

Race Equity and the Sentencing Act: A Collective Call for Change

Recommendations for Lord Timpson, Minister for Prisons, Probation and Reducing Reoffending

By and for¹ organisations / collective signatories

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¹ "By and for" refers to services that are designed, led, delivered and governed by the communities they serve. Community members play meaningful roles at every stage, including frontline delivery, decision-making and accountability. This creates culturally concordant services that reflect the lived experiences, values, languages and strengths of the people they support, rather than approaches designed outside the community and adapted later.

PURPOSE AND BACKGROUND

The implementation of the Sentencing Act presents a critical opportunity to reduce the prison population and strengthen confidence in community sentencing. However, without a coherent race equity strategy embedded across HMPPS, there is a significant risk that existing racial disparities will be reinforced rather than reduced.

Racially minoritised people remain disproportionately represented at every stage of the criminal justice system, including sentencing, recall, prison discipline, access to rehabilitative support, and resettlement outcomes as well as in stop and search and arrest data. We welcome Lord Timpson's acknowledgement that racial disparities remain a significant challenge within the criminal justice system and recognise the actions referenced in his response, including:

- the Lammy Review actions through the Race Action Programme (RAP); however, we note that without robust evaluation of whether these actions achieved their intended impact, there is a risk they operate merely as a tick-box exercise. Some recommendations, such as recommendation 34 regarding the sealing of criminal records, remain incomplete.
- the establishment of a permanent HMPPS national race inclusion team; though we question how this operates separately to the disparities unit, what its specific remit is given the lack of a dedicated race equity budget or plan, and what measurable impact it is achieving.
- the introduction of racial disproportionality measures within the Prison Performance Tool;
- The HMPPS Disparities Unit;
- the development of the Probation Equalities Monitoring Tool;
- updated service specifications for future Community Support services intended to better reflect the needs of Black and racially minoritised service users.

These developments provide an important foundation. However, taken together they do not yet amount to a coherent, cross-HMPPS race equity strategy with clear accountability, measurable outcomes, or independent co-produced oversight.

This briefing, developed by a collective of by-and-for and infrastructure organisations, therefore calls for the development of a central, cross-HMPPS Race Equity Strategy covering both adults and children. It is essential that children are considered both as a part of the strategy and separately within it, ensuring their distinct needs are

recognised rather than applying adult solutions to the children's system. This strategy must be co-produced with by-and-for organisations and supported by an independent accountability structure: in the form of a Race Equity Board: with meaningful oversight of implementation across the full sentencing pathway.

WHY A NEW APPROACH IS NEEDED

Furthermore, the increasing use of Artificial Intelligence and digital systems risks embedding current inequalities and biases into the system. Without thorough auditing of current datasets: especially considering historical bias and institutional racism: this will affect everything from predictive policing through to sentencing. We have a unique opportunity to transform our justice system, but it requires a whole-system approach with all stakeholders (including those with lived experience and the third sector) working with the Justice AI Unit and MoJ digital to embed anti-racist practices and ensure procedural justice is established prior to further digitalisation.

Existing approaches have not delivered systemic change

Successive reviews, advisory groups and monitoring initiatives have identified racial disparities across the criminal justice system for decades, yet disproportionality persists. Racially minoritised communities continue to experience:

- disproportionate imprisonment rates;
- unequal access to community sentences;
- poorer rehabilitative outcomes;
- higher rates of breach and recall;
- overuse of disciplinary measures and use of force;
- reduced trust and legitimacy in the system.
- lower likelihood of diversion from the system for racialised children.

While HMPPS has introduced new monitoring arrangements and equality-focused initiatives, current approaches remain largely fragmented and operational in nature. While improved monitoring is welcome, given continued disparities, monitoring alone will not address the structural causes of disproportionality.

Participants in the collective discussion held on 14 May to discuss Lord Timpson's response letter highlighted significant concerns regarding:

- The limited scope of current tools

- Inconsistent implementation across institutions
- Insufficient transparency
- The absence of meaningful co-production with affected communities and frontline organisations

Existing disproportionality measures also focus on limited areas such as use of force, adjudications and incentives, without providing a systemic framework for addressing disparities across sentencing, probation, rehabilitation and resettlement pathways. Nor do they link to wider governmental focus on disparities in education, health or housing for example. The systemic nature of disparities requires a systemic response. In line with the Women's Justice Board recommendations, an anti-racist, intersectional approach should be adopted for all this work to address disparities faced by Black, Asian, minoritised and migrant women, and those with other protected characteristics.

The Sentencing Act's implementation should therefore be monitored across the entire justice pathway, including how reforms affect different racialised communities over time, examining:

- Sentencing decisions;
- Rates of referrals and access to community alternatives;
- Rates of accredited programme access/completion rates/drop-off rates;
- Progress through custody and release under the new Progression Model within the Sentencing Act;
- Rates of breach and recall;
- Commissioning inequities for by-and-for voluntary sector organisations;
- Resettlement outcomes and reoffending rates;

Importantly, Freedom of Information responses referenced during the discussion confirmed that HMPPS currently has:

- no dedicated cross-HMPPS race equity strategy;
- no dedicated race equity budget;
- no overarching implementation plan focused on reducing racial disparities.

This absence of strategic coordination risks repeating previous cycles of limited progress and fragmented interventions.

THE CORE ASK:

A Cross-HMPPS Race Equity Strategy developed through the establishment of a Race Equity Board

We are calling for the Government and HMPPS to establish a clear, cross-system Race Equity Strategy. While this strategy must include and address the implementation of the Sentencing Act, its scope needs to be broader to effectively tackle systemic issues across the entire justice pathway.

The strategy would be driven by the establishment of a Race Equity Board. To avoid repeating the failures of previous advisory structures, the strategy must be accompanied by a dedicated governance and accountability mechanism.

The proposed Board should be:

- Underpinned by a public ministerial commitment from ministers with responsibility for both the adult and youth systems, as was the case with the Women's Justice Board;
- Co-produced with by-and-for organisations, lived experience leaders, frontline delivery organisations, infrastructure bodies and representatives with expertise across adult and youth justice systems;
- Structured to include a dedicated sub-group that focuses on race equity in the youth justice system, mirroring the link between the girls in youth justice advisory board and the women's justice board, but embedding it from the beginning;
- Recruited via a process modelled on the Reducing Reoffending Third Sector Advisory Group, openly recruiting voluntary sector leaders of specialist by-and-for organisations;
- Empowered to scrutinise implementation of the proposed Strategy and other relevant policy implementation, monitor outcomes and advise on ongoing government work to reduce racial disparities across the criminal justice system;
- Focused on measurable change rather than consultation alone, with co-produced deliverables shaping the Board's areas of focus;
- Inclusive of cross-government expertise where relevant and linked to systemic oversight e.g. from DHSC, MHCLG, DfE, DWP.

Learning should be drawn from both previous race equity structures and newer approaches such as the Women's Justice Board, while ensuring race equity work is not diluted, siloed or reduced to narrow operational monitoring.

The Board would dictate the areas of focus in the development of the strategy, drawing on the wider expertise of the voluntary sector. Proposed initial areas of focus should ensure that the strategy:

- spans issues that impact both the adult and youth systems, with a specific section dedicated to the youth system recognising the distinct needs and rights of children;
- addresses disproportionality across the full sentencing pathway;
- includes measurable targets and outcomes;
- contains a funded implementation plan: this should set out how to ensure equitable engagement and appropriate statutory staffing resource;
- includes commissioning reform and investment in by-and-for provision;
- embeds lived experience and frontline expertise throughout;
- includes transparent reporting and independent scrutiny mechanisms.

The strategy should not sit solely within existing equalities teams or isolated monitoring projects. It must instead operate as a central strategic priority across prisons, probation, youth justice, children's services, and rehabilitation policy, and be linked to equity reform in other public sector domains: particularly health & social care, education, housing and economic development. We would therefore welcome further conversation to discuss ensuring cross-government commitment to the proposed program of work.

At the end of this briefing paper, we have set out an indicative roadmap for the implementation of this work.

CONCLUSION

The Sentencing Act cannot achieve its aims fairly or effectively without a coherent race equity strategy embedded across HMPPS and wider justice reform.

This moment presents an opportunity to move towards a reduction in racial disparities at all stages of the criminal justice system: from sentencing to returning to the community. It's an opportunity also for genuine co-production with the voluntary sector working in criminal justice, cementing much needed measurable accountability, and

improving relationships and partnerships with by-and-for organisations and affected communities.

Without this, there is a serious risk that the Sentencing Act will worsen existing racial disproportionality.

Proposed Roadmap: Developing a Cross-HMPPS Race Equity Strategy

01 IMMEDIATE COMMITMENTS

0-3 MONTHS

1. Ministerial Commitment

- Ministry of Justice and HMPPS to publicly commit to developing a cross-HMPPS Race Equity Strategy linked to implementation of the Sentencing Act and wider sentencing reform.
- Reducing racial disproportionality will be defined as a core metric of successful implementation.
- Race equity considerations to be embedded throughout staged implementation of the Sentencing Act during 2026-27.
- A funded implementation plan: this should set out how to ensure equitable engagement and appropriate statutory staffing resource.

2. Establishment of a Co-Produced Race Equity Board

- Establish and agree terms of reference, scope and governance arrangements.
- Embed senior HMPPS representation to support the work of the Board.
- Membership will include by-and-for organisations, infrastructural organisations, lived experience leaders, youth and adult justice representatives, and senior HMPPS leaders.
- This Board will:
 - Build upon existing structures referenced by Lord Timpson, while introducing clearer accountability, strategic coordination and independent scrutiny.
 - Oversee strategy development and delivery.
 - Approve priorities, metrics, and accountability mechanisms.
 - Escalate delivery risks to ministers.

02 DEVELOPING WORK PROGRAM

3-6 MONTHS

3. Consolidate Existing HMPPS Race Equity Activity under remit of Race Equity Board:

Task the Board with undertaking a national review of the race-related activity already referenced by Lord Timpson (including Race Action Programme, the HMPPS national race inclusion team, Prison Performance Tool disproportionality measures, Probation Equalities Monitoring Tool development, equalities impact assessment findings, Community Support service specifications, 'Explain or Change' accountability mechanisms and other race-related reporting mechanisms). This review should produce:

- Single consolidated picture of previously undertaken activity and its impacts.
- Identification of duplication, gaps, and areas where there has been unclear accountability or coordination efforts.
- Recommendations for integration into a single delivery framework that fall within the new Race Equity Strategy.

4. Co-Produced Engagement Process

The review of race-related activity should be underpinned by structured engagement with:

- Voluntary sector practitioners and frontline staff from by-and-for organisations (spanning both youth and adult systems);
- Lived experience practitioners (to be remunerated accordingly);
- Community groups;
- People from racially minoritised communities with lived experience of the Criminal Justice System;
- Families of people in the Criminal Justice System;

Dedicated engagement with:

- Black communities;
- Gypsy, Roma and Traveller communities;

- Muslim communities;
- Children (under 18s) and youth justice organisations.

Co-production should shape both strategy development and subsequent monitoring arrangements from the outset.

Independent scrutiny of whether existing tools adequately monitor disparities across the full sentencing pathway.

5. Baseline Disparities and System Analysis

Building on initial review, undertake a cross-system analysis of racial disproportionality across the sentencing pathway for adults and the youth estate. We note that a significant amount of this data already exists, and this analysis must drive actionable reform rather than merely undertaking further review of the system. The analysis should cover:

- Diversion from the system (particularly critical for children);
- Sentencing decisions;
- Access to community alternatives;
- Prison progression (including monitoring implementation of the Progression Model for adults);
- Rates of accredited programme access/completion rates/drop-off rates;
- Use of force, adjudications and Incentives and Earned Privileges (IEP);
- Rates of breach and recall;
- Commissioning inequities for by-and-for voluntary sector organisations;
- Resettlement outcomes and reoffending rates.

The analysis should:

- identify where disparities are most prominent;
- assess gaps in current monitoring arrangements;
- examine structural barriers affecting by-and-for organisations in supporting individuals from racially minoritised backgrounds;
- establish baseline measures against which future progress can be assessed.

It should incorporate learning from previous reviews and inquiries.

03 STRATEGY DEVELOPMENT AND CO-PRODUCTION

6-9 MONTHS

1. Drafting the Cross-HMPPS Race Equity Strategy

Supported by the initial analysis of the Board, the strategy should include:

- clear objectives and measurable outcomes;
- specific commitments across the adult and youth estates in prison and probation;
- commissioning reform proposals;
- timelines and accountability arrangements;
- integration of existing HMPPS race equality initiatives into a coherent system-wide framework.

The strategy should also clearly set out:

- ministerial responsibilities;
- delivery leads;
- funding arrangements;
- and mechanisms for external scrutiny.

2. Commissioning Reform

- Review procurement and contracting barriers affecting smaller, by-and-for community-led organisations.
- Develop proposals for: targeted investment; partnership requirements; transparency in subcontracting; infrastructure support and capacity building.
- Build on Lord Timpson's reference to future Community Support services by ensuring commissioning structures genuinely enable culturally competent, community-led provision.

04 IMPLEMENTATION AND ACCOUNTABILITY

9-18 MONTHS

1. Publication of Final Strategy and Action Plan

- Publish an implementation plan with: A clear timeline; Clear funding allocations for organisations supporting people from racially minoritised communities; named ministerial/HMPPS leads; measurable targets.
- Ensure alignment with wider government priorities relating to reducing reoffending, community safety, youth justice reform and health inequalities.

2. Independent Monitoring and Public Accountability

- Quarterly reporting to ministers and stakeholders on progress being made on targets.
- Annual public reporting on: disparities data; commissioning diversity; implementation progress; outcomes across the sentencing pathway.
- Formal role for independent and community-led monitoring initiatives.
- Establish mechanisms for ongoing engagement with the Reducing Reoffending Third Sector Advisory Group (RR3) and wider by-and-for sector organisations.

3. Reform of Monitoring Frameworks

- Expand disproportionality monitoring to include: Sentencing decisions; Rates of referrals and access to community alternatives; Rates of accredited programme access/completion rates/drop-off rates; Progress through custody and release under the new Progression Model within the Sentencing Act; Rates of breach and recall; Commissioning inequities for by-and-for voluntary sector organisations; resettlement outcomes and reoffending rates.
- Ensure data is: transparent; disaggregated; intersectional where possible; accessible to the public and external partners, including the voluntary sector working in criminal justice.
- Existing HMPPS monitoring tools should become part of a wider strategic accountability framework rather than operating as standalone initiatives.

05 LONG-TERM SYSTEM CHANGE

18 MONTHS ONWARDS

1. Embedding Race Equity Across HMPPS

Race equity objectives, established within the first 18 months of the race equity strategy will become integrated into:

- Commissioning decisions;
- Workforce performance management;
- Prison and probation inspection frameworks;
- Future and ongoing policy development;
- HMPPS staff leadership expectations.

2. Sustainable Partnership with By-and-For Sector

- Establish a long-term engagement mechanism between HMPPS, MoJ and by-and-for organisations, ensuring that there is regular and sustained communication, collaboration and partnership across all parties.
- Ongoing co-production of policy, implementation and scrutiny.
- Dedicated, ongoing resourcing to support participation of by-and-for organisations and lived experience leaders, building off the learnings from funding and resourcing provisions made to organisations during the third phase.

3. Independent Evaluation

- Commission an independent evaluation of the Sentencing Act's impact on racial disparities within three years.
- Use findings to inform future sentencing and justice reform.
- Ensure evaluation includes community-led evidence and lived experience perspectives alongside official HMPPS data.

WHAT SUCCESS WOULD LOOK LIKE

- A clear and publicly accountable race equity strategy across HMPPS.

- Reduced racial disparities across sentencing, prison and probation outcomes that shows measurable progress against agreed targets.
- Greater trust and legitimacy among affected communities.
- Increased HMPPS involvement with and investment in by-and-for organisations, including additional commissioning opportunities and resourcing.
- Transparent monitoring with meaningful external scrutiny.
- Existing HMPPS race equality initiatives operating within a coherent strategic framework.
- Sentencing reform that reduces both prison numbers and racial disproportionality simultaneously.

Appendix: Co-signatories

This briefing is submitted on behalf of Black Men 4 Change CIC and the following co-signatory organisations (listed in alphabetical order by lead signatory surname):

Name	Position / Organisation
Abdirahim Hassan	Founder & CEO, Coffee Afrique
Ademola Adeyeba	Founder, 1000 Black Boys
Viv Ahmun	Co-founder, Black Men 4 Change CIC
Courtney Brown	Founder & CEO, Father2Father
Deji Adeoshun	Founder, Change In Youth
Dez Brown	CEO, Spark2Life
Gayle Edwards	CoFounder, CIO, Empathy Souls CIC
Jake Ferguson	Founder, Black Men 4 Change CIC
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Jess Mullen	CEO, Alliance for Youth Justice
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Liz Mack	CEO, Advance
Naana Otoo-Oyortey	CEO, FORWARD
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Name	Position / Organisation
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Pratik Doshi & Sobanan Narenthiran	CoFounders, Breakthrough Social Enterprise
Rokaiya Khan	CEO, Together Women
Salma Ullah	Co-founder & CFO, Shewise
Sammy Odoi	CoFounder & Lead Facilitator, Learning and Development Hub & CEO, Wipers CIC
Sarah Mann	CEO, Friends, Families and Travellers
Summer Alston-Smith	CEO, Clinks