

Discrimination in prison

It's against the law for the prison to treat you or your visitors less fairly because of:

- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

There is also a written prison policy which states that prisoners and visitors should not be treated unfairly for the above reasons but also because of age and marriage and civil partnership.

If you are not treated equally or fairly because of any of these things, this is called discrimination.

Everyone in prison should also have equal access to facilities, including jobs, education, library services, exercise and accommodation.

There may be times when a prisoner or a visitor feels they are being discriminated against. Examples include:

- prison staff show they are prejudiced against some prisoners, like black people or Gypsies, either by what they do or what they say. It's against the law for staff and other prisoners to use racist language and they can be disciplined for this
- you are disabled and you are not provided with a suitable wheelchair which means you can't take part in many activities. This is against the law
- you feel you are being victimised because you support another prisoner with his complaint about racial harassment. This is against the law.
- you're on a disciplinary hearing. You can't understand English and the prison won't provide you with an interpreter

What can you do if you're being treated unfairly

If you think that you or your visitors are being treated unfairly, you can talk to a prison officer informally about the problem.

If you are not happy with the outcome, you can use the formal complaints procedure. This procedure is in 3 stages.

You will need to fill out a Discrimination Incident Reporting Form which is available on all wings. A manager will interview you, look into the matter and given you a written response, If you're not happy with the outcome, you can appeal to someone more senior and then to the governor. If you're still not satisfied, you may complain directly to the Prisons and Probation Ombudsman.

Court action

If you are being treated unfairly, you could think about taking court action against the prison. You might get compensation. You need to speak to a specialist adviser about how to do this. Legal aid might be available.

Further help

Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve any sort of problem.

Some Citizens Advice Bureaux run advice sessions in prison. If you're in prison, check if they run these sessions in your prison. If they don't run advice sessions, you could write to them explaining your problem. Ask a member of the prison staff for the address of your local CAB.

If you are not in prison, and you want to find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

Prisoners' Advisory Service

PO Box 46199
London
EC1M 4XA

Tel: 020 7253 3323 / 0845 430 8923, (Monday, Wednesday and Friday
9:30am -1:00pm and 2:00pm - 5:30pm)

Fax: 020 7253 8067

E-mail: advice@prisonersadvice.org.uk

Website: www.prisonersadvice.org.uk

The Prisoners' Advice Service (PAS) provides advice and information to prisoners on their rights as prisoners. PAS does not deal with miscarriages of justice or appeals against conviction or sentence.

Other information on Adviceguide which might help

- Prisoners – making a complaint
- Taking action about sex discrimination
- Discrimination because of religion or belief
- Disability discrimination
- Taking action about race discrimination
- Discrimination because of sexual orientation

This fact sheet is produced by [Citizens Advice](#), an operating name of The National Association of Citizens Advice Bureaux. It is intended to provide general information only and should not be taken as a full statement of the law. The information applies to England and Wales only.

This fact sheet was last updated on 7 December 2011. The content is checked regularly for any changes. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - www.adviceguide.org.uk - where you can download an up-to-date copy.