

MUSLIMS IN BRITISH PRISONS

by **Basia Spalek**

Faith communities are increasingly featuring in the Government's responses to crime. The Home Office recognises that many people are members of faith communities, and so officials are keen to communicate with these, as evidenced by the establishment of the Faith Communities Unit, whose remit includes engaging with religious groups. Faith identities are also increasingly being recorded by criminal justice agencies, and this heralds a significant development within the criminal justice system because traditionally, race and ethnicity have been the focus of monitoring procedures and policy-making processes.

Interestingly, the Prison Service has been at the forefront of acknowledging religious communities and responding to their needs, partly due to the Prison Act 1952, which provides that members of other religious groups have the same right to practise their faith as Christian prisoners and that the prison chaplain should ensure that every prisoner is able to practise his or her faith. The Prison Service was the first agency of the criminal justice system systematically to monitor religious affiliation and statistics here reveal that prisoners are now following a wide range of religious beliefs, including Hinduism, Buddhism, Jewish, Muslim and Sikh faiths. According to Beckford and Gilliat (1998: 52), since 1975 prisoners registering as belonging to these religions have increased by just under 10 per cent, whilst those registering as Christian have decreased by 31 per cent.

Muslim prisoners constitute an increasing proportion of the prison population. Since 1993, the number of Muslim prisoners has risen threefold, from 2,106 in March 1993 to 6,136 in June 2003 (Offender Management Caseload Statistics, 2003). There are currently over 7,000 Muslims in British jails. The following article aims to consider some of the issues raised by the considerable number of Muslims in British prisons. First of all, the reasons why there appear to be so many Muslims in prison will be briefly discussed.

Factors Accounting for the High Number of Muslims in Prison

A large number of factors appear to account for the high number of Muslim prisoners. Age may be a significant factor because the peak age for committing a detected offence is 18 for males and 15 for females (Cavadino: 1999: 180). Muslims have the youngest age profile of all religious groups in Britain. 34 per cent of Muslims were under 16 in 2001, as opposed to 25 per cent of Sikhs, and 21 per cent of Hindus (National Census, 2001). At the same time, social and economic deprivation and exclusion are key issues. Statistics in relation to Pakistani and Bangladeshi communities, the majority of whom are Muslim ¹, reveal that they are much more likely than other groups to be living on low incomes, with almost 60 per cent of the one million people in this group living in low-income households ². According to census statistics, Muslims are by far the most disadvantaged faith group in the UK labour market. Muslims are three times more likely to be unemployed than the majority Christian group. They have the lowest employment rate of any group, at 38 per cent, and the highest economic inactivity rate, at 52 per cent. Furthermore, Muslims represent the largest faith group who have never worked or are long-term unemployed, this being 17 per cent, as compared to three per cent of the overall population (Bunglawala: 2005: 196). Unfortunately, Government targets aimed at dismantling inequalities (for example, targets in relation to employee representation in the criminal justice system or with respect to confidence levels) are often constructed along ethnic classifications rather than religious identities, and so, for example, targets may be directed at an overall Asian category, which can serve to obscure the particular difficulties faced by Pakistani and Bangladeshi communities, because these groups experience more socio-economic deprivation, and higher offending and incarceration rates, than Indian groups (Spalek, 2005).

It is also important to raise a further issue here: that of prisoners who convert to Islam whilst incarcerated. The prison statistics in relation to religious identities do not show the number of prisoners who convert to a particular faith whilst inside prison, or those whose religious identity has been re-awakened. In some penal establishments, conversion to Islam may be quite high, and so this may be a further reason why the number of Muslims incarcerated appears to be so large. Furthermore, the limited research in this area seems to suggest that conversion to Islam in prison seems to be particularly prevalent amongst Black Caribbeans (Quraishi, 2003; Spalek and El-Hassan, 2005).

Prison Service Provision for Muslims' Needs

Traditionally, in most prisons, Christian chaplains have provided religious care and services. However, members of other religious groups have the same right to practise their faith as Christian prisoners and so in recent years, the provisions given to Muslim prisoners have substantially improved. The Prison Service appointed a Muslim Adviser in 1999 whose work has involved a focus upon three areas: Friday prayers, access to Imams, and halal diets. In 2003, for the first time, full-time Muslim chaplains were also employed. A Directory and Guide on Religious Practises in HM Prison Service has also been issued (HM Prison Service, 1996), to enable staff to cater to the religious needs of prisoners more thoroughly. The directory describes matters related to worship, sacred writings, diet, dress, ministry and 'aspects of social functioning' such as the role of families, personal hygiene and race (Wilson and Sharp: 1998: 19).

A multi-faith ethos has also been pursued in the Prison Service Chaplaincy. A Chaplaincy Council has been created, whose members include prison service faith advisers from a variety of different religions. The Chaplaincy Council provides a forum for consultation on a broad range of prison issues, and guides and advises the Prison Service Chaplaincy. The National Council for the Welfare of Muslim Prisoners (NCWMP), set up in 1999, is a body consisting of representatives from a number of Muslim organisations, whose remit includes: suggesting policy recommendations, via regular meetings with the Director General of the Prison Service and meetings with the Chaplaincy Council; supporting the work of the Muslim Adviser; and making annual prison visits in order to assess the quality of the services provided to Muslim prisoners. The NCWMP's work has included assessing the needs of, and quality of facilities provided to, the detainees held under anti-terror legislation at HMP Belmarsh.

A number of areas continue to concern Muslim prisoners and their representatives. According to the Muslim Adviser, due to staff lunch breaks, there has been a shortage of prison officers to escort Muslim inmates to and from the place of worship so that prayer times may be passed. It may also be the case that washing facilities are not available close to prayer rooms, which may also be inadequate in terms of size, design or location. The authenticity of halal food has also been questioned, despite official assurances, and is of crucial concern to Muslim inmates and a frequent source of frustration. Matters arising from personal hygiene also feature significantly in Muslim prisoners'

daily lives. The Prison Service has been advised to build cubical showers so that individuals do not have to share communal showers, although in many prisons there are now curtains or modesty screens.

The NCWMP stresses the large discrepancies to be found between the different prison establishments. For example, whereas in HMP Belmarsh there are approximately 150 Muslim prisoners, 100 of whom attend Friday prayers, only one full-time Imam is presently employed by the prison. In contrast, at Brixton Prison, where there are around 80 Muslim prisoners, there is one full-time Imam and two relief Imams to support his work. At Feltham Young Offenders Institute there are approximately 135 Muslim prisoners, and one fulltime Imam and four relief Imams are employed³.

Discrimination in Prison

Following a formal investigation into the Prison Service by the Commission for Racial Equality (CRE), HM Prison Service has committed itself to work with the CRE to build race relations into all aspects of its work. A five year joint Prison Service/CRE Action Plan, entitled *Implementing Race Equality in Prisons: A Shared Agenda for Change*, was launched in December 2003, so that every penal establishment now has an Action Plan stating how the failure areas identified by the CRE will be addressed.

A Home Office study in 2001 suggests that discrimination against Muslims inside prison may be particularly significant. Out of thirtyeight Muslim organisations that took part in this study, thirty-four reported physical abuse from prison staff, as well as a lack of provision of halal food and white favouritism (Weller, Feldman and Purdam: 2001: 53). Moreover, thirty-four out of thirty-eight Muslim organisations indicated unfair treatment from prison staff, compared to only twenty-one out of one hundred and twenty-four Christian organisations (Weller, Feldman and Purdam:2001:53). Ignorance over the spiritual and practical aspects of Islam by prison staff may lead to staff feeling that religious requests are a privilege rather than a necessity and may lead to the inappropriate treatment of Muslim prisoners. This has led to an increased focus upon staff training needs in terms of increasing their awareness of Islamic issues. Of the prison officers who took part in a recent study by Beckford, most were aware of the identity of Muslims and that Muslim prisoners had particular requirements. Nonetheless, some prison officers appeared to be judgmental of Muslim prisoners who broke Ramadan rules or who chatted to friends during prayers (Beckford: 2003: 21).

Rehabilitating Muslim Prisoners

Many useful programmes are currently run inside prison in order to help rehabilitate prisoners by, for example, providing them with certain basic literacy or IT skills. Since the early 1990s, cognitive skills programmes have been introduced, such as the Reasoning and Rehabilitation programme (introduced in 1992) and the Enhanced Thinking Skills programme (introduced in 1993). These initiatives start with the premise that the way offenders think, including how they reason and solve problems, is an important factor in their criminal behaviour, and so they aim to teach offenders the process of consequential thinking in order to avoid patterns of thinking which lead them to offend. An evaluation study of the effectiveness of prison-based cognitive skills programmes found that those offenders who started a programme, but who failed to complete it, were no less likely to be reconvicted than their matched comparison group, who did not take part in a programme. Moreover, 14 per cent of the young offenders and 9 per cent of adult males failed to complete a programme, and a substantial proportion of these dropped out through their own choice (Cann, Falshaw, Nugent and Friendship: 2003: 4).

Due to the substantial numbers of Muslim prisoners, the question of whether cognitive behavioural programmes might be tailored to engage with Muslim offenders more effectively, by incorporating their religious identities, needs to be examined. Although there may be separate and specialist programmes for Black and Asian offenders, this still leaves the faith identities of offenders unacknowledged. There can be a cultural/religious context to offending. For example, research on domestic violence against Black women shows that there is often a specific cultural context to the violence, as in the case, for example, where some men use religion to assert their control over women (Mama, 1996). The pervasiveness of Islamophobia in society also means that Muslim offenders are likely to have experienced prejudice not only on the grounds of their race or ethnicity but also due to their faith identity, and the significance of this is likely to have increased in the aftermath of September 11th. Even when individuals are not particularly observant of their faith, religion can still be linked to culture and how individuals make sense of the world, so that the effectiveness of work with offenders could be enhanced by focusing upon individuals' faith identities. The Home Office should therefore consider developing cognitive programmes that are more inclusive and responsive to Muslim prisoners. It is also important to note

that when monitoring access to, and use of, educational courses in prisons, this is done in terms of offenders' ethnicities and not religious identities, which means that it is hard to know the extent to which Muslim prisoners are, or are not, accessing the available facilities⁴.

Chaplaincy departments are also involved in developing and implementing programmes aimed at trying to rehabilitate prisoners. For example, for Christian prisoners, the Sycamore Tree programme is used, which uses a biblical story to illustrate issues similar to those worked on in cognitive programmes, and is additional to these programmes and only for those who choose to take part. Offenders often use rationalisations in order to help deny or justify their offending activities, and so in relation to Muslim prisoners, by using a Muslim chaplain, this might help to punctuate offenders' rationalisations and to provide offenders with a clear moral framework from which to re-build their lives. Use of religious stories can be made, and the wisdom that they provide can be applied to offenders' everyday lives. In this way, the teachings of Islam can be used to help rehabilitate offenders so that they are less likely to reoffend on release from prison. In a small number of prisons, this is beginning to happen, largely down to the hard work of full-time Muslim chaplains. For example, at one penal establishment, the Muslim Chaplain has designed and implemented a Justice Awareness course. The learning outcomes of this course include the offender understanding victims' feelings, understanding and recognising the effect of his offence, the offender also seeking forgiveness from others and expressing guilt, remorse and regret for his offence. However, the full benefits of this course are yet to be realised as a result of a lack of volunteers to help run it.

Despite the positive work that is being done with Muslim prisoners, and which could significantly be enhanced with proper resourcing, the question remains of what happens to prisoners when they are released into the outside community. Currently, there is little involvement by Muslim organisations in the resettlement of newly released offenders, and this contrasts significantly with the level of help provided by Christian groups, who are involved in providing ex-prisoners with wide-ranging support, including practical help in finding accommodation and work, or providing spiritual assistance where this is asked for. Muslim representative bodies and Islamic theological colleges/bodies should therefore encourage Muslim communities to help rehabilitate Muslim offenders. In one London area, Muslim offenders who are about to be released from prison are nominated a mentor from the

local mosque who will provide practical and spiritual support. Nonetheless, this initiative is only at a developmental stage, and similar initiatives must be replicated around the country for there to be a significant effect. At the same time, those prisoners who convert to Islam whilst inside prison present particular challenges here because they may be of a different ethnicity and cultural background from the Muslim communities in their local areas and so may not necessarily find a sense of belongingness within these communities, which may further compound the difficulties inherent when trying to resettle and support them.

Conclusion

The facilities afforded to Muslim prisoners in British jails have clearly improved significantly over the last few years, in relation to issues such as diet and hygiene matters. Nonetheless, currently, the most pressing issues appear to relate to the rehabilitation of Muslim prisoners, both inside prison and in relation to their resettlement on release. A greater focus upon the faith identities of Muslim prisoners within cognitive behavioural programmes could enhance the effectiveness of these programmes. At the same time, any courses that are run by Muslim chaplains need to be better resourced so as to enable more Muslim prisoners to gain access to, and gain benefit from, these programmes. Muslim community groups must also be encouraged to help resettle offenders, as presently this could be substantially improved.

Notes

- 1 Over 90 per cent of Pakistanis and Bangladeshis in the UK are Muslim, 2001 National Census. Also, 42.5 per cent of Muslims are Pakistanis, and 16.79 per cent of Muslims are Bangladeshis, so that these two ethnic groups make up 59.21 per cent of the Muslim population in England and Wales, 2001 National Census.
- 2 *Family Resources Survey, 2000/2001*, London: Department for Work and Pensions, 2003
- 3 Interview with Salah el-Hassan, General Secretary of the National Council for the Welfare of Muslim Prisoners, April 2004, Birmingham University.
- 4 J. Beckford, Roundtable Discussion of British Muslims and the Criminal Justice System Preliminary Paper, 8 June 2004

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