel will also review and scrutinise relevant Criminal Justice System data and report their findings to the new Welsh Government Race Disparity Evidence Unit. The actions and outcomes of the plan will be evaluated and reviewed annually by the Independent Panel, led by its appointed Chair.



b.

Governance and Co-ordination

- We will establish clear governance structures in relation to the plan so that there is accountability for all actions contained within it. We will work with relevant inspectorates and regulatory bodies to support this work.
- The Criminal Justice Board for Wales will outline and agree a model and structure of working with member organisations that develops the partnership and collaborative working at all levels of the system in Wales so this plan works at a local level. The outcome will be a trauma informed, integrated, one public service that is person centred, inclusive and engages with groups and communities in a collaborative way meeting their needs and creating belonging.

c.

Annual Report

- We will publish an annual report on the progress of the action plan, endorsed by the Independent Panel, ensuring the report is robust, evidence-based and transparent, and that our actions and outcomes are held to account.

d.

Common Data Approach

- We will work towards developing a common approach to our data so we can better understand the lived experiences of people from an ethnic minority who engage with Criminal Justice organisations in Wales, including those with multiple disadvantage due to intersectionality. Acknowledging that some data are collected in accordance with international, national and organisational requirements, we will work towards developing a baseline of data to be agreed locally/regionally, from which to measure the effectiveness of the Anti-Racist Action Plan.
- We will ensure our data is high quality, we consider both quantitative and qualitative insights, which cover the whole system. To support this we will commit to investing in and working in collaboration with the Welsh Government Data Unit.
- The data will be reviewed biennially to ensure accuracy and relevance to local populations. We will produce and publish our data on a public facing online dashboard with an agreed set of indicators and measures so we can identify and, where necessary, challenge disparities at police force area level. We will take an 'explain and reform' approach to our data so that where racial disparities cannot be explained, reforms will be introduced.

We will:



Educating the Workforce

We will invest in high quality educational anti-racism resources for use by anyone working in the Criminal Justice System.

We will work alongside ethnic minority people and groups to make sure all provision reflects their needs and lived experiences.

a.

Developing a Culturally Competent Workforce

- We will create an inclusive, culturally competent and anti-racist Criminal Justice System workforce and culture that changes any non-inclusive and racist thinking and behaviours.
- We will build on, and where there are gaps, develop high-quality educational anti-racism resources for use by anyone working anywhere in the Criminal Justice System in Wales. This will include the development of a good practice framework for the Criminal Justice Board for Wales to promote anti-racism and cultural competency education, training, and supervision that is trauma-informed, person-centred, and uses the lived experiences of ethnic minority people who have engaged with the system. The framework will also include good practice for the recruitment, selection, retention, and progression of an ethnically diverse workforce. All organisations across the Criminal Justice System will support the development of the framework and be supportive of meeting the framework's standards, where possible working in collaboration to avoid duplication and deliver an integrated approach.
- The Criminal Justice Board for Wales will develop guidance for Criminal Justice organisations in Wales where there are laws that may prohibit or challenge anti-racist practice being worked towards in the our Anti-Racism Action Plan or in the Welsh Government Anti-Racism Action Plan.
- We will measure how this work has impacted on anti-racist behaviour change across the Criminal Justice System including through reduction in racial disproportionality rates.

b.

Understanding Lived Experiences

- We will work with ethnic minority people within and outside the Criminal Justice System to ensure people's lived experiences are at the heart of all our education, training and supervision.

c.

Mapping and Sharing Good Practice

- We will map individual organisations' Equality and Diversity policies/strategies as well as their education, training, and supervision provision to identify and share good practice and gaps in provision. This will support future development and make organisations accountable for change.

d.

Promoting Anti-Racist Leadership

- We will ensure that all senior leaders within the Criminal Justice Board for Wales engage with education and training relating specifically to anti-racist leadership and working.



We will:



6

Promoting Fairness

We will promote fairness in a Criminal Justice System that is anti-racist and challenges racism and its causes, so that people of all ethnic identities and backgrounds experience fair outcomes.

a.

Investing in Fairness

- The Criminal Justice Board for Wales will work for the investment of significant funding to ensure that all commitments, actions and the overarching vision of this plan can be achieved.
- We will increase collaborative working and explore how we can commission joint projects, such as education and training programmes, and more effectively share good practice within forums, networks, and working groups. Where there are gaps in our understanding, we will commission work to ensure we continue to develop and meet the needs of all ethnic minority people who engage or work with the Criminal Justice System in Wales.

b.

Tackling Disproportionality

- We will continually review racial disproportionality data, ensuring that measures are put in place to reduce it. We will evaluate the progress of all organisations within the Criminal Justice System to ensure their accountability.
- We will undertake analysis to understand outcomes based on a range of factors including decision making. Where disproportionality is identified, further activity will be undertaken to address this issue and to challenge any inequality and bias. We will work alongside third sector organisations when we do this.

C.

Providing Appropriate Services and Support

- We will ensure that criminal justice advice and support is easily accessible and meets the needs of people from an ethnic minority at all points of the Criminal Justice System so there is trust through the whole experience. We will make sure that we support all ethnic minority people based on their need, including through access to information in the first language where people do not speak English or Welsh.
- We will work alongside Welsh Government's newly established advice and advocacy service for Gypsy, Roma, and Traveller people to support better trust and understanding of the support available from criminal justice in Wales.
- We will develop a new pilot project in partnership with Welsh Government, to build confidence amongst sanctuary seekers towards the Criminal Justice System and associated support services, learning from recent research and key stakeholders such as the Wales Refugee Council and Race Council Cymru. We are aware that sanctuary seekers are particularly vulnerable and lack confidence in reporting issues to the Criminal Justice System so we will work to improve support provided to them.
- We will develop a new project to research how to better support the religious identities of people in prison (including effectively and sensitively supporting Ramadan, Eid and other religious observances). The project will make recommendations to build on current practice and will be co-produced with people in prison, involving appropriate third sector and religious organisations, such as mosques, churches and synagogues.



d.

Identifying and Supporting Vulnerability and Exploitation

- We will continue to develop our knowledge and approach to supporting those involved in gangs, and look towards modern slavery legislation to support ethnic minority children, young people, and women who should be seen as victims who may have been exploited into becoming gang members.
- We will communicate clearly to the public how victims of modern slavery should be treated with sensitivity and respect in line with clear published policy and practice. We will work to promote more sensitive approaches in modern slavery cases, to limit possible further humiliation, stress, and trauma to vulnerable people.
- We will also do more to support ethnic minority people using illegal drugs by directing them to health services as well as our own services and by seeking to expand out of court disposal schemes as supported by the UK Government's 'Inclusive Britain' paper (2022).

e.

Reviewing Advice and Trust in Custody

- We will monitor and review any disparities in ethnic minority young people's admission of guilt and out of court disposal decisions compared to white young people, which is highlighted as an area for development by the UK Government's 'Inclusive Britain' paper (2022). We know that an admission of guilt can prevent someone from entering the Criminal Justice System via the use of Out of Court Disposals but ethnic minority people have lower trust in the system, possibly including the advice they are given in police custody, so they may admit guilt less regularly than white people. To address this issue, we will develop and test new practice in this area relating to both adults and young people, which we will design with ethnic minority people with lived experience of the Criminal Justice System and specialist organisations in the third/voluntary sector.

f.

Reviewing and Developing more Appropriate Services for Victims and Witnesses of Hate Crime

- We will review our current practices and strategies in relation to tackling racial hate crime, using current best practice from within Wales, the UK, and globally, to make sure that the best service possible is consistently delivered across Wales. We will identify a lead to be responsible for this work at a national level, and they will work with criminal justice organisations at a local level. This work will include the review of support to race hate crime victims that are already in custody.

g.

Developing an Anti-Racist Trauma-Informed Approach

- We will work with Public Health Wales to learn from their recently-created National Trauma Framework (2022). This will enable us to understand and research how the Criminal Justice System can build on past work, such as Early Action Together, and work towards a trauma-informed system and approach that is co-produced and develops appropriate knowledge and understanding of racial trauma, discrimination and the cultural, gendered and historic experiences of racial trauma.
- We will scope, co-produce and co-develop with the creators of the National Trauma Framework (2022) what a racial trauma-informed approach in the Criminal Justice System looks like through an anti-racist lens.

h.

Empowerment

- We will develop supportive and empowering programmes for ethnic minority children and young people who have family members that have offended to meet their aspirations and needs. We will build on existing good practice and address any gaps in service provision.



We will:



Prevention, Early Intervention and Rehabilitation

We will work together to end the over representation of ethnic minority people who have committed a crime and defendants in the Criminal Justice System in Wales.

We will provide holistic, person centred and trauma-informed support to offenders and those at risk of offending so they can make informed life choices for employment, education, social relationships, and mental and physical health and well-being.

a.

Primary Prevention and Early Intervention

- We will increase the participation of ethnic minority adults and young people in criminal justice diversionary schemes and better tailor early intervention and rehabilitation programmes to meet the needs of people from ethnic minorities.
- We will monitor engagement levels by ethnic minority adults and young people in early intervention and prevention services, and where there is low engagement, we will work alongside ethnic minority people and groups to understand why, and to develop more inclusive and appropriate provision.
- We will conduct a systematic analysis of ethnic minority adults and young people's experiences of entering services and why such people enter with more serious offences than their white counterparts, identifying missed opportunity for early intervention. We will develop services accordingly and where necessary we will work with commissioners and service providers to design services specific to the needs of people from ethnic minorities. This work will include adults but it will have a focus on young people and their experiences.

b.

Reintegration and Rehabilitation into Community and Social Life

- We will improve the outcomes for minority ethnic adults and young people in prisons, probation and Youth Justice, with a strong focus on a rehabilitative culture that is safe, hopeful and supportive of change. We will deliver current and develop new interventions with ethnic minority people in prison and in the community, using forums, targeted group work, and other appropriate approaches that focus on reintegration into society and effective rehabilitation and release planning. Support will be holistic in that it will focus on the individual, understanding their lived experiences, cultural and/or religious backgrounds and differences, with respect and dignity.
- Rehabilitative culture will be monitored and reviewed annually in each HMPPS establishment, as guided by HMPPS (2020) in their action plan. Each establishment should have a Rehabilitative Culture Strategy and a rehabilitative culture lead supporting this development of culture and practice.
- We will ensure that ethnic minority adults and young people returning to their communities are supported where they face racism, discrimination, and other socio-economic barriers and will work with the third and voluntary sector to achieve this.

c.

Positive Social Relationships

- We will develop more positive relationships with ethnic minority adults and young people who have offended in order to understand their lived experience more clearly and to meet their needs. Relationships will be person-centred and trauma informed, using the principles and practice outlined within the new National Trauma Framework (2022).



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Appendix

Horizon Scanning Summary Report:

Understanding stakeholder engagement to support the development of the Anti-Racist Action Plan for the Criminal Justice Board for Wales

Written by Mark Jones

Director, Higher Plain Research & Education

“

Racism is built on so many lies that in order for us to be anti-racist, we absolutely have to start being honest with ourselves and one another – that means choosing to take responsibility for our own complicity

Nova Reid – The Good Ally, 2021:11

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Introduction

This report shares the summary findings from a horizon scanning project that engaged with three key stakeholder groups as part of a wider process and timeline to develop an inclusive and co-produced Anti-Racist Action Plan for the Criminal Justice Board for Wales (CJBW).

CJBW started the journey towards an anti-racist action plan over 18-months ago and have been working with all interested stakeholders ensuring that all perspectives are listened to and heard and that all voices are part of the development of the plan. There has been particular focus on listening to the experiences and meeting the needs of those from an ethnic minority background.

The overall strategic responsibility for the agreement and delivery of an Anti-Racist Action Plan for the Criminal Justice System in Wales lies with Deputy Police & Crime Commissioner Emma Wools, Chris Jennings Executive Director HMPPS Wales and Chief Constable for Gwent Police Pam Kelly.

The development of the anti-racist action plan started to gain greater momentum in April 2021 with the writing of

a first draft following a sector wide survey. The work detailed and ongoing development of the plan was supported by the formation of three key task and finish groups related to key strategic areas within the plan for further understanding and development. The three groups related to: Community communication and engagement, Education, training and cultural competency, and Data collection and performance.

The author of this report, Mark Jones, an academic in the field of criminology, education and youth work was commissioned in June 2021 to lead the writing of the anti-racist action plan and they have been working alongside the three task and finish groups and the race Equality Delivery Group as well as being co-chair of the Education, training and cultural competency task and finish group.

Further stakeholder engagement and review with criminal justice organisations and the third sector supported a further iteration of the plan over the summer of 2021. The second draft of the plan was then shared via a public consultation across Wales in October and November 2021 with ethnic minority

individuals and groups which was managed by Clinks and facilitated by community organisations that supported those individuals.

The community evaluation was collected and analysed to highlight common themes and areas for development and the plan was further developed creating a third reimagination of the plan which was shared with those that had been part of the public consultation. In late January 2022 a roundtable event was held so that the third draft of the plan could be discussed with the community organisations, and individuals and groups that had engaged with the consultation to quality assure and check if the updated plan had listened to the feedback provided. The outcome of this was that where there were gaps or messages that were not heard accurately subsequent updates to the plan were achieved, therefore, effectively creating a fourth updated version of the plan.

In early February 2022 a series of 'Horizon Scanning Workshops' were delivered in partnership with the Ministry of Justice, and Higher Plain Research and Education. These events provided three key stakeholder groups the

change to further discuss the Anti-Racist Action Plan. These groups were; an executive Criminal Justice System (CJS) workforce, a middle management Criminal Justice System workforce, and ethnic minority community

organisations and ethnic minority individuals and groups that had been part of the Wales wide community engagement. This report captures the background drivers for the horizon

scanning approach and the methodology used as well as the capture and analysis from the horizon scanning engagements offering recommendations for the development of the Anti-Racism Action Plan.

Defining Horizon Scanning

There is ample literature on what horizon scanning is but at its core it is a process that scans for perspectives and understandings at the margins of the known environment and at times perhaps, beyond it (Loveridge 2009). However, it is not a magic crystal ball that can see into the future and predict with certainty what will happen. Horizon scanning seeks to highlight new or emerging issues, events, and experiences and these may offer opportunities or threats to those using this approach.

Arguably, the value of horizon scanning is that it is an inclusive process that can help explore challenging topics, such as a societal problem like racism, and it can offer a safe space to explore and change mind-sets, challenge assumptions, and ultimately

challenge the status quo. Horizon scanning allows those involved to explore options, opportunities, past errors and learning and ultimately identify paths towards positive development and change. In this way, horizon scanning is more about asking the ‘unasked questions’ or identifying the “unknown unknowns” to make sure we avoid the pitfall of looking for what we know, what we want, and often what we have done before.

Botterhuis et al. (2010) captures this well and defines horizon scanning as:

...the systematic examination of potential (future) problems, threats, opportunities and likely future developments, including those at the margins of current thinking and

planning. Horizon scanning may explore novel and unexpected issues, as well as persistent problems, trends and weak signal.

Due to the exploratory and critical nature of horizon scanning it is not surprising that it is often used within policy development contexts (Van Rij, 2010). Horizon scanning facilitates the ability to open-up new policy options or testing new policies in relation to the internal and external environment, reflecting on the macro and micro levels, and broadly testing their resilience to unknown, but plausible, new emerging issues and known issues that have caused challenges in the past (Amanatidou et al., 2012).

Therefore, horizon scanning

is a holistic tool to critically reflect and include key stakeholders in analysing an agreed area of focus and developing a way forward in terms of positive change. It is suggested that such an approach should be kept 'live' as it supports better understanding of, and the monitoring on how earlier issues and perspectives are developing. Horizon scanning can also provide an excellent foundation for supporting effective governance (Kaye, 2021) within organisations because those that have been involved in the horizon scanning and subsequent change development are also responsible for leading and actioning the agreed changes.

The horizon scanning engagements were delivered between the 14th and 16th of February 2022 to three groups composing of: an Executive Criminal Justice System workforce, a middle management Criminal Justice System workforce, and

ethnic minority community organisations and ethnic minority individuals and groups that had been part of the Wales wide community engagement.

Each group engaged with an online face to face and interactive workshop lasting 3 hours to enable fully inclusive conversation-based activity relating to five questions that would provide clear data on strengths, challenges, risks and opportunities when exploring moving from draft Race Action Plan to implementation.

The conversation-based process implemented was that of an online 'world café.' The World Café method divides a large group into smaller subgroups where conversations can be made more focused, relaxed and participatory, with greater opportunity for all participants to speak and contribute equally, thereby encouraging authentic sharing of experiences and knowledge.

The 5 questions that were used for all groups were:

1. **If the Race Action Plan delivery is successful, how would you expect it to develop and what would be the signs of success?**
2. **How could the environment the work is being currently done in change and therefore threaten progress and success?**
3. **What decisions need to be made in the near future in order to achieve the long-term goals?**
4. **If you had a mandate free of all constraints, what more would you do to ensure a successful future for the Criminal Justice Race Action Plan?**
5. **What factors from the last 10/20 years shaped the creation of the Race Action Plan today?**

Executive Summary of Recommendations

Following the analysis of the three horizon scanning days there were a number of recommendations for the CJBW to consider when updating its Anti-Racist Action Plan.

These are captured below and have been segregated under the three respective key task and finish groups related to key strategic areas within the plan as outlined in the introduction.

There is also a fourth heading that relate to recommendations for the strategic leaders of this work to consider going forward.

Community Communication and Engagement

Recommendation 1:

The development of a co-production and community engagement model that engages directly with a diverse range of ethnic minority individuals and groups as well as third sector and community organisations on the Anti-Racist Action Plan.

Recommendation 2:

There is an annual evaluation and review of the co-production and community engagement model by an independent panel composed of an equal balance of ethnic minority individuals and third sector and community organisation representatives.

Recommendation 3:

There is a defined person or persons responsible and accountable for the delivery and success of the co-production community and engagement model.

Recommendation 4:

Develop community engagement roles within all services of the Criminal Justice System to support the delivery and function of the co-production and community engagement model.

Recommendation 17:

Evaluate the current programmes and projects that are delivered by the Criminal Justice System at Primary, Secondary, Further Education, and Higher Education



levels that are targeted specifically towards promoting careers and experiencing work within the Criminal Justice System to ethnic minority people. Share good practice and where there are gaps develop practice that engages with these cohorts of children and young people/adults.

Recommendation 18:

The CJBW lead on and develop Criminal Justice System wide communication and media strategy that is anti-racist and supports the anti-racist action plan.

Recommendation 20:

Evaluate current programmes and projects that are delivered by the Criminal Justice System at Primary, Secondary, Further Education, Higher Education, and within the community and identify and or develop new provision that includes anti-racism and cultural competency.

Recommendation 21:

Engage with teacher training providers, and The National Academy for Educational Leadership Wales to explore how the CJBW could work in partnership to understand what anti-racism and cultural competency education and training teachers and leaders within schools get across Wales.

Education, Training and Cultural Competency

Recommendation 11:

Develop guidance for the Criminal Justice System in Wales where there are laws that may prohibit or challenge anti-racist practice as outlined in the Anti-Racist Action Plan for CJBW and Welsh Governments Anti-Racism Action Plan.

Recommendation 13:

Engage with and report on the lived experiences and needs of the ethnic minority workforce across the Criminal Justice System in Wales and use this to guide practice and actions within the Anti-Racist Action Plan for CJBW.

Recommendation 14:

Evaluate the current positive action approaches and outcomes within the Criminal Justice System and highlight and share good practice.

Recommendation 15:

Evaluate the current leadership coaching and mentoring programmes for ethnic minority people working within the Criminal Justice System and highlight and share good practice.

Recommendation 16:

All senior leaders to engage with education and training relating specifically to anti-racist leadership and working.

Recommendation 19:

Define a good practice framework for the Criminal Justice System in Wales for anti-racism and cultural competency education, training, and supervision that is trauma-informed, person-centred, and uses the lived experiences of ethnic minority people who have engaged with the Criminal Justice System, and for the recruitment, selection, retainment, and progression of an ethnically diverse workforce.

Data Collection and Performance

Recommendation 6:

That the actions and outcomes of the Anti-Racist Action Plan for CJBW are evaluated and reviewed annually by an independent panel.

Recommendation 8:

A common data approach to be agreed across all organisations within the Criminal Justice System in Wales.

Recommendation 9:

A baseline of data to be agreed locally / regionally from which to measure the effectiveness of the Anti-Racist Action Plan for CJBW and that this is reviewed biennially to ensure accuracy and relevance to local populations.

Recommendations 10:

To share the data on ethnicity experiences and outcomes with the public via an online platform.

Recommendation 12:

Review of the effectiveness of the Online Safety Bill 2021 and recommendations for future practice development for the Criminal Justice System in Wales and working in partnership with social media platforms.

Anti-Racist Action Plan Strategic Leaders

Recommendation 5:

The Anti-Racist Action Plan needs to be agreed and signed-up to by all Criminal Justice System organisations in Wales at both a national and local level with a clear timescale for actions and clear responsibility and accountability measures for all actions in the plan.

Recommendation 7:

There is a significant, long-term and realistic budget to support all of the work of the Anti-Racist Action Plan across organisations in the Criminal Justice System.

Recommendation 22:

That the CJBW and Welsh Government support increased partnership working and alignment of an anti-racist approach to challenging racism within the Criminal Justice System and wider society so that it supports the wider Welsh policy and legislative framework such as health, local government and other public services.

Recommendation 23:

The CJBW agree a position with Welsh Government on its stance on Institutional Racism within the Criminal Justice System and its definition of Anti-Racist Practice to support the writing of the Anti-Racist Action Plan for the Criminal Justice System in Wales.

Recommendation 24:

The Anti-Racist Action Plan needs to clearly show which organisation(s) and lead person(s) is responsible and accountable for the commitments and actions in the plan and how this plan will be governed at a national and local level.

Recommendation 25:

The CJBW agree a model and structure of working with member organisations that develops the partnership and collaborative working at all levels of the Criminal Justice System in Wales.

Conclusion

The horizon scanning engagements that took place over three days with three key stakeholder groups provided a rich and deep tapestry of narratives illustrating the feelings and experiences of the people involved.

It is very clear that the vast majority thought that there was a real need and opportunity in Wales to achieve an anti-racist Criminal Justice System and that we all needed to make sure we seized the opportunity and work collaboratively with ethnic minority people in Wales to build trust in the system and create a system that respects ethnic minority people and meets their needs.

There were several main themes across the three days. It was obvious to all that the Criminal Justice System needed to appropriately

fund this work so it would be sustainable and long term. There was also a need for the Criminal Justice System to become more transparent and use and share data more effectively so they could understand ethnic minority experiences and meet their needs more effectively. The workforce within all organisations of the Criminal Justice System also needed to have greater diversity at all levels, especially within leadership roles so there were more visible role models for other staff and the wider community, especially children and young people. There was also the need for high quality anti-racism education and training for the Criminal Justice System workforce so they could be more confident, inclusive, and anti-racist in their practice. The need for anti-racist education with

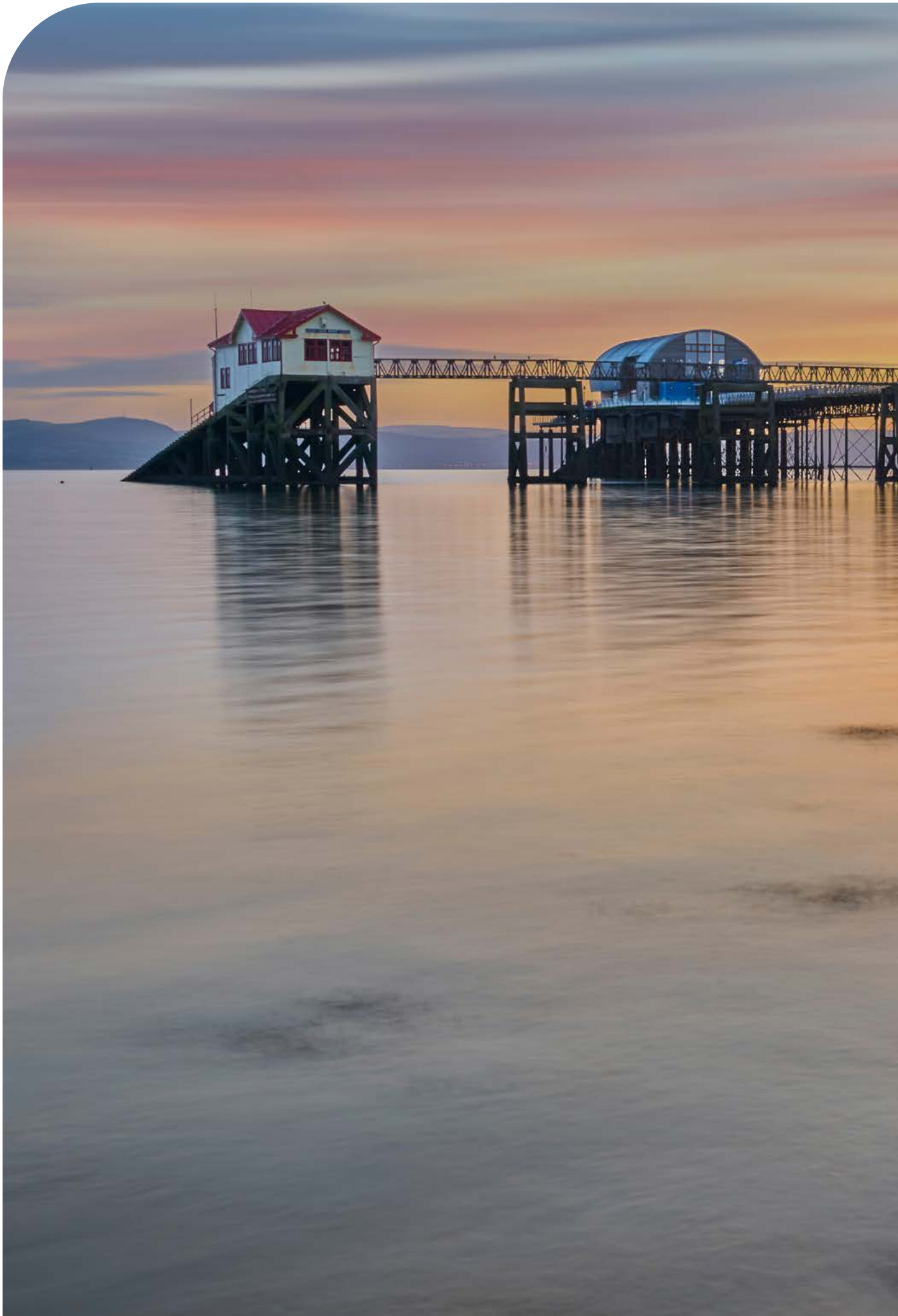
the white majority was also highlighted and so projects and programmes that work within schools and the community to achieve this were recommended. The Criminal Justice System as an institution also needed to publicly act in an anti-racist way with its communication and media approach so that it challenged the negative and racist stereotypes that are so apparent in the news and social media.

It is clear that there is a real opportunity here to make a significant change to the Criminal Justice System in Wales and by working with Welsh Government have a definitive positive impact on Wales and better support, reflect and celebrate Wales's ethnic diversity and create a fairer, more just, and anti-racist society.

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Cyfiawnder Troseddol
yng Nghymru
**Criminal Justice
in Wales**

Developed by Criminal Justice Board for Wales and lead author:

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Our vision and purpose is to make the Criminal Justice System
in Wales the fairest, the most efficient and the most effective it
can be - with anti-racism as a core value and approach