

UNLOCKING ASPIRATION

Breaking down barriers to work for people leaving prison

May 2023



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About the CSJ

Established in 2004, the Centre for Social Justice (CSJ) is an independent think tank that studies the root causes of Britain's social problems and addresses them by recommending practical, workable policy interventions. The CSJ's vision is to give people in the UK who are experiencing the worst disadvantage and injustice every possible opportunity to reach their full potential.

Since its inception, the CSJ has changed the landscape of our political discourse by putting social justice at the heart of British politics. This has led to a transformation in Government thinking and policy. The majority of the CSJ's work is organised around five 'pathways to poverty', first identified in our ground-breaking 2007 report, Breakthrough Britain. These are: family breakdown; educational failure; worklessness; addiction to drugs and alcohol; and severe personal debt.

Recognising that the poorest and most vulnerable are disproportionately more likely to find themselves in touch with our criminal justice system, the CSJ created a new policy unit for Criminal Justice in 2017. Indeed, when we consider the social characteristics of those passing through our criminal justice system against those of the general population, the levels of disadvantage and trauma are stark. It is also the case that our most vulnerable members of society are often most susceptible to the impact of crime.

The CSJ delivers empirical, practical, fully funded policy solutions to address the scale of the social justice problems facing the UK. Our research is informed by expert working groups comprising prominent academics, practitioners and policy-makers. Furthermore, the CSJ Alliance is a unique group of charities, social enterprises and other grassroots organisations that have a proven track record of reversing social breakdown across the UK.

The 18 years since the CSJ was founded has brought with it much success. But the social justice challenges facing Britain remain as pressing as ever. In 2023 and beyond, we will continue to advance the cause of social justice in this nation.

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Disclaimer: please note that the views, findings and recommendations presented in this report are those of the CSJ alone. Any errors remain the authors.

Foreword

We are the sum of our experiences, so the saying goes. I have made mistakes, the most drastic placing me behind bars for a year of my life. The alien world of His Majesty's Prison Service has played a significant part defining who I am. For experiences, good, bad or some other descriptor, shape who we are; and few experiences are more profound than prison.

This paper seeks to better harness the experience of imprisonment; to ensure we do not squander this intervention, the chance to rebuild, and to embed practices capable of lifting people into meaningful work when they return home.

Prison is about punishment. There is no questioning the importance and priority of deterring crime and demanding retribution for failure to abide by our laws. But prison can, concurrently, be about opportunity and delivering a platform for people to re-join productive society.

My time in custody taught me many lessons. Shockingly, few of these lessons added any educational value or developed any workplace skills. What I did learn were the very real barriers facing offenders, be that in custody or through the gate, and I witnessed the wasted opportunities for individuals, and for society. Time is a rare commodity, but one abundant behind bars. A golden chance for intervention, for laying the foundations on which lives can be rebuilt, and for breaking not just the cycle of crime, but the trap of poverty, and for moving people away from state dependency.

My journey exposed me to a world I never imagined to experience. A world of not just suppressed liberties, but of suppressed prospects and suffocated aspiration. The social divide exposed; clear and ugly. A cohort of people forgotten, downtrodden, and handcuffed not just by their incarceration but by our failure to give meaningful direction at a time when it is needed most, time otherwise wasted.

I recall the conversations; the dull eyes resigned to a lifetime of stigma and social failure, the despondent laughter for audacious comments that meaningful work may be possible, the self-fulfilling prophecies that we are outcasts. The knowledge of defeat, that society demands work, but despite every ounce of willingness; qualification, skills, stigma and prejudice present another fence, for many too high to climb alone. The desperation of a stranger asking you to explain vital letters, on which their life depends, because they cannot read. These eyes are haunting.

Yet they need not be. I reflect fondly on many conversations with inmates. Taking the time to discover the person, extracting their passion and provoking their ambition and self-belief. If you try you will find a glint, a spark to be rekindled. Often, in these eyes you find a person eager to engage, determined to rebuild, desperate and grateful for this chance. I have seen it. Yet we cannot expect this without giving platforms for people to learn, to grow, to develop new skills.

The challenges are many, the violence, the drugs, the endless bureaucracy very real. How can we expect educational engagement when classrooms are a volatile jungle, a holding pen of chaotic behaviour and disruption? How can we expect qualification without support and consideration of complex needs? How can we expect employers to grant chances when we do not equip people for the task?

Make no mistake, this paper is not just about the prisoner, nor the prison. This is about our society and building stronger communities. This is about our economy and turning the unproductive into the productive. This is about public spending and how we can turn value extraction into value adding activity. If work is the best way to break cycles of offending, if work is the best way out of poverty, should we not encourage this?

We have over a million vacancies in the UK economy and severe labour shortages. We have near 50,000 people leaving prison every year, three quarters of whom are out of work 6 months later. Should we not do our very best to create experiences which unite the two?

This paper shines the light on how potential can be unlocked.

I emerged a year older but with no further skills, no further education, no tangible work prospects. Wiser, resilient, eager and driven perhaps, a year lost nonetheless. However, I am one of the fortunate few, rich having won life's lottery, able to fall back on my safety net of a loving family, of a good education, of experience and of a mentality to keep pushing forward.

What of those who do not have this privilege? What of those who do not have this support?

This paper is about harnessing experiences for those who need it most, catalysing the right experiences for people to rebuild and redefine themselves. This takes time and patience; increasingly delivered by frontline charities, shining examples of best practice. To these unsung heroes, working tirelessly against the odds, we must listen.

My experience has steered my life in new directions. To be part of the Centre for Social Justice is one of absolute pride. To confront difficult questions provides a reminder that we can do better. On behalf of the people I met on my journey, in prison and beyond, many answers are penned over the coming pages.

Writing this foreword has not been easy, but it is a comfort that somehow my darkest days may in some small way help encourage brighter futures.

On reflection, my experience equips me to pose a challenge; we should harness prison as not just a place of punishment, but a platform for potential. We are the sum of our experiences; prison should be one of progress.



Mark Libby

Regional Manager (North East)

Foreword

There are over 80,000 offenders in our prisons. Detaining people in custody is first and foremost about public protection, but the reality is that most prisoners will be released at some point.

As Prisons and Probation Minister my job is to make sure we divert them into law-abiding lives and research shows that finding jobs makes prison leavers up to nine percentage points less likely to reoffend. It also means they can provide for themselves and their families, so that they are less reliant on the state for benefits.

The Ministry of Justice has been focusing relentlessly on breaking down the barriers to offender employment, including substance misuse problems, lack of training or work experience, housing and accommodation issues, and the stigma around recruiting ex-offenders.

In fact, we've reached many of the milestones set out in our Prisons Strategy White Paper ahead of schedule. The recruitment of Prison Employment Leads in 92 prisons, including all resettlement prisons, means prisoners have end-to-end support to get the skills they need to find work and the support to apply for appropriate roles. We've also stood up all but one of our 92 planned prison Employment Hubs, where prisoners can access job vacancies and get help with researching and writing applications.

Our Employment Advisory Boards, chaired by business leaders, act as a link with local employers to make sure skills training matches the needs of local businesses – giving prisoners a better chance to find work and supporting local economies. In the same vein, we've launched the Employability Innovation Fund, enabling Governors to work with more employers and training providers to deliver sector specific skills.

Finally, by recruiting 92 ID and Banking Administrators, we're determined to ensure that prisoners leave custody with the basics required to find work, accommodation, benefits – everything required to start a successful life beyond the prison gates – and we are continuing to work closely with the Department for Work and Pensions to ensure the whole Government is focused on making further progress.

As a result of all this work, we are starting to turn the tide, with strong progress on the proportion of offenders in work within six months of release – but we are, of course, restless to go further.

I'm grateful to the Centre for Social Justice for making the case in this report for increasing offender employment and how to do it. While we cannot necessarily take up every recommendation, it is clear that we are in broad agreement about where we to focus our efforts – on order in prisons, support for drug misuse, and digital technology and training.

In fact, we are already delivering many of the recommendations.

For example, we've already invested £100m in prison security, delivering 75 X-ray body scanners, enhanced Gate Security at 42 high-risk prisons and deploying 659 searching staff, 154 drug dogs and over 200 pieces of equipment – to make sure there are fewer drugs and weapons in our prisons, which disrupt regimes and hinder rehabilitation.

We are making headway right across areas highlighted by the report. We are ensuring all prisoners can access high-quality substance misuse treatment and environments that support abstinence and recovery – including rolling out up to 18 new, abstinence-only Drug Recovery Wings and doubling the number of Incentivised Substance Free Living units from 25 last summer to over 50 now, with a target to reach 100 by March 2025.

We are rolling out secure in-cell technology and education laptops across the estate so that more prisoners can access training and educational content. At the same time, we are delivering on our manifesto commitment to establish a Prisoner Education Service focused on giving prisoners the literacy, numeracy and vocational skills they need to get employment or further training on release. Finally, we are changing the law to allow prisoners to begin apprenticeships whilst serving their sentences – giving them the best chance possible to start their journey into a trade or profession.

There are over a million vacancies in the UK at the time of writing. So, there has never been a better opportunity for businesses to unlock the potential in our prisons and join the 90 per cent of businesses who say the prison-leavers they employ are good attenders, motivated and trustworthy.¹ It comes as no surprise to me that they are great employees – because the vast majority of offenders I meet on my prison visits across the country just want a second chance in life.

The reality is that most of them will leave prison at some point so unlocking aspiration and getting more prisoners into work really is a win-win – it will cut crime by reducing reoffending and grow our economy to the benefit of us all.



Rt Hon Damian Hinds MP

Minister of State for Prisons, Parole and Probation

¹ Figures are from Kantar Public commissioned by the Ministry of Justice. Total sample size 114 businesses that employ ex-offenders. Fieldwork undertaken between 18-24 March 2022. Online self-completion survey.

Executive summary

Out of sight: the forgotten workforce

Britain's economy is clamouring for workers. So much so that the Government dubbed the main fiscal event of 2023 its "back to work Budget", introducing a new Universal Support scheme to help tens of thousands more disadvantaged people into the workforce.² Labour has pledged to "get Britain working again".³

But despite the strength of feeling across all main parties that we need to do more to increase the vitality of the UK labour market, one group remains curiously absent from the discussion.

That is the 85,000 men and women currently serving time in our prison estate,⁴ of whom around 47,000 re-enter the community every year.⁵ This report is focused on realising the potential of this often written off group of people.

First and foremost a custodial sentence and the deprivation of liberty should serve as a punishment for, and deterrent to, committing crime. But prison time must also be used as an opportunity to ensure that the cycle of offending is broken, and that more would-be victims are protected from the immense harm of crime.

There is a compelling body of domestic and international evidence showing that work is a route out of crime as well as a route out of poverty. A major Government study found that being in work has a statistically significant effect on reducing reoffending rates, replicated in more recent longitudinal research undertaken across the EU and US.⁶ Earlier analysis suggests a job cuts the risk of reoffending by between a third and a half.⁷

With the cost of reoffending alone estimated by the Ministry of Justice to reach some £18bn every year, the net result of rehabilitation is not only huge savings for the taxpayer, but safer communities for everyone to enjoy.

2 Universal Support was a longstanding recommendation of the CSJ, see CSJ, *Feeling the Benefit*, 2022

3 Jonathan Ashworth MP speech at the Centre for Social Justice, Jan 2023.

4 Ministry of Justice, *Prison population figures: Population Bulletin: Weekly March 2023*.

5 MoJ figures show 60,000 releases per annum on average since 2017.

6 Ministry of Justice, *Analysis of the impact of employment on re-offending following release from custody, using Propensity Score Matching*, 2013. This found that: '100 days after release from prison, nine per cent of offenders who have a P45 employment spell after release have re-offended; compared to 18 per cent of the matched comparison group'. Offenders going into jobs were therefore twice as likely to stay out of trouble as those who did not; Anke Ramakers et al, 2016. Not just any job will do: A study on employment characteristics and recidivism risks after release ; Nally JM, Lockwood S, Ho T, Knutson K (2014) Post-Release Recidivism and Employment among Different Types of Released Offenders: A 5-Year follow-up Study in the United States. *International Journal of Criminal Justice Sciences* 9(1): 16–34.

7 Centre for Regional Economic and Social Research. *Reducing re-offending: The enterprise option*, 2004

The Government has shown a keen recognition of the importance of employment in the rehabilitative process, a welcome development, having recently achieved their target to establish Employment Advisory Boards across all 92 resettlement prisons by spring of 2023.⁸ Ministers have also changed the law to make apprenticeships more accessible for people in prison who are nearing the end of their sentences to gain the skills they need to secure work on their release.⁹

This work is having an impact, helping the number of prison leavers in employment six weeks after they left custody to rise by more than half between April 2021 and March 2022 – that is, from 10 to 16 per cent. Those employed sixth months post-release rose 14 to 23 per cent in the same period.

But we must urgently raise our ambition. It remains that only around a quarter had a job six months after stepping out of the prison gates.¹⁰ Surely we can go further and faster. The failure to unlock the potential of this forgotten workforce is holding back economic growth but much worse, it is leaving people in a devastating spiral of poverty and crime.

Unlocking aspiration in our prison estate

The CSJ has long argued that we need to restore control, order and hope to our prisons.¹¹ Helping prison governors to restore the foundations of control and order must remain a priority for the Government in the years to come – that includes redoubling existing efforts to tackle drug use, improve safety and staffing levels.

But that should not mean lowering our expectations about the need to lay down positive pathways for prisoners to move out of crime. And breaking down barriers to work should be at the heart of this.

In this report we make 37 recommendations based on in-depth evidence gathered through an online call for evidence, multiple site-visits, opinion polling, interviews and group discussions with organisations working across the criminal justice system nationally to help people into work. We highlight the key recommendations below, which span the time spent in prison, the key moment of transition, as well as the importance of laying the foundations which sustain employment over the longer term.

Preparing for employment in prison

- **Ensuring prison education caters for diverse needs**

The MoJ should ensure that new prison education contracts account for the diverse educational needs of prisoners including low levels of basic skills and confidence. Every prison should be equipped with a Special Educational Needs Coordinator, improving both the data collection and support for prisoners with learning difficulties. The Government should commit to a ten year prison education budget to enable greater certainty and planning.

8 Ministry of Justice, Thousands of offenders in work as UK businesses help break cycle of crime, 2022

9 Ministry of Justice, How we will reduce crime by supporting people to get jobs after prison through apprenticeships, 2022

10 MoJ, 12 May 2022, Employment on Release statistical release to March 2022 [Accessed via: [Gov.UK](https://www.gov.uk), Prison Releases: October to December 2020

11 CSJ, Control, Order, Hope, 2019

- **Rolling out digital technology across the estate**

Technology has the potential to revolutionise education in prison. And yet our prisons are almost entirely offline despite advances in restricted access technology. The MoJ should accelerate the installation of both hardware and software to support highly restricted access broadband throughout the prison estate to enable additional learning to take place, as far as is possible prioritising prison security.

- **Raising aspiration for prisoners**

Prisoners should be given new permissions to complete vocational qualifications which are recognised by employers in the community experiencing labour shortages (including CSCS and CPCS cards, PTS qualifications, DVLA and HGV licences). The Government should amend the Student Support Regulations for England and Wales to extend student loan eligibility so that people in prison with more than six years left on their sentence until their earliest release date can complete degrees in prison.

- **Restoring control and order to the estate**

Our research confirmed that educational and employment outcomes are fundamentally compromised by a lack of safety in prison. The MoJ should review the pathways into education to prioritise those who want to learn, combat widespread disruptive behaviour in educational sessions, and bolster the clampdown on drugs in the estate, which prevent any hope of positive educational engagement.

Enabling a successful transition into work

- **Ensuring ‘through the gate’ services support the transition into work**

The Government should review the implementation of the Offender Management in Custody (OMiC) model that is designed to provide continuity of support for individuals through the sentence and into release, and take urgent action to address staff shortages in probation, which is undermining the model. It should reaffirm earlier commitments by increasing funding for ‘through the gate’ employment services, proven to effectively sustain job outcomes, making more of the best charities and social enterprises (see below ‘employment support in the community’).

- **Increasing exposure to work**

While Release on Temporary License (ROTL) will never be appropriate for many prisoners, there is evidence to suggest that it is being underused to rehabilitate those who are ambitious to re-enter the workplace despite considerably reducing the reoffending rate. The Ministry of Justice should examine how greater use could be made of ROTL for work placements, apprenticeships and other work-related activity for appropriate candidates.

- **Improving employment outcomes data tracking**

A range of welcome initiatives have been introduced to link individuals in the prison estate with job opportunities ahead of release, including Employment Advisory Boards, Employment Hubs and ‘Unlock’ events. The MoJ should introduce better data capture and disaggregation to track the effectiveness of different New Futures Network initiatives and spread good practice.

- **Building stronger relationships with transformative local charities**

During the course of this research we were struck by the appetite of local charities to do more to help prisoners make the transition into work and sustain employment outcomes. The MoJ should introduce a framework whereby Prison Employment Leads are expected to host regular monthly meetings with community organisations and build closer working relationships. All Employment Advisory Boards should be required to include a third sector or social enterprise Employability Partner with a track record of placing ex-offenders into paid work (as distinct from training or volunteering opportunities, given the stated employment purpose of the Boards).

Sustaining meaningful work in the community

- **Scaling up post-release employment support in the community**

Key to sustaining employment outcomes is post-release support work in the community, where we have seen impressive examples of third sector organisations resolving the many challenges prisoner leavers face stepping, as some do for the first time, into the workplace. The MoJ should reallocate a portion of the reducing reoffending funding pot, which is almost entirely committed to pre-release employability initiatives at present, and make this available to community organisations providing the wrap-around support, mentoring and employer mediation proven to sustain employment outcomes.

- **Getting appropriate accommodation place**

The MoJ should review the processes currently in place for evaluating the post-release accommodation status for prisoners, renewing efforts to identify those to be released without a home, and connecting individuals with relevant local services and third-sector organisations well ahead of release. Government should match-fund a pilot for a prison-leaver Housing First scheme, providing wraparound support for – initially – highly vulnerable women leaving the estate. Offender Accommodation Pilots are welcome, but the Government must now incorporate this into a wider strategy for longer-term accommodation outcomes.

- **Getting appropriate benefits in place**

Despite work coaches being based in every prison, we heard evidence of many prison leavers exiting the estate without appropriate financial support. The MoJ has limited data to ascertain how quickly prison leavers are receiving benefits nor why certain prison leavers do apply for benefits. The Department for Work and Pensions should allow prisoners who are reliant on Universal Credit to submit their claim and advance application five weeks before their pre-approved release date so they can receive their first payment on the day of their release.

- **Getting appropriate substance misuse and addiction support in place**

Ongoing addiction issues serve as a major barrier for some to engage in employment post-release. The MoJ should establish a new target for all prisoners with ongoing substance misuse needs to be offered a community treatment appointment within a week of their release. All prison leavers that do not attend their first community treatment appointment should be contacted within 24 hours of their missed appointment to understand why this was the case, and offered a new one.

- **Supporting employers to take on prison leavers**

Polling for the CSJ shows that 85 per cent of adults agree that prison leavers should be given an opportunity to get a job once released from custody, while over three quarters of adults would be comfortable working alongside an individual with a criminal record if they were qualified and had passed relevant safeguarding checks. The Government should create new statutory guidance for working with people with criminal convictions, developing this with successful private and voluntary sector organisations, like the Timpson Foundation, with longstanding experience hiring and supporting prison leavers into work. The Government should seek to amend the Rehabilitation of Offenders Act 1974 (ROA) and the Prisoners (Disclosure of Information About Victims) Act 2020 in line with the #FairChecks campaign to reduce the stigma prison leavers face when disclosing criminal records.

The challenge to unlock both aspiration and opportunities for prisoners should not be underestimated. Yet the demand – to protect more victims from the cycle of reoffending, improve the health of our labour market, and transform the prospects of prison leavers – could not be more obvious. Taken together, we believe our recommendations represent a major step forward. Because while the need to restore control and order in our prisons remains an urgent priority, the power of these measures is that they are focused on restoring something altogether more profound. Hope.

Introduction

People in prison are diverse. They have different skillsets, interests and experiences. While some may enter custody unable to read or write, others may have had lengthy careers in sectors such as finance, construction or hospitality. Despite this, there is a common thread that ties these individuals together – they are all likely to face significant barriers to work on release from prison.

Data from the Ministry of Justice shows that 16 per cent of prison leavers released between April 2021 and March 2022 were in employment six weeks after they left custody, while 23 per cent had a job six months after they left the prison gate.¹² This equates to 504 and 581 prison leavers with jobs at six-weeks and six-months post-release. While these numbers have improved, there is clearly much more we can do.

So how do we improve employment outcomes for people leaving prison? Access to high-quality, tailored education and training, work experience and through the gate support services must form part of the solution. Yet there are significant challenges associated with providing individualised services to a large cohort of people with varied needs.

Indeed, the challenges prisoners often face obtaining work on release is compounded by the fact that the prison population is disproportionately made up of those who did not gain qualifications from school or who have special educational needs. Of all adult prisoners, 42 per cent reported having been permanently excluded from school, and nearly one third of prisoners self-identified on initial assessment as having a learning difficulty and/ or disability.¹³ Half of prisoners in custody have the literacy and numeracy skills expected of an 11-year-old child.¹⁴

This bleak picture has only been exacerbated by the pandemic. Restrictions designed to control the spread of Covid-19 meant that prisoners were forced to spend up to 23 hours a day in their cells whilst nearly all teaching, training and work-related activity was suspended. Consequently, many of those who are furthest from the labour market will have left custody without receiving any education or employment support.

But there is cause for optimism. ONS data shows that there are a record number of job vacancies in the UK, especially in sectors such as hospitality where employers are keen to recruit additional staff. And a new ambitious relationship between the public and private sector in recent years has seen innovative new initiatives such as the Employment Advisory

12 MoJ, 12 May 2022, Employment on Release statistical release to March 2022 [Accessed via: [Gov.UK](https://gov.uk), Prison Releases: October to December 2020 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/981211/Releases_Q4_2020.ods]

N.b. Of the cohort released between April 2021 and March 2022, 504 were employed six-weeks post-release while 581 people were employed six months post-release.

13 Dame Sally Coates, Unlocking Potential: A review of education in prison, 2016. Page iii

14 The Centre for Social Justice, The Long Game: How to reboot skills training for disadvantaged adults, June 2020. Page 17

Boards, the brainchild of James Timpson, established in each of the resettlement prisons across the country. The Government has committed to changing the law to allow prisoners at open prisons across England to apply for apprenticeships so they can 'earn while they learn' and directly access employment in the community.

However, despite this good practice, the systemic challenges which have long dogged our prison and probation systems remain. Overcrowding, staff shortages, a proliferation of drugs, and a lack of access to digital technology, are just a few of the challenges facing prisoners seeking to engage in work-related activity and education during their sentence. While a lack of person-centred, through the gate support means individuals continually fall through the gaps in those critical days before and after release. Once in the community, an overwhelmed probation service, a lack of ongoing employment support, poor housing for prison leavers (if any), a dearth of treatment for substance misuse and poor mental health, makes work difficult to find, let alone sustain.

But there is now a golden opportunity to level up the education, training and work offer that people in prison can access during their sentence and post-release. However, if this is to happen, structural change is needed to enable person-centered provision that will cater for the needs of all prisoners. While the scale and complexity of this challenge should not be underestimated, the public, employers and the Government all recognise the importance of getting this right and prison leavers and wider society has so much to gain if we do.

chapter one

Preparation for employment in the prison estate

Introduction

A custodial sentence, as well as a punishment, should be an opportunity for reform and rehabilitation. From the first day of someone's sentence, the prison should be focused on equipping and preparing an individual for life on release. Education, training, and work-related activity are all an essential part of this. If delivered properly, rehabilitative activity has the potential to raise ambition, build resilience, unlock employment opportunities, and transform the lives of prison leavers when they return to the community.

There is broad consensus that learning should be at the 'heart of the prison regime' and the Government has long recognised that education is a key tool to reduce reoffending.¹⁵ However, as it currently stands prison education is in a very poor state.¹⁶ Too many individuals leave prison still unable to read and write, despite having spent years in the system, while others have not been given the vocational training they need to access work on release.

We recognise that delivering education provision in custody is no small feat. Many people in prison do not have a basic grasp of English and Maths and, due to previous negative experiences, are reluctant to engage in education. At the same time, operational challenges, such as poor retention of prison staff, overcrowded prisons and the prevalence of drugs and violence, make it more difficult to provide meaningful opportunities to learn. In the Prisons Strategy White Paper, the Government has outlined its commitment to a new Prisoner Education Service with a focus on improving the numeracy and literacy of all prisoners and investing in vocational training and qualifications to improve their prospects of finding and sustaining work upon release.¹⁷ The focus on education is encouraging. But it is essential that the proposed new service ensures prison education delivers for all and the opportunity for reform is fully realised.

15 Ministry of Justice, 2016. "Unlocking Potential: A Review of Education In Prisons" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf]

16 Ofsted, 2021. "Launching our Prison Education Review" [Available at: www.gov.uk/government/speeches/launching-our-prison-education-review]

17 Ministry of Justice, 2021. "Prisons' Strategy White Paper" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf]

Education in the prison estate

what are the challenges associated with providing prison education?

The size and diversity of the prison population makes it challenging for education providers to cater for the learning needs of every person in custody. Whereas some individuals enter the prison estate with degrees, others are unable to read and write. Indeed, The Prisoner Learning Alliance reports that nearly half (47 per cent) of all prisoners arrive in prison without any formal qualifications.¹⁸ This comes as little surprise given that many prisoners have had prior negative experiences of education: Ministry of Justice data reveals that 59 per cent of prisoners regularly truanted from school, 63 per cent were suspended or temporarily excluded and 42 per cent had been permanently excluded or expelled.¹⁹

Poor experiences of education means that a significant number of people in prison are reluctant to engage. While education is not compulsory, it is strongly encouraged. To incentivise attendance, some regimes require prisoners to have achieved Level 1 'functional skills' qualifications in English and Maths before they can work in the estate. This strategy mirrors the basic academic standards required in the community for most forms of employment. It may also incentivise people in prison to engage in learning so they can get a job, as although prisoners are remunerated for attending education, the rate of pay for work, such as cooking, is often higher.²⁰ Despite incentives, the number of people registering for courses has declined over the last 6 years, from 101,600 in 2014/15 to 67,663 in 2019/20.^{21,22} It should also be noted that little has been made in the way of progress due to the impact of the pandemic on classroom activity which has been slow to recover and is still consistently lower than pre-pandemic levels.²³

Where incentives are not in place for prison education, or where education requirements for work do not exist, prisoners are less likely to engage despite the longer-term benefits. Many prisoners, especially those from lower income backgrounds, depend upon prison work for basic essentials such as phone credit. Comparatively lower remuneration for attending classes disincentivises education because of the profound opportunity cost. This cost is often greatest for those without basic numeracy and literacy skills. The cohort who would benefit the most from education are usually those most dependent on maximising prison-based income because they lack access to external resources.

18 Education Committee, 2020. "Written Evidence Submitted by Prisoner Learning Alliance (PLA)" [Available at: committees.parliament.uk/writtenevidence/9597/html]

19 Ministry of Justice, 2012. "Prisoners' Childhood and Family Backgrounds" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/278837/prisoners-childhood-family-backgrounds.pdf]

20 Ofsted, HMIP, 2022. "Prison Education: a Review of Reading Education in Prisons" [Available at: www.gov.uk/government/publications/prison-education-a-review-of-reading-education-in-prisons/prison-education-a-review-of-reading-education-in-prisons]

N.b. Some forms of employment in prison require prisoners to have level 1 qualifications in English and Maths.

21 Ministry of Justice, 2016. "Unlocking Potential: A Review of Education In Prisons" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf]

Ofsted, 2021. "Launching our Prison Education Review" [Available at: www.gov.uk/government/speeches/launching-our-prison-education-review]

22 Ministry of Justice, 2021. "Official Statistics Bulletin: Prison Education Statistics April 2019 to March 2020" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1008850/Prisoner_Education_2019_20.pdf]

23 Ofsted, 2022. "Education Recovery in Prisons" [Available at: www.gov.uk/government/publications/education-recovery-in-prisons/education-recovery-in-prisons]

With other prison-based roles carrying higher incentives, education is often perceived as the “bottom rung” inside the prison estate. Maths, English and other classes are regularly the default location for new prisoners, or prisoners unable to obtain or retain work elsewhere in the prison. A review of the incentives regime for education in prison is overdue; opportunities elsewhere within the prison should not lure prisoners away from gaining long-term skills to re-engage with society on release.

We have heard evidence suggests that, as well as holding the stigma of a “place to escape from”, classrooms are often full of people disinterested in learning, attending only to be out of their cell or waiting for a “better” opportunity to emerge. The environment can be chaotic, disruptive, and with a high turnover of prisoners.

“I would sit in the classroom corner with my textbook reading the same sentence over and over again, unable to get the words to go into my head. Everyone would be shouting, things would be thrown across the room, and the acrid smell of spice wafted over regularly. People I had never seen before would come and go, bursting through the door. It was crazy and out of control. There was no way I could learn in that room.”

Former Prisoner at HMP Northumberland

The learning environment is one of utmost importance. We recognise this in our school system, with a range of structures in place to ensure that classrooms are positive environments. However, within the prison estate classrooms are a mismatch of not just ability, which to some extent is unavoidable, but also of people willing to be there for the intended purpose.

One of the core problems is that educational classes are often the default location for new prisoners. Similarly, enrolling in education has the lowest barrier to entry, if any. Educational outcomes can be hindered by placing people who don’t want to learn in the same small group as those who do. We cannot expect prisoners to engage with learning if the environment is poor, especially those with more advanced difficulties.

Recommendation 1

The Ministry of Justice should develop a more robust process for recruiting prisoners into educational pathways. Prisons should prioritise supporting those who want to learn, ensuring that they have access to a suitable environment undisturbed by individuals attending sessions without any intention to engage in education.

What is the role of prison education?

Education has value in and of itself. People in prison, perhaps more than any other cohort, need to access the benefits that education can bring, such as improved confidence, ambition, mental health, behaviour and employability.²⁴

As outlined in the Prisons Strategy White Paper, prison education should also ensure that every individual has the 'core skills needed for modern workplaces'.²⁵ While what is achievable in practice varies depending on the skillset and aims of individual learners, delivering a curriculum that boosts employability and helps individuals achieve their career goals must be a priority. Ministry of Justice research found that those who had participated in education whilst in prison were 7.5 percentage points less likely to reoffend within 12 months of release compared to those who had not completed any learning.²⁶ Greater access to education can also serve to improve the prison environment and culture. By giving people in prison a sense of purpose and achievement, it can improve the mental health and wellbeing of prisoners and increase the chances of prisoners taking up roles across the prison estate. In doing so, it can serve to make prisons easier to run. A respected environment, prisoner engagement, and communication of longer-term benefits are necessary pre-requisites to achieving positive outcomes from education.

What is the current provision of education in prison like?

People in prison are 'some of the most educationally disadvantaged in society'²⁷ and yet the quality of education across the prison estate is low.²⁸ Alarmingly, there has been little progress since Dame Sally Coates published her independent review of education in prisons in 2016, which found that there were isolated pockets of good practice, but the majority of prisoners were not accessing holistic education which equipped them to enter the workforce. Coates recommended that education should be at the heart of the prison system and yet in the 2019/20 academic year, HMIP published 32 reports on adult prisons: 0 were rated outstanding, 9 were good, 19 required improvement and 4 were deemed inadequate.²⁹

There are a great number of barriers to learning across the prison estate: some are specific to the cohort of individuals the prison education system is trying to serve, and a considerable number are structural.

24 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

25 Ministry of Justice, 2022. "Prisons Strategy White Paper: Response to Consultation Questions" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1082220/prisons-strategy-white-paper-govt-response.pdf]

26 HMPPS, 2018. "Evaluation of Prisoner Learning" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/708156/evaluation-of-prisoner-learning-initial-impacts-report.pdf]

27 Ofsted, 2021. "Ofsted and HMI Prisons say it is time to give prison education 'the attention it deserves'" [Available at: www.gov.uk/government/news/ofsted-and-hmi-prisons-say-it-is-time-to-give-prison-education-the-attention-it-deserves]

28 Ofsted, 2021. "Launching our Prison Education Review" [Available at: www.gov.uk/government/speeches/launching-our-prison-education-review]

29 Education Committee, 2021. "Written evidence submitted by Ofsted and HM Inspectorate of Prisons" [Available at: committees.parliament.uk/writtenevidence/21869/pdf]

Individual barriers to engagement

Low levels of literacy and numeracy

A disproportionate number of people in prison have low levels of proficiency in English and Mathematics. Ministry of Justice data shows that 57 per cent and 61 per cent of adult prisoners in England who took an initial assessment before starting an education course had literacy and numeracy skills below that expected of an 11-year-old.^{30,31} People who struggle with reading, writing and mathematics will likely face additional barriers at every stage of life. A 2022 CSJ report into financial education found that an individual's literacy and numeracy levels underpin their capacity to make sound financial decisions and manage their money.³² A basic grasp of mathematics is also fundamental for 'most forms of employment'.³³ Without literacy skills, individuals in the UK are more likely to be unemployed or experience poverty than any other OECD or European country respectively.³⁴ Too many adults continue to lack the basic skills that underpin financial capability. Around nine million working-age adults in England have low literacy or numeracy, with five million lacking both.³⁵

Every person who enters the prison system must undergo an initial assessment to ascertain their functional skill level, so that the prison's education department can allocate them to a suitable course.³⁶ However, many prisoners are unwilling or unable to take these tests, due to stigma and the simple fact that someone who is illiterate will struggle to read a written paper document which is designed to assess their literacy.

Furthermore, we received evidence that the structure of education contracts under the prison education framework incentivises providers to ensure prisoners gain Level 1 qualifications (equivalent to a GCSE grade 3 or below). However, a 2022 review highlighted that these qualifications are too advanced for up to 50 per cent of the prison population.³⁷ Subsequently, prisoners who cannot read or write with confidence are often unable to access mainstream education provision in the prison estate.

It is important to recognise the vital role that voluntary sector organisations such as the Shannon Trust, which operates a successful peer-mentor reading programme, play in filling this gap. An overreliance on the initial assessment as a way to identify prisoners' learning ability runs the risk of alienating a large cohort of individuals, thereby preventing them from engaging in education as a result of stigma and the presumption in the assessment process of a basic reading ability. By building relationships with prisoners through peer-led mentorship, the Shannon Trust are able to cut through the stigma many feel in this process and ensure those with low levels of literacy and numeracy who would benefit the most from

30 Ministry of Justice, 2021. "Official Statistics Bulletin: Prison Education Statistics April 2019 to March 2020" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1008850/Prisoner_Education_2019_20.pdf]

31 N.b. Prisoners who wish to undertake education must complete an initial assessment in English and/or Mathematics before they start so they can be assigned to the correct standard of course.

32 The Centre for Social Justice, 2022. "On the Money: A Roadmap for Lifelong Financial Learning" [Available at: www.centreforsocialjustice.org.uk/wp-content/uploads/2022/06/CSJ-The_financial_education_initiative.pdf]

33 Gov.uk, 2022. National Curriculum,

34 Hopkins, T. and Kendall, A., 2017. "Turning Pages, Changing Lives: An Evaluation of the Shannon Trust Reading Programme, Turning Pages" [Available at: www.open-access.bcu.ac.uk/3809/1/report/]

35 Learning & Work Institute, 2021. "Getting the Basics Right: the Case for Action on Adult Basic Skills" [Available at: learningandwork.org.uk/resources/research-and-reports/skills-for-life-alliance/].

36 Ofsted, HMIP, 2022. "Prison Education: a Review of Reading Education in Prisons" [Available at: www.gov.uk/government/publications/prison-education-a-review-of-reading-education-in-prisons/prison-education-a-review-of-reading-education-in-prisons]

37 Ibid

prison education do not fall through the cracks. However, at present the Shannon Trust’s literacy programme, for example, is not integrated with the core English curriculum at any level. This has resulted in a lack of coordination between teaching staff and Shannon Trust mentors. This is despite the fact that the Shannon Trust is the primary means of individuals in prison learning to read.³⁸

Given how important literacy and numeracy skills are for navigating everyday life and finding a job upon release, it is essential that these fundamental skills are given ‘sufficient priority in the prison regime’.³⁹ As the procurement process for the new prison education contracts gets underway, it is vitally important that steps are taken to make sure that literacy and numeracy are not once again overlooked in the core education offer. Central to this will be ensuring that specialist voluntary sector organisations are placed at the forefront of delivery. In order to achieve this, the Government should consider a stand-alone contract for literacy and numeracy provision across the estate. Requirements for collaborative working between the mainstream education providers in prison and those providing literacy and numeracy services, must also be built into the two contracts.

Later in this chapter, we will explore in greater detail reforms that need to be made to prison education contracts to enable effective partnership working between prisons, prison education providers, and third sector organisations.

Recommendation 2

The Ministry of Justice should ensure that new prison education contracts take into account the educational needs of prisoners with low levels of basic skills. HMPPS should consult on how best to integrate the provision of basic literacy and numeracy education, considering whether this could be better provided through specialised contractors.

High levels of neurodiversity

Neurodiversity refers to the myriad ways that ‘humans think, learn, feel and process information’.⁴⁰ When someone has a brain that functions in a way that is expected by society, they are often referred to as neurotypical. In contrast, neurodivergent individuals interpret and process information differently. Neurodevelopmental differences can be caused by a range of conditions, which can co-occur, including autism spectrum disorder, dyslexia, dyspraxia, attention deficit hyperactivity disorder and brain injuries.⁴¹ Critically, the experiences of these individuals will differ significantly and require tailored support.

38 HM Inspectorate of Prisons, 2022. “Annual Report 2021-22” [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089500/hmip-annual-report-2021-22.pdf]

39 Ibid

40 NHS, “Neurodiversity” [Available at: www.kentcht.nhs.uk/shs-schools-resource-hub/neurodiversity/]

41 Please note, this list is not exhaustive.

Individuals with neurodivergent conditions are overrepresented in the criminal justice system.⁴² It has been estimated that up to half of the prison population have some form of neurodivergent condition which would mean they need assistance to engage fully with the regime.⁴³ Indeed, the Prisons Strategy White Paper highlighted that approximately half of the prison population have suffered a traumatic brain injury, 36 per cent of male prisoners and 39 per cent of female prisoners have a learning disability or challenge and 16 per cent have autistic traits.⁴⁴ Despite this, only one in four prisons have a qualified Special Educational Needs Co-ordinator (SENCo) who would be able to identify the educational needs of neurodiverse learners and support their learning.⁴⁵ It is essential that an awareness of the prevalence of neurodiversity and sufficient capacity to provide specialist support is built into the entire prison system, as well as increased understanding about neurodiversity and how it impacts individuals and their ability to engage in prison education.

In 2021 the Government introduced a two-part screening tool to be used by prison education providers in all public prisons in England to identify whether an individual may have a neurodivergent condition. Screening typically involves a 'checklist of indicators, or a series of simple questions about challenges and needs.'⁴⁶ The implementation of this screening varies – some prisons screen their whole population, including those who had entered the estate before screening was introduced, whereas others only screen new arrivals.⁴⁷ While screening is not a substitute for a clinical diagnosis of a neurodivergent condition, it should enable staff to have a better insight into a person's needs, make appropriate adjustments and use tailored communication and teaching techniques when required. It is important to note that a significant number of these individuals will not have received any screening, or diagnosis, until they enter the prison estate. While beyond the scope of this report, there must be better screening and identification at every stage, including during compulsory education and in the youth courts, to identify needs at the earliest opportunity.

To ensure that the specific and often complex learning needs of neurodiverse prisoners are met, there must be reliable, systematic and consistent data collection and sharing across the criminal justice system. Currently, this does not happen.⁴⁸ A review into prison education by the Education Select Committee highlighted that the current information management system, CURIOUS, which is used to collect data about neurodivergent conditions (although primarily designed as a system to manage the delivery of learning and skills contracts) is not fit for purpose as it is only used by public prisons in England (not Wales) and does not allow

42 Criminal Justice Joint Inspection, 2021. "Neurodiversity in the Criminal Justice System: A Review of Evidence" [Available at: www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2021/07/Neurodiversity-evidence-review-web-2021.pdf]

43 Ibid

44 Ministry of Justice, 2021. "Prison Strategy White Paper" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf]

45 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

46 Criminal Justice Joint Inspection, 2021. "Neurodiversity in the Criminal Justice System: A Review of Evidence" [Available at: www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2021/07/Neurodiversity-evidence-review-web-2021.pdf]

47 House of Commons Education Committee, 2022. "Written evidence submitted by Prisoners' Education Trust" [Available at: committees.parliament.uk/writtenevidence/19739/pdf]

48 Criminal Justice Joint Inspection, 2021. "Neurodiversity in the Criminal Justice System: A Review of Evidence" [Available at: www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2021/07/Neurodiversity-evidence-review-web-2021.pdf]

multiple co-occurring conditions to be recorded.⁴⁹ At the end of 2021, there were 14,415 people (18 per cent of the prisoner population) held in private prisons which accounts for a significant loss of data concerning neurodiverse learners and their experiences of private prisons.⁵⁰

It is also imperative that assessment data is shared appropriately to ensure continuity of support. The Prison Education Trust highlighted that there is *'an urgent need for effective and reciprocal information sharing agreements and processes between criminal justice agencies, health, social services and education'*. Often, the results of assessments which take place in the community are not routinely shared with prison staff, while prison staff involved in education or healthcare are not always notified of the results of an assessment undertaken in prison, nor are records always shared when an individual is transferred to a new institution.⁵¹ Without a whole-prison approach to learning difficulties and/or disabilities, education and employment outcomes will not improve.

While the needs of neurodivergent prisoners are being given welcome attention in the context of education, this diverse cohort are also likely to require additional support during resettlement when looking for employment – this area will be explored later in the report.

Recommendation 3

As recommended by the Education Select Committee, given the significant number of neurodiverse prisoners across the estate, every prison should be equipped with a qualified Special Educational Needs Coordinator. Prison staff must also be trained to identify and support prisoners with additional learning needs.

Recommendation 4

Every prison, including private prisons and prisons in Wales, should be required by the Ministry of Justice to input data about prisoners with learning difficulties. Research to identify best practice for screening individuals must take place and be rolled-out across the prison estate. As part of their initial skills assessment, prisoners should also be assessed for Specific Learning Difficulties in order to be offered suitable support.

49 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

50 Ibid

51 Prison Reform Trust, 2022. "Bromley Briefings Prison Factfile" [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf]

Mental health

Mental health challenges are more prevalent among prisoners than the general population. Seven in ten women in prison (71 per cent) report having mental health issues compared with nearly half of men (47 per cent).⁵² Crucially, individuals face increased risk of self-harm and suicide in the first few weeks of their sentence. People who are entering the prison system, especially for the first time, often arrive in a state of crisis. While all new arrivals should receive a first night screening and follow-up assessment, prisoners may not be in a fit state to disclose how they are feeling or self-refer to the mental health team which means they do not always receive support.

Mental health challenges, especially if they are not identified, can be a significant barrier to engagement in education or training, and indeed any form of rehabilitative activity. Individuals suffering with their mental health can struggle with decreased motivation and concentration, which would invariably have an impact on attainment. A 2018 survey revealed that 64 per cent of prison educators reported that psychological issues impacted their work 'a lot' or 'a great deal' between 2017-18. And yet, even if the prison is aware that an individual has mental health issues, staff often do not have the skills or training to respond. Only around a fifth (22%) of people in prison said it was easy to see a mental health worker⁵³ while 2019-20 inspection data revealed that officers in a third of prisons had not completed sufficient mental health awareness training.⁵⁴

It has been a longstanding concern of the criminal justice system that the health needs of particular groups are not picked up. The 2017 Lammy Review found evidence to suggest differential treatment against Black, Asian and Minority Ethnic offenders in both the adult and youth estate.⁵⁵ In particular, BAME individuals are less likely to be identified with problems such as learning difficulties or mental health concerns on reception at prison. According to analysis of data from April 2014 to March 2016, despite very high proportions of ethnic minority young people in custody, admission data reveals that ethnic minority young people were less likely than the white group to be recorded as having health, educational or mental health problems. This in turn could have a knock-on effect on the services and support made available to them during their time in custody if their underlying and unidentified needs go unmet. The review found evidence of similar patterns in the adult estate.

52 HM Inspectorate of Prisons, 2020 "Annual Report 2019–20" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/927361/hmi-prisons-annual-report-accounts-201920.pdf]

53 Prison Reform Trust, 2022. "Bromley Briefings Prison Factfile" [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf]

54 HM Inspectorate of Prisons, 2020 "Annual Report 2019–20" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/927361/hmi-prisons-annual-report-accounts-201920.pdf]

55 The Lammy Review An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System, 2017. [Available at assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf]

Nevertheless, the review did point to innovation in the youth justice system which “the whole prison system could learn from”.⁵⁶ At Manchester University, researchers have developed the Comprehensive Health Assessment Tool (CHAT). The CHAT is a standardised approach to screening and assessment for young people aged 11 to 18 and is used to build up a comprehensive picture of any health problems they face. It comprises five parts including:

1. An initial health screening assessment
2. A further physical health screen assessment
3. A substance misuse screening assessment
4. A mental health screening assessment
5. A neurological screening assessment

Presently, prisons have various screening processes but nothing as comprehensive or rigorous as the CHAT.

Recommendation 5

We support the recommendation from the Lammy Review that the prison system, working with the Department of Health and Social Care, should learn from the youth justice system and adopt a similar model to the CHAT for both men and women prisoners with built in evaluation.

Education can itself be a valuable protective factor against poor mental health. Not only does it increase an individual’s chances of employment, but it can give prisoners a sense of purpose and a distraction from the challenges and mundanity of prison life. This would have a tangible impact on the individual wellbeing of each prisoner engaged in education, as well as the wider prison environment.

While beyond the scope of this paper, it is important to state that specialised mental health provision must be given greater priority at every stage of the criminal justice process, and most especially in the prison estate. Following the Covid pandemic and subsequent lockdowns across the prison estate, this is more important than ever before. Where it is appropriate, individuals with severe mental health needs should be diverted out of the prison estate and into specialist mental health treatment in the community where their medical needs can be properly catered for.

⁵⁶ The Lammy Review An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System, 2017. [Available at assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf]

Drugs

Drug use is widespread within the prison estate. According to the Ministry of Justice, approximately half of all prisoners have a drug problem⁵⁷ and a third report that it is easier to access drugs in prison than in the community.⁵⁸ Alarmingly, the proportion of prisoners who state that they developed a drug problem while in custody more than doubled between 2015 and 2020.⁵⁹

Individuals who are under the influence of drugs cannot be expected to participate meaningfully in education. Drug use is likely to make it more difficult to understand and remember new information, maintain concentration and motivation in lessons and increase the risk of disruptive behaviour, drug related violence and bullying in the classrooms.⁶⁰ Indeed, while the full extent of drugs' impact on cognition is not yet known, a wide body of research heavily indicates that addicted individuals have significant alterations in regions of the brain that are responsible for memory storage.⁶¹

In 2018 Professor Rosie Meek and Dr Gwen O'Connor conducted research into the experiences of prison educators in England and Wales. They found that 58 per cent of prison educators reported that prisoner drug use had a substantial negative impact on their teaching over the past year.⁶² They also found that the prison regime does not give teachers enough support or flexibility to meet the complex needs of learners, many of whom have Learning Difficulties and Disabilities (LDD) and co-occurring mental health and substance misuse issues. For example, many prisoners with substance misuse issues are unable to concentrate for long periods of time, yet education classes are typically scheduled for several hours. A 2021 review of drugs in prison found that the prisons with the highest rates of drug use score the worst for 'purposeful activity' in HMP Inspectorate scrutiny visits.⁶³

Many people enter the prison estate with active addictions. Nearly half of women reported needing help with a drug problem on entry to prison, compared with nearly three in 10 men. Once in prison, an estimated one in three people suffer from a serious drug addiction.⁶⁴ Drug treatment services in prisons and secure settings for adults and young people are commissioned by NHS England which are equivalent to community-based treatment.⁶⁵

57 Gov.UK, 22 July 2022. "Drive to get offenders drug-free and cut crime" [Available at: www.gov.uk/government/news/drive-to-get-offenders-drug-free-and-cut-crime]

58 O'Hagan and Hardwick, 2017. "Behind Bars: The Truth about Drugs in Prison" [Available at: irep.ntu.ac.uk/id/eprint/31877/1/Pub-Sub9284_0%27Hagan.pdf]

59 TheyWorkForYou, 2022. [Available at: www.theyworkforyou.com/whall/?id=2022-03-02c.402.0]

60 Royal Holloway University of London, 2018. "The Experiences of Prison Educators in England & Wales" [Available at: www.ucl.ac.uk/media/10710/Experiences-of-prison-educators-Sep2018/pdf/The_experiences_of_prison_educators_in_England_and_Wales_-_September_2018.docx.pdf]

61 Thomas J. Gould, 2010. "Addiction and Cognition" *Addiction Science & Clinical Practice* 5(2).

62 Royal Holloway University of London, 2018. "The Experiences of Prison Educators in England & Wales" [Available at: www.ucl.ac.uk/media/10710/Experiences-of-prison-educators-Sep2018/pdf/The_experiences_of_prison_educators_in_England_and_Wales_-_September_2018.docx.pdf]

63 Department for Health & Social Care, Home Office, 2021. "Government Response to the Independent Review of Drugs by Dame Carol Black" [Available at: www.gov.uk/government/publications/independent-review-of-drugs-by-dame-carol-black-government-response/government-response-to-the-independent-review-of-drugs-by-dame-carol-black]

64 Prison Reform Trust, 2022. "Bromley Briefings Prison Factfile" [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf]

65 NHS England, 2018. "Integrated Substance Misuse Treatment Service" [Available at: www.england.nhs.uk/wp-content/uploads/2018/05/service-specification-integrated-substance-misuse-treatment-service-in-prisons.pdf]

In a 2019 report into addiction, *Road to Recovery*, the CSJ advocates for a holistic approach to recovery and considers that a person recovering from addiction must be able to live as fully as their physical and mental state allows, to be embedded in their wider community, and to be free from dependence.⁶⁶ It is a definition that has the pursuit of abstinence at its core.

While one person's recovery journey will likely differ significantly from another's, apathy must not dictate the direction of travel. And yet this is far from uncommon. As part of its research for our Road to Recovery report (2019), the CSJ came across many cases where those receiving opioid substitute treatment (OST) were using other substances on top of a script.

Indeed, there are a great number of men and women who feel frustration and pain at their treatment in a system that continues to see the mere fact that they are on a script as progress in and of itself. When users of OST are consistently using on top, or are regularly prescribed methadone without sufficient effort being made to support a person towards recovery without dependence on medication, we consider that the system has failed that person.⁶⁷

Being placed on methadone doesn't deal with the trauma and the root causes of the addiction. Until you deal with the root cause, no matter how much methadone you give them, they will still go round and round in cycles of addiction.

CSJ Alliance Charity, County Durham

Between 1 April 2020 and 31 March 2021, there were 43,255 adults in alcohol and drug treatment in prisons and secure settings. Of the 25,830 people who started treatment that year, half (49 per cent) reported having a problem with opiate use. We have heard several cases of prison regimes being over reliant on OST which can impact prisoners' ability to engage in education or training. Qualitative evidence submitted to a 2018 report by academics at Royal Holloway University highlights that methadone, which is often dispensed at lunchtime, often means that students are 'too stressed to learn before lunch' and 'too dopey to learn after lunch'.⁶⁸

Recommendation 6

To restore control and order to the estate – a key requirement to facilitating better educational and employment outcomes – the Government should bolster its clamp down on drug use in prisoners, including through the roll out of waste water analysis and use of body scanners.

66 Centre for Social Justice, 2019. "Road to Recovery" [Available at: www.centreforsocialjustice.org.uk/wp-content/uploads/2020/01/CSJJ7420-Addiction-Report-1909020-WEB-1.pdf]

67 Centre for Social Justice, 2019. "Road to Recovery" [Available at: www.centreforsocialjustice.org.uk/wp-content/uploads/2020/01/CSJJ7420-Addiction-Report-1909020-WEB-1.pdf]

68 Royal Holloway University of London, 2018. "The Experiences of Prison Educators in England & Wales" [Available at: www.ucl.ac.uk/media/10710/Experiences-of-prison-educators-Sep2018/pdf/The_experiences_of_prison_educators_in_England_and_Wales_-_September_2018.docx.pdf]

Recommendation 7

Having been highlighted as an impediment for many people in prison to engage in educational support, the Government should announce an urgent review of the use of methadone in the prison estate.

Addressing drug use in prisons is key to improving educational participation and outcomes. We propose a two-pronged approach which both tackles the supply of drugs in prisons and ensures education contracts give prison educators the flexibility and support to deliver teaching in a way that works best for the individuals with complex needs, including substance misuse challenges.

It is equally important to ensure there is continuity of care for people leaving prison with substance misuse issues so they can continue to engage with education or look for a job once their lives have stabilised – we will explore this further in chapter three.

Structural barriers to engagement

Overcrowding and staff shortages

The CSJ has called for prison reform to focus on restoring control, order and hope. Control and order, however, are hampered by overcrowding and staff shortages. At December 2022, there were 82,832 people incarcerated in England and Wales.⁶⁹ The prison system has been overcrowded in every year since 1994⁷⁰ and the prison population is set to rise by 17,295 to 98,700 by 2026.⁷¹ The increase in incarcerated individuals begs the question – how will growing demand for rehabilitative activity be met?

Significant staffing shortages have undermined rehabilitation activities, including access to education. High turnover among prison officers poses a significant problem to staffing shortages and the Prison Reform Trust recently found that most officers (52%) who left the service in the last year had stayed in the role for less than three years.⁷² Staff are required to escort prisoners to classes and workshops. When prisons are understaffed, it is not always possible to move prisoners safely around the establishment, meaning students may arrive late to class or not at all. In some cases, education sessions may be cancelled or teaching staff may be forced to carry out non-teaching security related tasks.⁷³ A 2018 survey showed

69 Howard League for Penal Reform, 2022. "Prison Watch" [Available at: howardleague.org/prison-watch]

70 Home Office, "Digest 4: Information on the criminal justice system in England and Wales", /Ministry of Justice, 2021 "HM Prison and Probation Service Annual digest: April 2020 to March 2021" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1047798/HMPPS-annual-digest-2020-21_vFINAL.pdf]

71 Ministry of Justice, 2020. "Prison Population Projections 2020 to 2026, England and Wales" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938571/Prison_Population_Projections_2020_to_2026.pdf]

72 Prison Reform Trust, 2022. "Bromley Briefings Prison Factfile" [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf]

73 Royal Holloway University of London, 2018. "The Experiences of Prison Educators in England & Wales" [Available at: www.ucl.ac.uk/media/10710/Experiences-of-prison-educators-Sep2018/pdf/The_experiences_of_prison_educators_in_England_and_Wales_-_September_2018.docx.pdf]

that 70 per cent of prison educators reported that non-teaching prison staffing concerns in prisons had impacted on their teaching role 'a lot' or 'a great deal'.⁷⁴ Evidence submitted to this report by the Prisoners' Education Trust reveals that staff shortages are a key barrier to the delivery of education.

'Time out of cell remains problematic in many understaffed prisons, particularly local and category B/C training prisons. There are not always enough officers to safely move prisoners around the establishment and people cannot always get to the activities they have been allocated.'

Francesca Cooney, Head of Policy, Prisoners' Education Trust

As part of their expansion and refurbishment of the prison estate, the Government is aiming to create 20,000 additional prison places by the mid-2020s.⁷⁵ To build sufficient capacity into the workforce they have committed to a target of recruiting 5000 more prison officers and upskilling existing staff.⁷⁶ While this recruitment is welcome, without plans to stem the flow of staff leaving the profession, staff shortages will remain an issue which could threaten the safe functioning of the regime.

With a prison population that is only set to increase, the challenge of staffing across the prison estate could not be more critical. New figures released by the Ministry of Justice this year paint a very bleak picture of the current staffing crisis in prisons with 60 per cent more prison officers leaving in 2021 than in the preceding year, accounting for nearly 1 in 7 of the total number of prison officers across the estate.⁷⁷ Findings from a HMP Inspectorate staff survey earlier this year revealed that the majority of respondents who were frontline operational staff had low or very low morale at work.⁷⁸

While we welcome the Government's commitment in the Prisons Strategy White Paper to developing a retention framework which should identify the reasons why officers leave and support governors 'at a local, regional and national level' to improve retention levels,⁷⁹ it is unclear how effective this will be and urgent action is needed now.⁸⁰

Recommendation 8

The Government must take urgent action to address the staffing and recruitment crisis facing our prisons. The retention framework promised in the Prisons Strategy White Paper must be expedited. Additional consideration must be given to prison officer recruitment, training, and welfare.

74 Royal Holloway University of London, 2018. "The Experiences of Prison Educators in England & Wales" [Available at: www.ucl.ac.uk/media/10710/Experiences-of-prison-educators-Sep2018/pdf/The_experiences_of_prison_educators_in_England_and_Wales_-_September_2018.docx.pdf]

75 Gov.uk 2022, "Thousands of new prison places to rehabilitate offenders and cut crime" [Available at: www.gov.uk/government/news/thousands-of-new-prison-places-to-rehabilitate-offenders-and-cut-crime]

76 Ministry of Justice, 2021. "Prisons Strategy White Paper" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf]

77 Prison Reform Trust, 2022. "New Figures Reveal Exodus of Prison Staff" [Available at: prisonreformtrust.org.uk/new-figures-reveal-exodus-of-prison-staff/#:~:text=A%20leaving%20rate%20of%2014.5,year%20ending%2031%20March%202021.]

78 HM Inspectorate of Prisons, 2022. "Annual Report 2021-22" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089500/hmip-annual-report-2021-22.pdf]

79 Ministry of Justice, 2021. "Prison Strategy White Paper" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf]

80 Ibid

Lack of digital technology and skills

'Greater use of prisoner-facing technology via in-cell laptops will be transformative in improving the quality of education which prisoners are able to access and so support their skills development'

Michala Robertson, Open University

A lack of digital infrastructure and technology is a perennial issue in the prison estate. A third of prisons in England and Wales were built in the Victorian era meaning they lack the necessary cabling to support broadband.⁸¹ As a result, prisoners are some of the most digitally excluded in our society.

The Council of Europe held in 1990 concluded that *"education for prisoners should be like the education provided for similar age groups in the outside world, and the range of opportunities for prisoners should be as wide as possible."* Currently this is not the case. Prison education remains largely dependent upon face-to-face tuition in classroom formats using paper-based learning which teachers report makes it difficult to provide quality provision.⁸² In a few prisons, such as HMP Berwyn, prisoners have access to limited intranet-based services for education, but these initiatives are 'far and few between'.⁸³

The lack of access to digital technology impacts the educational outcomes of all learners as it restricts the number and range of courses that prisoners can complete. The disadvantages are likely to be felt most acutely by neurodiverse learners as they cannot access technology which transforms the educational experiences of those with similar conditions in the community. For example, tools such as screen-reading technology and the use of laptops for visual learning activities, have been shown to be particularly helpful for neurodiverse individuals in certain settings.⁸⁴ Crucially, The Prisoners' Education Trust (PET) has argued that digital technology "remains the essential ingredient that would revolutionise prison education."⁸⁵

Without parity of digital access, it is also more difficult for prisoners to secure employment. A basic grasp of digital literacy is required in jobs of all skill levels across the labour market from supermarket workers to engineers. A 2019 report commissioned by the Department for Digital, Culture, Media and Sport found that 82 per cent of job roles advertised online require digital skills. Furthermore, individuals in roles which require digital skills are paid more regardless of the complexity of the job.⁸⁶ Indeed, the Open University states that delivering education digitally is vital to keep prisoner *'digital skills up-to-date and thus help them reintegrate into society and work on release'*. If the Government is serious about increasing prisoner employment outcomes, they must ensure that prisoners across the estate can access technology, including secure laptops, for educational purposes which will also allow them to develop digital skills which are highly sought after by employers.

81 House of Commons Library, 2018 "The Prison Estate"

82 Ofsted, 2021. "Launching our Prison Education Review" [Available at: www.gov.uk/government/speeches/launching-our-prison-education-review]

83 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

84 Criminal Justice Joint Inspection, 2021. "Neurodiversity in the Criminal Justice System: A Review of Evidence" [Available at: www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2021/07/Neurodiversity-evidence-review-web-2021.pdf]

85 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

86 Burning Glass Technologies, 2019. "No Longer Optional: Employer Demand for Digital Skills" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807830/No_Longer_Optional_Employer_Demand_for_Digital_Skills.pdf]

Recommendation 9

The roll-out of digital technology across the entire estate has the potential to revolutionise education in prison. The recommendations from the Centre for Social Justice's 'Digital Technology in Prisons' paper should be implemented. Foremost the Government should expedite the installation of hardware and software to support highly restricted access broadband throughout the prison estate, as far as is allowed by physical technology in prisons, to enable additional learning to take place.

Improving education and training

Prison Education Framework contracts

The core recommendation of Dame Sally Coates' Review outlined that governors should have autonomy to choose what courses are delivered in their prisons to best meet the needs of their population.⁸⁷ To enable this, the budget for prison education was transferred from the Department of Education to the Ministry of Justice in 2017. In April 2019, Prison Education Framework (PEF) contracts, which grouped prisons by geography and were run for four years, were awarded to four main education providers: Milton Keynes College, Novus, PeoplePlus and Weston College.

Data collected by the Centre for Social Justice's call for evidence highlights that many organisations in the sector do not feel that the Prison Education Framework contracts, in their current form, best serve the needs of learners. Indeed, The Prisoners' Education Trust described them as 'universally unpopular' due to their 'stringent contracting measures'. For example, performance is measured on prisoner attendance, although staff shortages are often the primary reason for prisoners not attending education sessions.

In addition, the contracts disproportionately place weight on the number of prisoners achieving academic qualifications at Level 1 or above. We believe that this focus is wrong for three key reasons. Firstly, it means that people in prison are often allocated to classes with capacity rather than what is most suitable based on their learning needs or ability. Secondly, evidence submitted to the CSJ suggests that employers are likely to value the development of transferable skills over qualifications, which is not reflected in the contracts. Lastly, there is little contractual scope, nor incentive, for educators to provide the in-depth, person-centered support that learners with complex needs require in order to develop the behaviours and attitudes required in the workplace.

Prison education framework contracts were introduced to give governors the autonomy to financially penalise providers if the standard of education falls below expectations. However, this process is cumbersome as it must be signed off at regional and national levels by the Ministry of Justice Commercial Team. As a result, contracting processes are not flexible or dynamic enough to respond to the needs of people in prison.

⁸⁷ Ministry of Justice, 2016. "Unlocking Potential: A review of education in prisons" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf]

The current education contracts will run for another two years and with the procurement process for the next contracts now open, it is vital that the opportunity is seized to create more dynamic and flexible framework that will cater to the needs of all.

Recommendation 10

Government should revise Prison Education Framework Contracts so that they can more flexibly cater to the needs of all prisoners. Transferable skills which are crucial for the workplace must be given greater value in future contracts.

Dynamic purchasing system (DPS)

Alongside the main PEF commissioning process, prison governors can also directly commission education services through the DPS. Bespoke or specialist services might be commissioned through this route, for example to provide specialist education for older prisoners. The majority of voluntary sector partners providing education services across the prison estate will now be commissioned through the DPS.

The voluntary sector plays a significant role in supporting education provision across the estate, yet Clinks highlight the challenges these organisations face when bidding for contracts via the DPS.⁸⁸ Most significantly, the relationship between prison Governors and the voluntary sector has changed: where the voluntary sector used to function as a partner in the design and delivery of services, it now functions purely as a provider of services. Not only does this impact the quality of provision across the estate, but it also makes delivery much more challenging for voluntary sector providers. For example, there is now no way of knowing in advance what contracts will be tendered. Without this clarity, smaller organisations find it difficult to plan for delivery and organise staffing and budgets. This is compounded by the length of contracts, which are only two years in length, despite the complexity of the bidding process.

It is critical that this commissioning process is redesigned to ensure voluntary sector organisations can continue to play an essential role in delivery diverse and high-quality education provision.

⁸⁸ House of Commons Education Committee, 2022. "Written Evidence submitted by Clinks" [Available at: committees.parliament.uk/writtenevidence/21642/pdf]

Funding

Funding for prison education has remained at approximately £129 million for the past five years.⁸⁹ Where there have been increases in expenditure, this has been almost entirely cancelled out by the effects of inflation. Indeed, in real terms, there has been an eight per cent decrease in spending between 2019/20 and 2022/23.⁹⁰

Our call for evidence highlighted that the current expenditure on prison education simply does not meet the needs of learners. Novus, a prison education provider, highlighted that the hourly rate for education for male prisoners is around 17 per cent of the equivalent rate for students in community-based adult education. This is even more stark in the context of the extreme learning needs of the prison population.

Any needs analysis, which informs education delivery, must take account of the additional resource needed to ensure levels of engagement and additional support needed. Prisoners are probably the single largest group where the education system has failed. The resources needed include enhanced funding, but also stability and consistency in funding and responsibility.

Francesca Cooney, Prisoners' Education Trust

The Treasury asked the Ministry of Justice to review spending on education services at the end of 2019-20, following a new assessment of the services provided under the Prison Education Framework and Dynamic Purchasing System. Despite this, nothing has been published which would indicate that a review of contracts has taken place.

Recommendation 11

As recommended by the Education Select Committee, the Ministry of Justice should set out a budget for prison education over the coming 10 years, including a minimum expected spend on prison education.

Course provision

Vocational training forms a key part of the educational offer in the prison estate. Many prisons offer practical courses such as construction, decorating or catering.⁹¹ However, the quality of this training is highly variable across the estate.⁹² Crucially, people in prison are often unable to see a clear pathway from education and training to employment, and only

89 Prisoner Learning Alliance, 2020. "Leadership in Prison Education" [Available at: prisonerlearningalliance.org.uk/wp-content/uploads/2020/02/PLA-FETL-Leadership-in-Prison-Education-report.pdf]

90 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

91 This list is not exhaustive.

92 House of Commons Education Committee, 2022. "Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity" [Available at: committees.parliament.uk/publications/22218/documents/164715/default]

two in five (43%) men in prison who had held a prison job at some point felt that it would help them on release.⁹³ We also heard evidence that training opportunities do not always align with the jobs available in the local community nor do they always enable people in prison to gain industry standard accredited qualifications.

'Training is often not sufficiently tailored for real job opportunities in the areas people are being released to or adding to the skills and interests they have. Workshops/Industries are often poor quality, repetitive work which just fills in time and provides cheap labour to businesses who rarely go on to employ those workers when they leave.'

Rachel Mace, Beating Time

'[There is a] distinct lack of short vocational skills training that deliver the full (not partial) qualification.'

Beverley Brooks, The Recruitment Junction

Prisons should commission a range of training courses in conjunction with awarding bodies to ensure that people in prison have the opportunity to leave with full qualifications that are recognised and valued by employers in the community. For example, a DVLA licence or HGV licence. This would help people in prison stay motivated and engaged in training to increase their employability. As far as possible, workshops should also be of industry standard so that people in prison can get accustomed to the physical environment they will be working in and skills they need to thrive in employment upon release.

'The first step is imagination – you have to imagine the job first. If people like what they see and what they are imagining then they will go and do the course with motivation.'

Switchback trainee⁹⁴

Industry programmes are often very successful. Courses delivered on behalf of, or in partnership with, industry bodies or employers known to actively recruit have high engagement. These are often areas where employment prospects are realistic due to high demands for labour, relatively attractive earnings potential, and the knowledge that criminal records do not present an active barrier. For example, railway employers and training providers and employers can and do deliver PTS (Personal Track Safety) courses in prisons. These are often funded, whereas qualifications would carry high individual cost if pursued independently. The same is true of other areas, such as traffic management. However, demand for places on these courses are typically high with few places available despite the successful outcomes.

"Seeing someone from a proper job come in, who is earning good money, and willing not just to teach you but also who can connect you with employment makes the prospect very real. These were always the most exciting opportunities, where you knew the bit of paper you were working towards meant a real job and real money to support your family when you go home. Everyone was always keen to sign up and work hard for that ticket."

Former prisoner in evidence to the CSJ

⁹³ Prison Reform Trust, 2022. "Bromley Briefings Prison Factfile" [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf]

⁹⁴ Call for Evidence, Evidence from Switchback, 2022

Recommendation 12

To raise aspirations and ensure prison leavers have the skills they need for employment upon release, prisoners should be able to complete vocational qualifications which are recognised and valued by employers in the community (including CSCS and CPCs cards, PTS qualifications, DVLA and HGV licences).

Recommendation 13

The Ministry of Justice should issue guidance ensuring that prison employment leads are incentivised to create meaningful partnerships with local industries who are willing to recruit from, and provide basic courses to, prisoners. The delivery of such courses, and accessibility for employers and training providers, should be actively encouraged. Data should be published by prisons on how many industry recognised vocational qualifications are offered and completed.

Inconsistent provision

The large disparities between individual prisons within the estate has a significant impact on the capacity of education providers to offer standardised curriculum. In some prisons a whole wing is dedicated to education whereas in others a lack of adequate infrastructure means there is barely functioning internet. The inconsistency of provision across the prison estate has far-reaching consequences on the educational outcomes of prisoners contributing to what can only be described as a 'postcode lottery'. This presents significant challenges for prisoners who are frequently moved across the estate. Often one course that might have been on offer in one prison may not be on offer in the next and prisoners are perpetually stuck in a system of starting but not completing qualifications. We have heard that this can lead to increasingly disillusioned and frustrated prisoners who are less likely to engage in the provision that is available across the estate.

The Open University describes that an additional challenge of delivering education in multiple prisons is having to '*adapt [their] courses to the resources of each individual prison*' which inevitably makes the provision of education far more expensive.⁹⁵ Unable to provide a standard service, courses in this environment must be designed to suit individual prisons and their capacity to provide them. A greater roll out of technology, as recommended earlier in this chapter, can work in this instance to ensure provision is joined up across the estate and ensure all prisoners irrespective of their location have equal access to education.

⁹⁵ Open University in evidence to the CSJ

Apprenticeships

Apprenticeships give individuals the opportunity to study, train and gain valuable work experience. They are a key opportunity for people in prison to develop essential skills and adjust to what it is like have a job in the community.

The Ministry of Justice has committed to changing the law to enable people in category D open prisons in England to undertake apprenticeships while they are serving their sentence.⁹⁶ Initially, the programme will be trialed with 100 prisoners who will start an apprenticeship before 2025 before being rolled-out to all open prisons in England.⁹⁷

We welcome the Government's decision to change the law so prisoners can access apprenticeship opportunities. However, there are significant barriers to delivery that training providers face which need to be addressed to ensure this scheme works effectively. In the community, providers are financially penalised if an apprentice does not complete their apprenticeship.⁹⁸ Apprentice providers may be apprehensive about bearing the risk associated with delivering an apprenticeship to an individual who is nearing the end the of their sentence.

While it is too early to make meaningful recommendations on the new prison apprenticeship, one way of circumnavigating the issues facing providers would be to ensure that legislation discounts prison apprenticeships from achievement rates.

As the prisoner apprenticeship is rolled out to the first 100 prisoners, the challenges facing providers and apprentices alike will need to be monitored, and necessary adjustments made to ensure the apprenticeship is sustainable in the long-term.

Higher education in prisons

Recent polling conducted by Opinium for this research revealed that over four-fifths (83%) of UK adults believe that every person in prison should be given access to education during their sentence. The ability of some prisoners means that they would benefit from completing a higher education course. Gaining a degree at undergraduate level or above is not only a productive way to spend time in prison but it can help alleviate boredom, increase employability and it often leads to better engagement with the regime. Crucially, it can also reduce reoffending. Research from the Justice Data Lab found that people who have studied an Open University award were four percentage points less likely to reoffend than a control group who had not undertaken higher education study.⁹⁹

96 Ministry of Justice, 2022. "Prisons Strategy White Paper – Response to Consultation Questions" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1082220/prisons-strategy-white-paper-govt-response.pdf]

97 Gov.uk, 2022. "Apprenticeships for Prisoners to Cut Crime" [Available at: www.gov.uk/government/news/apprenticeships-for-prisoners-to-cut-crime]

98 Evidence submitted to this report suggests that institutions can lose up to 20% of their funding if students do not complete the apprenticeship.

99 Higher Education Policy Institute, 2019. "Student loans for those on long prison sentences" [Available at: www.hepi.ac.uk/wp-content/uploads/2019/10/Policy-Note-18-_-Student-loans-for-those-on-long-prison-sentences_FINAL1.pdf]

Despite this, prisoners serving long-term sentences face significant financial barriers to accessing the benefits of degree level study. Since the Education (Student Support) Regulations 2011 were introduced, prisoners with more than six years left on their sentence until their earliest release date are not eligible for student loans to fund higher education. Subsequently, people in prison must self-fund their course, at the same cost as students in the community, or apply for grant or scholarship funding from a third-sector organisation such as the Prisoners' Education Trust or The Longford Trust.

It is also important to note that sentence lengths have also increased significantly since the loan regulations were introduced which mean that a larger cohort of people, who could be benefitting from higher education at an earlier point during their sentence, may struggle to finance their studies. For example, almost three times as many people were sentenced to more than 10 years in 2021 compared to 2008¹⁰⁰ and people serving life sentences spend an average of 18 years in prison compared to 13 years in 2002.¹⁰¹ The impact of this restricted eligibility criteria was summed up by Dame Sally Coates in her review of prison education where she highlighted that 'prisoners on longer sentences potentially face years of wasted time when, through HE study, they could have been developing skills and attitudes to become valuable members of the prison community.'¹⁰²

A former prisoner's perspective: Mark Humphries

Mark was in prison serving a life-sentence and was at a loss as to how to keep himself occupied. Following advice from a learning coordinator, he enrolled on the OU's English Literature and Creative Writing course.

Prior to studying with the OU, his education background was poor, yet he found that the OU course helped him stay motivated in prison. He states that OU study has challenged him as a person; particularly helping him realise he can actually enjoy education.

Since leaving prison, he has succeeded in having some of his work published and has written an Introduction to Creative Writing Course that can be studied through the prison in-cell learning channel. He has also gained employment with a prison education provider, where he has been placed in a position of responsibility, and his position within the company is growing.

Mark argues that his prospects have changed and been enhanced and that the future holds much more positive things now than it did previously, and that this would not have happened had it not been for the OU.

100 Prison Reform Trust, 2022, Bromley Briefings [Available at: prisonreformtrust.org.uk/wp-content/uploads/2022/07/Prison-the-facts-2022.pdf]

101 Ministry of Justice, 2022. "Offender Management Statistics: Prison Releases 2021"

102 Ministry of Justice, 2016. "Unlocking Potential: A Review of Education in Prison" [Available at: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf]

The Government's current position is that it does not make financial sense to extend the eligibility for student loans to prisoners. All part-time students are expected to start paying back their tuition fee loan six-years after their course begins, meaning prisoners who have more than six-years left on their sentence will not feasibly be able to make their loan repayments as they will still be in the prison estate.

While we appreciate the sensitivities in this area, we argue that this fails to account for the significant cost of poor prisoner educational outcomes, and the significant wellbeing and behavioural benefits associated with higher education. Statistical modelling undertaken by the Higher Education Policy Institute estimates that amending the student loan eligibility to include prisoners with more than six years on their sentence will likely mean an additional 200 people can complete undergraduate degrees while in prison which would cost £2.3 million in student loans.¹⁰³ While we recognise the significance of this additional expenditure, the potential savings that could be amassed from a reduction in reoffending have been estimated between £3 and £6 million, even if the loans were not repaid.¹⁰⁴

'Prisoners on longer sentences potentially face years of wasted time when, through HE study, they could have been developing skills and attitudes to become valuable members of the prison community'

Michala Robertson, Open University¹⁰⁵

Recommendation 14

The Government should amend the Student Support Regulations for England and Wales to extend student loan eligibility so that people in prison with more than six years left on their sentence until their earliest release date can complete degrees in prison.

Prisoners on Short Sentences and on Remand

Those on short sentences, serving six months or less and those on remand face significant difficulties accessing education on the prison estate. Long waiting lists for courses, the structure of the curriculum and the amount of time it takes to enrol on courses mean that this cohort typically do not have the chance to engage in educational opportunities whilst in prison that could help them secure meaningful employment on release.

103 Higher Education Policy Institute, 2019. "Student Loans for those on Long Prison Sentences" [Available at: www.hepi.ac.uk/wp-content/uploads/2019/10/Policy-Note-18--_Student-loans-for-those-on-long-prison-sentences_FINAL1.pdf]

104 These estimations are based on additional 200 OU students undertaking higher education courses which based on reoffending statistics would lead to between eight and twelve fewer people reoffending. Based on the calculated cost per prisoner in England and Wales, assuming those who reoffend are given a 10-year sentence.

105 Call for Evidence, Evidence from Open University, 2022.

Those on short sentences often present the most acute needs in the criminal justice system and indeed, prisoners serving short sentences generally have been shown to have worse outcomes than those serving longer sentences. The reconviction rate for this group is 17.3 per cent greater than general reconviction rate for all individuals released from custody.¹⁰⁶

Between 2020-21, data released by the Ministry of Justice reveals that those on remand and those serving sentences of 6 months or less have increased by 12 per cent and 14 per cent respectively.¹⁰⁷ As a significant cohort of the prison population, it is essential therefore that timely induction on courses and the curriculum on offer is flexible enough to accommodate for this group. A broader prison education curriculum which supports prisoners' sentence length or their remand period, such as the introduction of courses that are separated into modules, should be integrated into the new education service to ensure that this large cohort is not left behind and can leave prison with a stronger chance of engaging in meaningful work.

Every day counts when you are on a short sentence and every day lost is a massive part of your sentence. There needs to be a lot more focus and emphasis put on education and not this delay with regards to it.

Femi Laryea-Adekimi, Prison Reform Trust¹⁰⁸

Recommendation 15

Prison leaders must prioritise clearing induction backlogs to ensure that those serving shorter sentences can access education as early as possible into their sentence. The curriculum must be flexible enough to be tailored to sentence lengths with the introduction of shorter courses and/or modules.

106 Catch 22, 2022 "The Prison's Strategy White Paper – Catch22 Response" [Available at: cdn.catch-22.org.uk/wp-content/uploads/2022/03/Catch22-Prisons-Strategy-White-Paper-Response-Feb22.pdf]

107 Ministry of Justice, 2021, "Offender Management Statistics Quarterly: January to March 2021", [Available at: www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2021/offender-management-statistics-quarterly-january-to-march-2021]

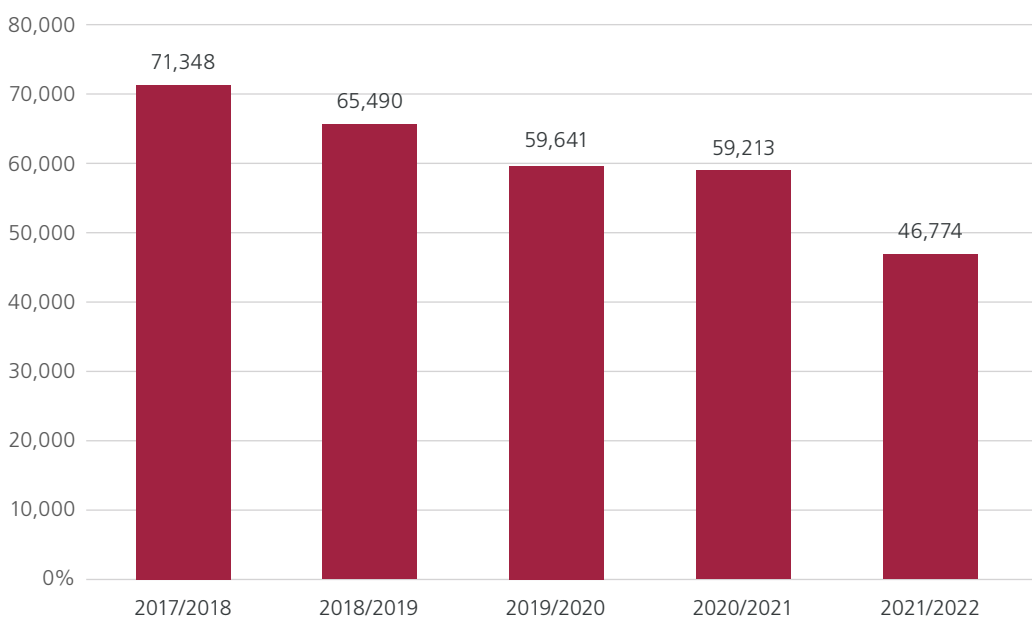
108 Education Committee, 2021. 'Oral Evidence: Prison Education, HC86' [Available at: committees.parliament.uk/oralevidence/2945/pdf]

chapter two

Enabling a successful transition

Between 47,000 and 70,000 people leave the prison estate every year.¹⁰⁹ For each person, release should bring with it fresh opportunities to start anew. But, in reality, it can be one of the most difficult times in an individual's journey through the criminal justice system. Whether someone has been in prison for a relatively short period of time, or for many years, the resettlement process will bring new challenges.

Figure 1. Adults leaving prison, England and Wales



Source: Ministry of Justice, 2023

Accessing work on release is just one of many aspects of resettlement, but it remains vitally important for those wanting to reestablish themselves in society. People in prison face multiple barriers to finding a job on release, however, and significant support and self-motivation is needed to help an individual secure meaningful and sustained employment.

For each person, the weeks, and months immediately before and after their release will be critical for ensuring their transition into the community is a success. Individuals will need all the support they can get as they navigate a journey fraught with obstacles and instability.

¹⁰⁹ newfuturesnetwork.gov.uk

Preparing for release

Existing provision: Offender Management in Custody

In 2018 the Offender Management in Custody Model (OMiC) was implemented to coordinate an individual's journey through custody and into the community. The intention was to place rehabilitation front and centre of custodial and pre-release work. Ultimately, it was hoped that this would reduce reoffending and promote community integration.

The Target Operating Model for probation services in England and Wales sets out what an individual's journey through prison and into release according to the OMiC model is intended to look like in practice. Central to the model is the keyworker and Prison and Probation Offender Manager, who are intended to provide continuity of support through the sentence and into release. The intended model for someone serving a sentence of 10 months or more in the closed male estate is outlined below¹¹⁰

Once a prisoner has been allocated to a prison, they should be assigned a key worker within the first two weeks. A key worker is a prison officer who should meet with the prisoner regularly to provide ongoing support throughout their sentence.



The prisoner should also be allocated a Prison Offender Manager (POM) who will carry out a risk assessment and explore the factors linked to offending ahead of the individual's initial sentence planning meeting.



The prisoner should meet with their POM and key worker to discuss and agree their sentence plan. Other departments such as education and drug and alcohol services might be involved in this discussion. This meeting should take place within the first 10 weeks (or 16 weeks if on an indeterminate sentence).



The prisoner should continue to have supervision with their POM throughout their sentence. Supervision should help the prisoner address factors linked to offending. Suitability for ROTL will be considered, and the prisoner may also be required to complete programmes. The key worker should support the POM and the prisoner through this process.



It is intended that a prisoner will meet with their Community Offender Manager (COM) for the first time 7.5 months before release (or at eight months before the expiry of parole eligibility). The COM should then work with the prisoner and the POM to help the individual prepare for release. This might include applying for Release on Temporary Licence or Home Detention Curfew. They should identify any licence conditions and address any needs the individual might have on release, including support with accommodation, financial matters, and substance misuse.



The Community Offender Manager will continue to work with the individual in the community once they have been released on licence from prison. Referrals for specific needs such as addiction and employment support can be made by the COM in the community.

110 HM Prison and Probation Service, Offender Manager in Custody: your journey in the closed male estate.

The OMiC model is an ambitious programme that, if implemented as intended, would go some way to ensuring an individual is in a strong position to reenter the community on release from prison. However, respondents to our call for evidence suggested that prisoners' experiences of pre-release support is a far cry from that outlined above. Indeed, a recent review of the pre-release element of the OMiC model from Her Majesty's Inspectorate of Probation reveals that the eight out of ten of the core elements of the model are not working in practice, and that delivery is *'falling well short of expectations'*.¹¹¹

In particular, HMIP found 'a distinct culture of two organisations, one prison and one probation', a challenge that is compounded by the fact that probation regions and prison groups are based in different geographical areas.¹¹²

Furthermore, HMIP found that the intended one-to-one intervention that lies at the heart of the OMiC model is not implemented in practice, with competing priorities for prison governors taking precedence, and severe staff shortages both in prison and probation meaning there are simply not always enough keyworkers, POMs and COMs to meet and work with prisoners prior to release.

Only 25 per cent of keyworker sessions were delivered against the prescribed model in May 2022, and 79 per cent probation officers were in post in prisons between January – March 2022 against the OMiC staffing target.¹¹³ This is indicative of a wider staffing crisis across the entirety of HMPPS.

Overall, HMIP found that there is not enough provision in place to support an individual through their custodial journey, resulting in individuals being released directly from prison without resettlement services in place.¹¹⁴

'We found that the level and nature of pre-release contact with prisoners were sufficient to reduce reoffending in only just over a third of the cases we inspected.'

His Majesty's Inspectorate of Probation

While a thorough examination of the failures of the pre-release OMiC model are beyond the scope of this paper, it is clear that people in prison are being released ill-equipped for life on release. This can put individuals back significantly in their journey of resettlement and make finding work on release significantly more challenging.

Recommendation 16

The Government should review the OMiC model to ensure that it is delivering as intended. Data should be collected to understand how many prisoners are leaving the prison estate without receiving any or sufficient support to prepare for release. Urgent steps should be taken to rectify any shortcomings identified.

111 Her Majesty's Inspectorate of Probation, Offender Management in Custody Model: Pre-release, November 2022. [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/11/OMiC-joint-thematic-inspection-report-v1.0.pdf]

112 Her Majesty's Inspectorate of Probation, Offender Management in Custody Model: Pre-release, November 2022. [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/11/OMiC-joint-thematic-inspection-report-v1.0.pdf]

113 Her Majesty's Inspectorate of Probation, Offender Management in Custody Model: Pre-release, November 2022. [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/11/OMiC-joint-thematic-inspection-report-v1.0.pdf]

114 Her Majesty's Inspectorate of Probation, Offender Management in Custody Model: Pre-release, November 2022. [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/11/OMiC-joint-thematic-inspection-report-v1.0.pdf]

Recommendation 17

The Government must take urgent action to address the staffing and recruitment crisis facing probation. Probation caseloads must be reviewed and capped at a number deemed appropriately to allow for meaningful supervision and support to take place for every individual under probation's watch.

Exposure to work

Two-thirds of prisoners are unemployed when they enter custody and 13 per cent have never had a job, according to one report.¹¹⁵

Many will have been in prison for such a long time that when they come to release, the outside world will feel unfamiliar and intimidating. We have heard evidence that even the simplest of everyday tasks in the community can seem insurmountable for someone who has spent years confined to the prison regime.

One of the best ways to prepare an individual for release into the community is to allow them – only when strictly appropriate – to undertake volunteering or work on temporary licence prior to their release. This can help to develop crucial soft skills and confidence which will be essential for accessing work on release.

Release on Temporary Licence

Release on Temporary Licence (ROTL) is the process by which someone can leave the prison estate for a short period of time to participate in activities in the community that contribute to their resettlement on release. Day and Ward (2009) maintain that 'the state cannot reintegrate offenders, communities can', and pathways like ROTL are essential to this end.¹¹⁶

ROTL is available to eligible prisoners that have undergone a risk assessment carried out by a prison governor or a delegate. While there are certain prisoners who are necessarily excluded from ROTL, typically, all prisoners in or 'suitable for' open conditions in the male and female estates will be suitable for Resettlement Day Release (see below), subject to their risk assessment and completion of sentence planning. If the individual is in closed conditions, they may be eligible for Resettlement Day Release towards the end of their sentence, depending on their individual suitability and each prison's ability to offer ROTL.

When an application is made, it will usually go before a ROTL board in the prison, who will decide on their suitability for release. If granted ROTL, prisoners are allowed to leave the prison estate to work, volunteer, secure accommodation, and visit family in the community. There are four main categories of ROTL, each serving a slightly different purpose:

115 Financial Times, 2019, Can ex-prisoners help fill the UK's labour shortage? [Accessed via: www.ft.com/content/5212906c-ebf4-11e9-a240-3b065ef5fc55]

116 Day A, Ward T (2009) Offender rehabilitation as a value-laden process. *International Journal of Offender Therapy and Comparative Criminology* 54(3): 289–306.

- **Resettlement day release** – allows prisoners to go out during the day for specific purposes such as training, work, community service projects, family visits
- **Resettlement overnight release licence** – allows prisoners to stay overnight at the address that they will be released to from prison
- **Special purpose licence** – issued at the discretion of the prison Governor for compassionate leave, medical treatment, marriage, legal proceedings or on religious grounds
- **Childcare resettlement licence** – leave for prisoners who will be the sole carer of a child under the age of 16 once they leave custody

People who are placed on ROTL have lower rates of reoffending, and research from the MoJ demonstrates that the more that ROTL is used, the greater the impact on reoffending, even after controlling for offender characteristics, offending histories, and ROTL failure.¹¹⁷

According to a 2018 MoJ study, the overall one year proven reoffending rate for prisoners who had been released on ROTL within six months of their release was 13% compared to the national average of 46%.¹¹⁸

ROTL has been shown to be particularly beneficial for those who are nearing the end of very long sentences. There is large cohort of people in prison who are reliant on the regime to give structure to their lives. ROTL introduces independence and responsibility in a low-risk way which will help them adjust to life in the community. For those seeking work after a long sentence, volunteering, apprenticeships, and even simply spending time in the community, can build confidence and prepare an individual for the process of searching for a job. For most, it will make the days and weeks following release far more bearable and manageable.

When ROTL is granted to prisoners, current data suggests that it is highly successful, with a success rate of 99.85%¹¹⁹. It is highly unlikely that a prisoner who has been released on temporary licence will commit an offence while on ROTL.

Despite the overwhelming value of ROTL, in 2013 the government issued revised guidance, which led to a fall of 37 per cent in its use between 2013 – 2015. The number of individuals being placed on ROTL had begun to increase again, and in May 2019, the Government revised the rules on ROTL to allow more prisoners to become eligible for temporary release earlier in their sentence. However, ROTL was halted during the pandemic and has not yet returned to normal delivery.

According to the most recent data, between April and June 2022, 4,127 individuals were released on temporary licence.¹²⁰ This equates to just 5% of the total prison population (as at 30 June 2022, the prison population stood at 80,659).¹²¹

117 Ministry of Justice, Analytical Summary 2018: The reoffending impact of increased release of prisoners on Temporary Licence. 2018. [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709123/rotl-report.pdf]

118 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709123/rotl-report.pdf

119 Without further offending

120 <https://data.justice.gov.uk/prisons/offender-management>

121 <https://data.justice.gov.uk/prisons/offender-management>

ROTL is massively underused, and particularly underused for training and education purposes. A culture that does not always promote aspiration and achievement means that referral routes from prisons to universities and colleges are not always in place. ROTL allows relationships to develop between prisoners and employers and allows prisoners to require vital employment skills.

Francesca Cooney, Prisoner Education Trust

The underuse of ROTL presents a significant wasted opportunity to equip individuals for work on release from prison, and to build relationships with local employers in the community who might present a valuable source of work for prison leavers.

Recommendation 18

The Government must ensure that greater use is made of Release on Temporary Licence for appropriate work placements, apprenticeships, and other work-related activity, thus enabling prisoners to receive important employment experience towards the end of their sentence and ease the transition back into the community for those who have served longer sentences.

Through the Gate services

'Without the right TTG support this time around I doubt very much I would have been as successful in turning my life around after doing all the necessary work I needed to do through my sentence. I still had a two-year licence to get through and, in the past, I had never successfully completed a prison sentence whilst on licence. The support which is needed is down to the individual, the important aspect is that support in prison and TTG is provided.'

David Breakspear, submission to the CSJ Call for Evidence

Through the Gate (TTG) services are delivered in prisons to prepare individuals for release and resettlement. They are designed to ensure that prison leavers are in the best position possible to reintegrate into society. TTG services help prisoners arrange accommodation, access benefits or find education, training or work opportunities in the community.

This 'flagship policy of government' was first introduced in 2015 as part of the Transforming Rehabilitation agenda.¹²² TTG resettlement services were delivered by local Community Rehabilitation Companies (CRC) and helped prisoners arrange accommodation, access benefits, begin education or training or find work. Whilst this form of support had long been delivered by voluntary sector organisations working in the criminal justice sector, TTG policy sought to unify service provision. However, a joint Inspectorate of Prisons and Probation

122 Criminal Justice Joint Inspection, October 2016, An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners [Accessed via: www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2016/09/Through-the-Gate.pdf]

report found that TTG services were not ‘well integrated into prisons’.¹²³ CRC contracts have now been ended by the Ministry of Justice (*as discussed below*) and TTG services are delivered by a patchy network of voluntary sector organisations. Dependent on location, prison leavers experience highly variable services.

Person-centred support

Across the different pathways, we have seen examples of excellence up and down the country, delivering transformative services for the individuals they work with. One such example is Switchback, a charity working with men leaving prison in London.

Case study: Switchback Through the Gate services

Switchback is a voluntary sector organisation which provides 1-to-1 intensive support to male prison leavers aged between 18 and 30 in London.

Switchback aims to enable young men to build a stable, rewarding life they can be proud of. Switchback mentors go into prison and identify individuals who are ready to make a commitment to change their lives. The support starts in prison. Eligible prisoners meet regularly with their switchback mentor during the last three months of their sentence to prepare practically and emotionally for release, building motivation to change and making a plan for the future.

On the day of release, the same Switchback Mentor meets the person leaving prison to ensure continuity of support. Real work training with a partner employer begins straight away, alongside 1-to-1 support to build stability across all areas of life. The Trainee moves into sustainable work or further training at the right time for him, with a period of in-work support to ensure change is sustained long-term. The door is always open for Trainees to return.

91 per cent of Switchback’s Trainees do not reoffend within 12 months of release. This compares to nearly half of prison leavers nationally. 56 per cent move into long term work, education and training, compared to just 10 per cent of prison leavers nationally (after 6 weeks of release). 60 per cent of our Trainees reach Switchback’s benchmark of ‘Real Lasting Change’, which indicates a fundamental shift in lifestyle.

As with pre-release work, crucial to an effective through the gate service is one-to-one, person-centred support – a central component of the model adopted by Switchback and other charities like them. This is often done by a mentor or a coach in a one-to-one setting, but it can also be achieved in small group settings. Meetings are facilitated some three months before release, enabling the individual to build a relationship of trust. When done well by trained and experienced individuals, mentoring and/or coaching is an important tool that can increase the chances of successful resettlement into society.

123 CJI, 2017: 3

Case study: StandOut

People leaving prison need the best possible chance to rebuild their lives if they are to move out of the criminal justice system for good. For many people, the key to achieving that is long-term holistic support through a relationship based on trust. Based in London, StandOut supports people leaving prison empowering them to build bridges from prison to a life outside and to realise their potential.

StandOut delivers an intensive and engaging group programme inside prison followed by individually tailored support after release, for as long as required. The route to leading a fulfilling life is not linear for most people leaving prison, and the barriers created by having been in prison only increase the feelings of frustration, disillusionment, and mistrust that many experience.

StandOut works with a client group of all ages who are, in general, entrenched in a criminal lifestyle and have experienced a disproportionately high number of life challenges. StandOut's approach is framed around a Trainee's ambitions for employment or training and delivers practical resources, develops essential skills and encourages people to understand the importance of mindset. Support from coaches continues on release, offering vital continuity between the programme inside prison and life outside in the community, and ensuring that a Trainee can develop the stability they need to move forward. Over 80% of the Trainees who complete StandOut's programme in prison take up the post-release support: this is testament to their relational approach, commitment to the individual and open-ended offer.

This transitional through-the-gate phase is a time which has been highlighted as creating the most risk of re-offending as many people struggle to find the support they need or engage with the services offered to them. New Philanthropy Capital research shows that transitions between services, like the transition between prison and probation, are critical moments for individuals, yet only 0.6% of current funding for specialist criminal justice charities goes to initiatives focused on this.¹²⁴

People preparing to leave prison who work with StandOut have more positive outcomes than the general prison population. According to recent Ministry of Justice figures, 17% of men leaving prison have stable employment six months after release, and 42% of those leaving custody reoffend within 12 months of release.¹²⁵ In contrast, StandOut Trainees are three times more likely to have found employment within six months and twice as likely to remain out of prison within their first year of release.

A recent evaluation of their work by Russell Webster described their offer as an "impressive and effective programme to help people in prison and on release maximise their chances of living a personally fulfilling and crime-free life".

124 www.thinknpc.org/resource-hub/breaking-reoffending-cycles-in-the-criminal-justice-system

125 Ministry of Justice Ad-hoc statistics bulletin - Employment on Release statistical release to March 2022 – published 12th May 2022

Charities providing through the gate support services will begin working with the individual while they are still in prison, and ideally some time before their date of release. Models such as Switchback will facilitate meetings between the mentor and mentee three months before release, enabling the two individuals to build a relationship of trust.

In our report, *The Golden Thread*, we highlighted the value of family relationships as a stabilising factor in the lives of people passing through the criminal justice system.¹²⁶ However, there are a great number of people leaving prison who do not have family for support during this time. Mentors are all the more important for individuals without family support. Where necessary, they can work with an individual to take steps to reconnect with family, as well as help them to secure accommodation and access treatment services. Getting these stabilising factors in place is vitally important to ensuring an individual accesses and sustains meaningful employment. We will explore stabilising factors such as accommodation, mental health provision and treatment services within the community in greater detail in chapter three.

Tailored support

A further benefit of person-centred support is that it can be tailored to the needs of the particular individual. This is critical given the fact that different groups of people in prison can face vastly different obstacles and challenges on release. In PET's submission to our call for evidence, Francesca Cooney explored the distinct needs of different groups in prison:

The prison population is aging, and some people leaving prison will not be looking for employment, but we would argue that advice and support about continuing education, training or volunteering should be provided. People convicted of sex offences require specialist support accessing employment – firstly to be clear about what jobs they are eligible for and secondly to have support on managing disclosure.

Francesca Cooney, PET

In particular, PET and Working Chance drew attention to the specific needs of women who are leaving prison. More so for women than for men, employment on release will not be their first priority. There are approximately 17,000 children affected by maternal imprisonment each year, and many women will be desperate to reconnect with their children as soon as they leave the prison estate. Many women are also released homeless or into unsettled accommodation, which will prevent them from reuniting with their children, as well as leaving them in unsafe and insecure surroundings.¹²⁷

A focus on employability alone can mean that practices and policies do not adequately provide for women and their specific needs. While the latest figures for people employed post release from prison seem to be improving, they are not disaggregated according to gender. The last disaggregated figures we have show that just 4% of women were in paid employment six weeks after release from custody— compared to 10% of men.¹²⁸

¹²⁶ CSJ, *The Golden Thread: Putting family at the heart of the criminal justice system*, 2022

¹²⁷ hfw.org.uk/our-services/supported-specialist-housing/reunite

¹²⁸ [prisonreformtrust.org.uk/women-released-from-prison-nearly-three-times-less-likely-to-be-in-employment-on-release-than-men/#:~:text=A%20new%20briefing%2C%20Working%20it,in%2010%20men%20\(11%25\)](https://prisonreformtrust.org.uk/women-released-from-prison-nearly-three-times-less-likely-to-be-in-employment-on-release-than-men/#:~:text=A%20new%20briefing%2C%20Working%20it,in%2010%20men%20(11%25).).

Evidence suggests that women continue to be disadvantaged in the labour market some time after release. In the UK, eight times as many women as men are not in paid employment due to caring responsibilities for children and others. Additionally, as a result of the concentration of women in the labour market, DBS checks have an elevated impact on women. The most common industries for women's employment are health and social work (21%), wholesale and retail trade (13%) and education (12%).¹²⁹ Overall, 78% and 70% of jobs in health and social work and education respectively are held by women, and most of these positions are eligible for enhanced criminal record checks.¹³⁰

Despite this, the DWP found that four out of five employers failed to provide a special recruitment process for disadvantaged groups, including women leaving prison.

'If this situation is to improve, all prisoners need access to good quality Information, Advice and Guidance (IAG) that is aspirational, realistic, and holistic.'

Francesca Cooney, PET

We will explore the challenges presented by arbitrary outcomes measures for specific groups such as women later in this chapter.

Probation Reforms

Probation Reform Programme

In 2018, the MoJ published *Strengthening Probation, Building Confidence* to review the future of probation services following the 2015 *Transforming Rehabilitation* reforms introduced by then Secretary of State Chris Grayling. It found that the *Transforming Rehabilitation* model, which outsourced large parts of the system and split offender care across Community Rehabilitation Companies (CRCs) and the National Probation Service, was "irredeemably flawed". Eight out of ten CRCs inspected were found to be "inadequate".¹³¹

As a result, and following consultation, it proposed a new unified model of probation consisting of 12 areas and due to commence operations on 26 June 2021. It reaffirmed the government's commitment to, and recognition of, the role of the voluntary sector stating "We want to see a clearer role for a wide range of voluntary sector providers in probation delivery, including local and specialist services".¹³² Lastly, it proposed the creation of a dynamic framework for resettlement and rehabilitative interventions which would "promote the involvement of smaller suppliers which often cater to particular cohorts of offenders".¹³³ The day one contracts under the dynamic framework are separated into three categories: accommodation, education, training and employment and personal wellbeing. There is also a separate category for women.

129 researchbriefings.files.parliament.uk/documents/SN06838/SN06838.pdf

130 researchbriefings.files.parliament.uk/documents/SN06838/SN06838.pdf

131 consult.justice.gov.uk/hm-prisons-and-probation/strengthening-probation-building-confidence/results/strengthening-probation-consultation-response.pdf

132 Ibid

133 Ibid

The commissioning process for the new contracts completed in May 2021, and almost two thirds of the total contract value was awarded to voluntary sector organisations.¹³⁴ While this is a welcome step in the right direction for closer working with the voluntary sector on resettling prison-leavers, a closer look at the figures by Clinks reveals that only a very small number of lead providers were included and that they were mainly “larger voluntary organisations”.¹³⁵ It concluded by describing its members’ experience of the new dynamic framework as follows:

“Despite an expressed intention from the MoJ for the commissioning process to be open to all voluntary organisations we know it has favoured larger, well-resourced organisations and disadvantaged smaller, local and specialist ones.”

While the system is still being rolled out and needs time to fully bed-in, Clinks’ early stage finding should not be ignored.

Matching talent to opportunities

Employers, now more than ever, want to recruit from the talent pool within prisons. While for some it forms part of their diversity and inclusion strategies, others merely see it as good business. Brexit and Covid have exacerbated a skills shortage in the UK labour market, and according to the Chartered Institute of Professional Development (CIPD), a third of businesses state that they are unable to address skills gaps in their workforce. Such significant gaps in the labour market will negatively impact productivity and performance, and it is in everyone’s interests that they are filled.

In the context of a tight labour market and a renewed focus on inclusive hiring, employers are increasingly looking to recruit prison leavers, recognising that the prison population is an untapped pool of talent and potential. In light of this, the Government has taken steps to facilitate various means of connecting employers with prospective employees in prison and to increase the chances of an individual accessing work on release from prison. In recent years, the public and private sector have come together to see what more can be done to help prisoners into work.

Employment Advisory Boards

The brainchild of James Timpson, Employment Advisory Boards (EABs) were set up in 2021 to help foster a culture of employment in prisons.

Each EAB consists of the prison governor and may also include the head of Reducing Reoffending at the relevant prison, a representative from the DWP, a representative from the voluntary sector, a local MP, someone from the chamber of commerce, local education providers, someone with lived experience of the criminal justice system, as well as local, regional, and national employers. The boards will usually also be chaired by someone from with a commercial background.

¹³⁴ www.clinks.org/sites/default/files/2022-03/The%20voluntary%20sector%27s%20experience%20of%20the%20probation%20reform%20programme%20-%20the%20commissioning%20of%20day%20one%20services_0.pdf

¹³⁵ Ibid

The intention of the boards is to bring together local business leaders who partner with the prison governor to make sure education and training programmes within prisons reflect local demand. They act as a critical friend, advising and holding the prison accountable for what it is doing in and across the prison to help individuals into work. EABs will be running in all 92 'resettlement' prisons in England and Wales by April 2023¹³⁶. The Timpson Foundation is also supporting the roll-out of EABs in Scotland and Northern Ireland.

Employment Hubs

Employment Hubs mirror Job Centres in the community. Those serving a sentence can receive assistance with CV writing, setting up a bank account, and accessing opportunities sourced by the New Futures Network and other partners. The Prison Strategy White Paper committed to the accelerated roll out of Employment Hubs. There are now 46 Employment Hubs in prisons across the UK.

Within the HMPPS structure, EABs and employment hubs sit within a wider programme of work called the New Futures Network, which is seeking to help prison leavers into work, with a particular focus on engaging and brokering relationships with employers.

The New Futures Network

In 2018, the Government launched a nationwide specialist recruitment agency called the 'New Futures Network' (NFN) to broker relationships between prisons and businesses and provide employment opportunities for those in and leaving prison.

The NFN provides national coverage, working with over 400 businesses across all regions in England and Wales. Promisingly, its centralised structure means the NFN can target the skills deficit at a national level, providing its regional managers with local labour market intelligence from a central hub to train and place those serving a sentence where they're needed most¹³⁷.

The NFN runs workshops with local businesses in prisons, including for example Halfords and the Timpson Group, and employers can set up their own training and production facilities across the prison estate. For those nearing the end of their sentence, the NFN can facilitate opportunities for prisoners to work in the community with employers on ROTL, and the NFN will also help to arrange interviews with prospective candidates before they are released.

Despite having been running since 2018, and with investment of £200 million from the Government, it is surprising that the NFN does not publish data on the numbers of jobs it is able to identify, prisoners it works with, or people it successfully helps into employment. Rather, as a strand of HMPPS, it relies on the statistics which cover performance for HMPPS

136 www.gov.uk/government/news/leading-uk-business-bosses-help-prison-leavers-get-work-in-crime-cutting-drive

137 justicejobs.tal.net/candidate/so/pm/1/pl/3/opp/30384-30384-Regional-Employment-Broker-New-Futures-Network-NFN/en-GB

as a whole. This suggests that between April 2021 and April 2022, 16 per cent of people released from custody were in employment six weeks later. While this is a notable increase on previous figures, this figure includes all prisoners who have accessed employment on release, whether through the NFN or other charitable organisations.¹³⁸

Recommendation 19

The New Futures Network should publish data on the numbers of jobs it is able to identify, prisoners it works with, and people it successfully helps into employment. A cost-benefit-analysis of the New Futures Network should also be conducted.

Recommendation 20

HMPPS should publish disaggregated employment outcomes data that distinguishes between jobs secured through NFN and those that were not.

Recommendation 21

The NFN should be mandated to work more closely with local third-sector organisations. Many local charities have valuable local knowledge, connections, and can deliver tailored support to individuals. Combining the scale of NFN with this expertise can help drive positive outcomes.

Prisoner Employment Leads

A welcome part of the NFN model is the introduction of Prisoner Employment Leads (PELs), who promote end-to-end Prison Employment pathways for prisoners. PELs are responsible for identifying work ready candidates, prioritising actions and services needed to ensure prisoners are work-ready, and matching candidates to vacancies supplied by NFN and other employment stakeholders.

The government intends to employ a PEL for each of the 92 resettlement prisons across the country. While the PEL is able to work with prisoners in the estate, its remit does not extend into the community. Rather, it is considered the role of the dedicated probation officer to pick up the individual on release, as part of the individual's licence supervision. Where the prison officer determines that the individual needs support, they will take steps to refer them to Education, Training, or Employment (ETE) provision in the community.

¹³⁸ Ministry of Justice, Employment on Release statistical release to March 2022, Ad-Hoc Statistics Bulletin, April 2022.

However, this process lacks a ‘through the gate’ element, and probation officers already have extremely high caseload. When probation practitioners hold a caseload of 50 or more, they are less likely to deliver high quality work meeting the aims of rehabilitation and public protection.¹³⁹ According to a recent HM Inspectorate of Probation report, prison service officers have a mean caseload of 61.2 individuals on their books at any one time.¹⁴⁰ Many people can fall through the gaps as a result.

Recommendation 22

The Government should create a framework whereby the Prison Employment Lead (PEL) is expected to form relationships with employment organisations in the community. This should be structured, with a formal part of the job role to host regular monthly meetings with community organisations.

Collaborative working

While the NFN’s strength lies in brokering relationships between prisons and employers, anecdotal evidence gathered during the course of this research suggests that it is less successful at actively helping individuals make the move into employment. This stands in contrast to the small number of voluntary sector organisations up and down the country who both broker relationships, help those leaving prison to access job opportunities, and support them to remain in those roles.

Central to this approach is a relationship between a caseworker and the prison leaver. The caseworker will pick up the individual within the prison estate and offer them tailored, one-to-one support, often meeting them in their first few days of release, and journeying with them on their path to employment.

We stay in touch with them when they come out. We have a portal which tells us who is coming out, what job offers they have, which of those job offers are feasible. We will then call them on the day of their release, and if they don’t pick up we will call them the next day and the next day. We won’t give up on them easily.

Heather Phillips, Choirs Beating Time

Government led initiatives such as NFN can do more to foster a much more collaborative culture with charitable organisations. This would not only benefit the work of both parties, but it would also avoid duplication in the system.

Collaborative working between education and employment support is also critical to success on release. Innovative education providers such as Novus are also helping to smooth the transition between prison and work by delivering contracts for education provision alongside employment support and information, advice and guidance.

139 www.russellwebster.com/how-big-should-probation-caseloads-be

140 www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/03/Caseloads-and-Workloads-RAB-LL-designed-RM-amends-Mar-21.pdf

The Yorkshire Model: A new approach to employer engagement

The Prisons Strategy White Paper recognises the importance of employer engagement, information, advice and guidance (IAG) and employment support. However the approach currently in use – involving separate contracts being awarded for Employment Hubs, education and IAG – creates organisational silos, duplication, subscale delivery and confusion for businesses and prisoners alike. Employers end up having to separately engage with different teams and organisations, creating the risk of information falling between the gaps rather than being shared for maximum impact.

In the Yorkshire and Humber region, education provider Novus has piloted a different model, delivering contracts for education provision alongside employment support and IAG. Employer engagement is therefore easier and prisoners have consistent teams working with them from course delivery through to securing a job after their release. The number of prisoners progressing into stable employment or further training and education after release has increased by 65 per cent over the last three years. The employment outcomes of the prisons taking part in the programme are up to three times higher than those where these services are delivered by a range of different organisations and teams.

According to latest figures from the Ministry of Justice, prisoners who participate in an education programme while serving a sentence and then progress into employment or further education and training upon release are almost 10% less likely to reoffend. As such, the 'Yorkshire Model' is not only providing skilled workers for the local labour market but is playing a significant role in reducing the £18bn per year cost of reoffending across the country.

Novus Managing Director Peter Cox commented: "It was clear to us that if the prison education sector was to be even more effective at helping to break cycles of reoffending and positively impact the lives of ex-offenders, there needed to be stronger connections between the education that prisoners receive while serving their sentence and the employment opportunities that exist in the labour market upon their release.

"By strengthening these links through greater collaboration and enhanced support for offenders upon their release in the Yorkshire region, we have been able to significantly increase the number of offenders who move into stable employment at the end of their sentence."

Leading pub retailer and brewer Greene King has benefitted from the innovative approach being used in Yorkshire and Humber. Lynne Kennedy, the company's talent development manager, said: "We understand that everyone has a past, but regardless of background we want to help people build a successful career in the hospitality industry. Novus is one of our key partners which provides the education and preparation for release across prisons within the Yorkshire region. With their help, we continue working closely with each prison leaver we employ, offering tailored support, training and resources, helping them gain confidence, stability and an opportunity to build a sustainable career, contributing to a reduction in reoffending."

As the Yorkshire Model demonstrates, full integration of IAG education, employment and skills into a single unified service has the potential to deliver transformational results for prisoners and employers alike.

Recommendation 23

The New Futures Network should set out to foster a collaborative culture with the voluntary sector to share learnings, best practice, and to avoid duplication. For example, it should be mandatory for each EAB to have a voluntary sector partner on the board.

chapter three

Sustaining meaningful employment in the community

Introduction

Having examined in Chapters One and Two both the importance of preparation in prison and the key moment of transition, our attention now turns to the often forgotten barrier to work: the need for ongoing support post-release and into the community. Release, after all, brings a new set of challenges, even for those who have achieved a job offer or job start. Poor housing. Fluctuating mental and physical health conditions. Addiction, debt, social stigma. All pose barriers that, without the right help, can fundamentally hamper individual progress into work. In this Chapter we explore the measures that can be taken to help prison leavers not only achieve – but critically, sustain – meaningful employment outcomes.

Employment support in the community

Key to positive employment outcomes for many prison leavers is additional support after release. We've seen examples during the course of this research of impressive interventions designed to help prison leavers into work and sustain employment. This is achieved through personal mentoring, resolving practical issues as they arise directly with employers, as well as helping prison leavers to navigate the often highly complex barriers to holding down a job that they face.

There are at least 11 organisations across the England working this space, projected to support over 1,000 prison leavers into work in 2023. For example, the Tempus Novo charity works across West Yorkshire with a support offer starting several weeks before release from prison and continuing for a minimum of 12 months once participants are in employment. They argue that employment plays a significant – although not standalone – part in the rehabilitation process. And so the charity engages the employee and the employer to resolve disputes but also provides personal mentoring to participants, keeping ratios of support staff to employees low so as to maintain the 'human scale' of the mentoring relationship. This approach sees a high work retention rate of those entering employment, with some 70 per cent of participants being retained in work.

	2014 - 2016 (Jan -Dec)	2017 (Jan -Dec)	2018 (Jan -Dec)	2019 (Jan -Dec)	2020 (Jan -Dec)	2021 (Jan -Dec)	2022 (Jan - end Feb)
Total Referrals	500	717	761	814	613	596	170
Total Interviews	214	278	366	387	250	294	60
Into Work	76	70	103	148	70	114	29
Into Work Over 6 Months	52	60	79	108	50	PENDING	PENDING
Returned to Custody	12	2	1	6	4	2	0
% PP (Priority Prolific Offenders)	51%	35%	25%	27%	23%	20%	22%
Retention Rate	69%	74%	73%	73%	71%	PENDING	PENDING

Case study: Tempus Novo

Tempus Novo is an organisation founded and run by two former Senior Prison Officers with over 70 years' experience between them working in prisons. Set up in the UK in 2014, Tempus Novo is an award-winning charity that secures sustainable employment for expertly risk assessed ex-offenders.

It's a model that gives the employer assurances around safeguarding and reputational risk, and it comes with a bespoke support system that consists of a dedicated caseworker taking care of any employer and employee concerns for 12 months.

Tempus Novo has placed approaching 800 people into sustainable employment, of which only 33 (4 per cent) have returned to prison. In the UK, 64 per cent of people reoffend within two years of release from prison.

Due to the success of the candidates put forward (one in five go on to be promoted) there is increasing demand for Tempus Novo's services from largescale employers such as Maersk, John Lewis & Partners and GXO logistics, all looking for hard working employees. The success of this model also lies in attracting other organisations keen to make a difference in the criminal justice sector, including Sheffield Hallam University who are now part of the strategy team looking at a sustainable funding model.

Simon and Dave are just a couple of the ex-offenders who have been able to turn their lives around thanks to the work of Tempus Novo. Simon bumped into Val and Steve during their visit to HMP Wealstun. Upon hearing about the work they were doing at Tempus Novo, he instantly asked if they could help him. Simon got in touch with them when he was on home leave at Christmas time, went into the office for an interview in mid-January, and by early February had started full-time employment with KTSwire

"You will never know how much you have helped me to change my life and the positive impact a job has had on me. I now have self-respect, a purpose in life and look forward to spoiling my grandkids."

Having served several sentences, Dave decided that he wanted to move away from a life of crime and join mainstream society. His offender supervisor in HMP Leeds contacted Tempus Novo and secured him an interview, which he attended and successfully passed in December 2014. He is now in employment, has his own rented flat and a good network of support around him. Feedback from his manager has shown him to be an incredibly hard-working and reliable employee who is immensely grateful for the opportunity he has been given. According to Tempus Novo, Dave is a fine example of how recruiting ex-offenders pays off for the business.

“After so many years in prison I knew I didn’t stand much of a chance of finding a job and having any kind of a future. A year on, I’m still at work and finally my life is coming together. I can’t tell you how grateful I am to be given another chance at life, something I know most people at my age and with my background don’t get. I honestly don’t know what I would have done without Tempus...”

Case study: The Recruitment Junction

The Recruitment Junction is a non-profit recruitment charity in the North East of England, placing both former prisoners and community-based ex-offenders into paid work. Its candidates are the men that they meet in custody, with the support of its trained prisoner-peer mentors, who the charity then continues to support through the gate into work, and also people living in the community and who form part of the 11 million men and women in the UK who have a criminal record, be that as a result of a custodial sentence or other community sanction. 70 per cent of all ex-offenders who engage with The Recruitment Junction will find paid work – the majority of these categorised as “serious offenders” – and they see 79 per cent in-work retention rates and fewer than 2 per cent of placed candidates re-offending.

The work that the charity does is holistic, long-term and invariably highly practical, in removing barriers to work. In the case of Jack, he was referred to the charity by a partner organisation in 2021, 6 months after his last prison release, having originally served a life sentence for murder. Jack had first left prison ten years ago, but had been unable to achieve lasting stability or sustained life change, with 5 recalls to prison in that period. He had been volunteering for 6 months, but hadn’t made progress regarding paid work, seeming somewhat adrift and without any real plan. This was surprising, in that he was a highly skilled joiner, a very sought-after trade.

The assorted barriers to this became apparent: all his trades tool were the other side of the country at his ex-wife’s house, he had lost his right-to-work ID documents and his joinery qualifications, and his site safety legal documents had lapsed whilst in prison. He didn’t have any suitable workwear, and no funds to acquire any of these multiple elements.

From a practical viewpoint, The Recruitment Junction obtained Jack’s birth certificate, construction site safety card (CSCS), covered a tank of petrol to the Midlands to collect his tools, plus bought him new work-boots, trousers and waterproofs – all funded through their charitable hardship fund.

Morally, Jack was visibly buoyed up as he could see practical things being put into motion - and much heartened by the visit down country which also allowed him to see his two children – he was “back in the game”. Within the month he was working with a local employer on a Grade II listed building on Newcastle’s quayside. At the end of his first 6-day week, Jack said:

“I’ve earned more in one week than I got in 2 months on benefits! My little boy wanted a tablet for Christmas, and now I can get him it.”

The first contract ended and in parallel, his mum was terminally ill. As The Recruitment Junction continued to support and mentor Jack over the weeks that he carried on coming into the offices to pour out his heart, they could see that his mental health was suffering and there was fear for renewed substance abuse that could escalate to another prison recall. In mid-2022, they placed him into permanent work with a recycling firm, and he worked a week until his mother passed away. Somewhat bittersweet, Jack knows she was glad to see him:

“...get my life back together and we spent a lot of time together. She also got to see me start this job and I know she was really proud of me. I’ll make sure I keep making her proud.”

If the Government is to succeed on driving down reoffending and ensuring that more participants receiving employment support are sustained in work, it must look well beyond the prison gates and provide additional funding to the organisations working to maintain employment outcomes in the community. Many of the organisations working to support ex-offenders into employment in the community receive virtually no public funding and are unstable due to year on year grant funding, fiercely competing for a generous but limited pool of philanthropic funders.

Meanwhile, of the £200 million committed to reduce reoffending, a significant proportion has been allocated to employability provision inside the estate – for example, the 71 prison Employment Leads and 46 Employment Hubs, both of which are set to increase in number. While these measures are hugely welcome, the Government should take the earliest opportunity to rebalance funding so that community based organisations can play a greater role in the sustainment of employment outcomes post-release.

Recommendation 24

The MoJ should reallocate a portion of the reoffending funding pot, which is largely committed to pre-release employability initiatives at present, and make this available to community organisations providing wrap-around support proven to sustain employment outcomes.

Stabilising factors

Housing

Access to appropriate accommodation following release ensures physical safety but it is also a key prerequisite for work readiness. Long-term housing brings stability and enables prison leavers to establish productive routines which is especially important when trying to secure or sustain employment. There are also practical barriers which prevent people from accessing the labour market which accommodation helps to overcome. For example, individuals need a permanent address to have an employment contract or obtain a bank account to get paid for work they complete.

Preventing homelessness

Research shows that prison leavers are approximately 50 per cent more likely to reoffend if they are released without accommodation.¹⁴¹ Subsequently, in the 2021 Prisons Strategy White Paper, the Government outlined its ambition to ensure that '*no one who is subject to probation supervision is released from prison homeless*'.¹⁴² Despite this, 7 per cent (3,946) of people released from custody between April 2021 to March 2022 were homeless while 4 per cent (2,308) slept rough.¹⁴³ Data from the statutory homelessness live tables, meanwhile, put the number of people leaving custody homeless over the same period at 6,130.¹⁴⁴ Rates of homelessness among the general population by comparison stand at 0.86 per cent.¹⁴⁵ London-based charity Switchback reports much higher rates of homelessness among its cohort of male prison leavers aged 18-30 of around two thirds.

It is important to note that people enter the prison estate with a variety of housing experiences. Around 15 per cent are homeless when they commence their sentence¹⁴⁶ while many others lose their tenancies while they are in prison if they get evicted or are unable to make their rent payments.¹⁴⁷ There are also several barriers which prevent prison leavers from accessing settled accommodation, including limited access to supported housing, exclusion from social housing provision, limited housing stock and high costs and up-front fees in the private rented sector.¹⁴⁸

There are multiple agencies that are involved in accommodating prison leavers. Resettlement workers in prison should assess an individual's housing situation and formulate a pre-release plan to ensure they have accommodation when they leave custody.¹⁴⁹ According to the Homelessness Reduction Act 2017, prisons and probation services have a Duty to Refer

141 [Accessed via: www.theyworkforyou.com/wrans/?id=2022-06-17.20295.h]

142 Prison Strategy White Paper, Page 46

143 Gov.UK, 2022, Community Performance Annual, update to March 2022 [Accessed via: www.gov.uk/government/statistics/community-performance-annual-update-to-march-2022], Accommodation at Release – Table 2

144 [StatHomeless_202206.ods \(live.com\);Table A4R](#)

145 www.bigissue.com/news/housing/how-many-people-are-homeless-in-the-uk-and-what-can-you-do-about-it

146 Williams, K., Poyser, J., & Hopkins, K. (2012). Accommodation, homelessness and reoffending of prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey. Ministry of Justice Research Summary, 3/12. Ministry of Justice

147 www.crisis.org.uk/ending-homelessness/law-and-rights/prison-leavers/

148 HMIPP, July 2020, Accommodation and support for adult offenders in the community and on release from prison in England [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/07/FINAL-Accommodation-Thematic-inspection-report-v1.0.pdf], Page 4

149 NB – Resettlement workers help prison leavers with housing, finance, benefit and debt, domestic violence, education, training and employment.

people to local authorities who are, or are at risk of becoming, homeless.¹⁵⁰ While local authorities have a duty to prevent and relieve homelessness, they only have a *duty* to house the most vulnerable, who have a local connection and are not 'intentionally homeless'.¹⁵¹ As a result, many prison leavers, especially if they do not have children, are not prioritised for housing.

Offender Accommodation Pilots

The Government recognises the negative impact homelessness can have on the employment outcomes of prison leavers and we welcome recent positive developments. For example, as part of the Government's £100 million Rough Sleeping Strategy, Offender Accommodation Pilots ran in HMP Bristol, HMP Leeds and HMP Pentonville between August 2019 and July 2020. During this period, 324 individuals were allocated housing for up to two years, which was funded by housing benefits, as well as bespoke wraparound support with employment, education and family engagement.¹⁵²

Community Accommodation Service Tier 3

In addition, HMPPS has launched a national roll-out of Community Accommodation Service Tier 3 (CAS3) which provides up to 12 weeks' (84 nights) basic accommodation and support for those leaving prison at risk of homelessness.¹⁵³ It is expected that 12,000 prison leavers will benefit from this scheme per annum by the end of next year.¹⁵⁴

Critically, the roll-out of this scheme relies on Community Probation Practitioners assessing whether accommodation is suitable for the prison leaver. However, there are fears amongst the sector that there is not sufficient capacity within probation. Indeed, a 2021 HM Inspectorate of Probation report found that many probation staff are unable to adequately manage cases due to high caseloads, insufficient training, staffing levels or a lack of administrative support or funding.

While temporary accommodation coupled with intensive holistic support is a step in the right direction, the transition to independent living must be managed carefully, especially for prison leavers with complex needs.

Crucially, there is significant public support for preventing homelessness amongst prison leavers. CSJ polling revealed that 67 per cent of UK adults agree that prisoners should be supported to access stable accommodation, given that it has been shown to reduce reoffending.¹⁵⁵ Prison leavers without stable accommodation are almost 50% more likely to break the law again compared to those with stable accommodation.¹⁵⁶ To ensure that

150 [Accessed via: www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/07/FINAL-Accommodation-Thematic-inspection-report-v1.0.pdf], Page 7

151 Critically, LAs do have a duty to make the necessary inquiries to ascertain what level of duty they owe an applicant.

152 UK Parliament, 15 January 2021, Prisoners' Release: Temporary Accommodation [Accessed via: questions-statements.parliament.uk/written-questions/detail/2021-01-15/138417]

153 [Accessed via: www.theyworkforyou.com/wrans/?id=2022-06-17.20295.h]

154 [Accessed via: www.digitalmarketplace.service.gov.uk/digital-outcomes-and-specialists/opportunities/16932]

155 www.justiceinspectorates.gov.uk/hmiprobation/research/the-evidence-base-probation/specific-areas-of-delivery/accommodation

156 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1105501/London-HMPPS-Reducing-Re-offending-plan.pdf

no prisoner leaves the estate homeless and where appropriate, has a route to settled accommodation, wraparound holistic support is key. For individuals with complex needs – whether that be addiction or mental health – long-term, intensive support which tapers off as an individual gains the skills, social networks and financial security to live independently and enter the labour market is essential.

Specialist accommodation: Supported housing

Supported housing is a type of specialist accommodation which aims to “help people to build ordinary living skills, while they are in the supported accommodation, and for the future, when people move on to independent accommodation.”¹⁵⁷ Most supported accommodation is short term, but in some cases can be for up to two years. For prison-leavers with complex needs and facing additional challenges on release, supported accommodation can help ease the transition from prison to independent living.

Nevertheless, the provision and availability of supported accommodation for prison leavers is patchy. Most supported housing is provided by voluntary organisations, but some is owned by the council or housing association and run by a charity. Despite its obvious benefits for prison leavers adjusting to life on the outside, evidence submitted to the CSJ suggests that there are fundamental problems with the provision of supported accommodation for prison leavers. One voluntary sector organisation outlined that:

‘Living in supported accommodation which involves a higher rent and service charges can make it seem too “expensive” to work while living there. There is confusion around what happens to benefits including the housing benefit element or any additional funding which could be lost if the person works beyond a few hours per week. I have known of a supportive housing provider encouraging “cash in hand” work so that housing benefit isn’t lost which would in turn make the rent unaffordable.’

Samantha Parfitt, Grace Enterprises

While the quality of support varies significantly according to the provider, it is essential that prison leavers are not financially penalised for undertaking additional hours at work.

¹⁵⁷ unlock.org.uk/advice/supported-housing

Specialist accommodation: Housing First

Housing First helps people who are chronically homeless, and often with multiple other complex needs, to move into and sustain permanent accommodation. Typically, individuals will be helped to secure settled accommodation – reflective of the availability within the local housing market. A Housing First key worker will then work with service users and coordinate access to a range of services – such as drug and alcohol treatment, mental health support, and criminal justice agencies. This Intensive Case Management (ICM) approach is most commonly used across Housing First sites in England.¹⁵⁸

The Housing First model makes the compelling case that we cannot wait for reform or rehabilitation to be achieved before securing stable housing. Rather, the security and stability that comes with settled accommodation should be seen as a backdrop from which the road to long-term desistance can be embarked upon.

Recent evidence from Scotland's five Housing First pathfinder areas shows that 88 per cent of the 270 people housed by June 2020 had sustained their tenancies.¹⁵⁹ And an independent evaluation of the Threshold Housing First project in Greater Manchester, which supported 33 women with a history of offending between 2015 and 2017, found that over the first two years, 80 per cent of tenancies were sustained with a marked reduction in reoffending.¹⁶⁰ The impact of Housing First as an intervention transcends the provision of stable accommodation. A study from the University of York found improvements in substance misuse and physical and mental health amongst a cohort of 60 Housing First service users.¹⁶¹

Specialist accommodation: Critical Time Intervention

As a step down from the Housing First model, homelessness charity Crisis is piloting a new housing support model across 11 of their services. Predicated on the same principles of Housing First (primacy of housing), the CTI offers two options and is less resource intensive than Housing First.

Model one offers nine months of support in three 3-month phases: pre-release, post release and transition into the community. Prison leavers are supported to locate accommodation before release, connect back in with friends and family and then transition into the community by moving into stable accommodation and receiving an income.

Model two focuses on prisoners release at short notice, offering a dynamic and responsive team to support the leaver to find accommodation in the private rented sector. This service is for people with lower-level needs who are supported over a shorter period of six months.

158 The Centre for Social Justice, Housing First, Reducing rough sleeping and chronic homelessness. Page 47

159 Housing First Scotland: the Housing First tracker, Progress to June 2020. (Accessed via: homelesnetwork.scot/wpcontent/uploads/2020/07/HF-Scotland-Monthly-Tracker-JUNE-2020.pdf)

160 Quilgars, D. and Pleace, N. York: University of York, The Threshold Housing First Pilot for Women with an Offending History: The First Two Years Report of the University of York Evaluation, 2017. Page 24

161 The Centre for Social Justice, Housing First, Reducing rough sleeping and chronic homelessness. Page 42

Recommendation 25

The Government should review the processes currently in place for evaluating the post-release accommodation status for prisoners. Efforts should be renewed to identify those to be released without a home, and substantive procedures implemented to connect individuals with relevant local services and third-sector organisations well ahead of release.

Recommendation 26

The Government should pilot a prison-leaver Housing First scheme providing wraparound support and focused on vulnerable prisoners who have experienced chronic homelessness and complex needs. This could be initially piloted with vulnerable women leaving the estate.

Recommendation 27

While initiatives like the Offender Accommodation Pilots are a vital first step in securing suitable accommodation for prison leaver in the short to medium term, the Government must now incorporate this into a wider strategy for longer-term accommodation outcomes.

Subsistence payments

When an individual leaves the custodial estate they face several immediate demands on their time and money. Nearly all prison leavers will have to pay for travel to attend healthcare, housing or job centre appointments, as well as other essentials such as a phone, homeware and weather appropriate clothing. As of August 2021, the Subsistence Payment grant that prison leavers receive to cover these costs was raised to £76 (the first rise in 26 years).¹⁶² While a welcome rise, a recent report from the PRT highlighted the fact that “thousands of prisoners remain ineligible, including those released from remand, fine defaulters and people serving less than 15 days.” The Government has committed to increasing this payment in line with the Consumer Price Index until 2024-25. Given the sharp increases in the cost of living in the UK, it is essential that this payment is reviewed every six months so people leaving prison are afforded a fair opportunity to achieve a successful resettlement.

162 HMPPS, Discharge, 16 August 2021. Page 2

Universal credit

Given that the majority of people leaving prison do not have a job upon release, Universal Credit is an essential financial safety net which means that former prisoners can support themselves, without resorting to crime, until their lives are stable enough to find employment.

However, there are numerous logistical barriers which make the process of claiming complex for people within the prison estate. To make a Universal Credit claim, an individual must have an email address, home address, phone number, a bank account and if an individual rents their home, a tenancy agreement or proof of housing costs.¹⁶³ Crucially, you need ID, such as a driver's licence or passport, which many people in prison do not have due to being homeless, being evicted and losing their possessions or as a result of a chaotic lifestyle.

The Prisons Strategy White Paper has committed to '*getting the basics right*' before individuals leave prison so they can '*lead crime-free lives on release*'.¹⁶⁴ Work coaches from the Department of Work and Pensions are based in every prison.¹⁶⁵ 12 weeks prior to a prisoners' release, they should assess what benefits an individual leaving prison will be eligible for in the community, ensure they have ID and the evidence they will need to make a UC claim and book an appointment with the jobcentre in the community on the day of their release so they can be supported to find work quickly.

The Government has also committed to rolling out resettlement passports (as discussed below) to aid the process of claiming UC and finding work – these documents should collate all the information an individual needs to transition from prison to the community, including ID, details of address post-release and a proposed career path. While these actions will help prison leavers prepare their Universal Credit claim, existing eligibility rules mean that the claim cannot be submitted until after they have been left the prison estate.

Currently, the MoJ has limited data to ascertain how quickly prison leavers are receiving benefits. Moreover, little is known about why certain prison leavers did not apply for benefits and their outcomes. Without this, it is difficult to fully understand why the current system is not working for all.

Recommendation 28

DWP should allow prisoners who are reliant on Universal Credit to submit their claim and advance application five weeks before their pre-approved release date so they can receive their first payment on the day of their release.

¹⁶³ DWP, October 2021, Supporting prison leavers: a guide to Universal Credit [Accessed via: [gov.uk/government/publications/universal-credit-it-and-prison-leavers/supporting-prison-leavers-a-guide-to-universal-credit#role-of-the-resettlement-worker-england-and-wales-only](https://www.gov.uk/government/publications/universal-credit-it-and-prison-leavers/supporting-prison-leavers-a-guide-to-universal-credit#role-of-the-resettlement-worker-england-and-wales-only)]

¹⁶⁴ Prisons Strategy White Paper, Page 26

¹⁶⁵ Ibid, Page 43

Access to substance misuse and mental health treatment

As discussed in chapter one, it is well established that people in prison have much more complex mental health needs than the general population. In 2018, 45% of prisoners reported having a drug misuse treatment need and 17% had an alcohol misuse treatment need.¹⁶⁶ Rates of mental ill health are even higher. A 2019/20 report by HM Inspectorate of Prisons found that 47% of male prisoners and 71% of female prisoners reported having mental health difficulties.¹⁶⁷

As part of its longer-term strategic goals, the Prisons White Paper included a pledge to tackle substance misuse and mental health issues among prison leavers which, “*for too many prisoners pose a barrier to rehabilitation reform by deploying the full range of treatment options, including abstinence-based treatment, to support recovery from drug dependency*”.¹⁶⁸

The difficulties presented to successfully maintaining a job with drug and alcohol dependency or mental health challenges are clear. The Health and Safety Executive, Britain's national regulator for workplace health and safety, states “*abuse of alcohol, drugs and other substances can affect health, work performance and safety*”.¹⁶⁹ Those struggling with dependencies may find they are off work more frequently, experience changes in behaviour, dips in productivity, accidents or near misses and performance or conduct issues.¹⁷⁰ While employers will vary in their approach to such concerns, employees struggling with drug and alcohol addictions in ‘safety critical work’ may need to be temporarily moved to another job.¹⁷¹

Drugs & alcohol services

The Prisons White Paper was clear about the centrality of continued drug rehabilitation support to prevent future offending. It set an ambition to “ensure that all prisoners needing treatment after release are referred to community providers and continue to engage in treatment, including abstinence-based drug and alcohol rehabilitation.” While we support this ambition, it remains to be seen whether this is fully realised over the longer-term.

Currently, Public Health Outcome Framework Indicator 2.16 is the national indicator which measures the continuity of care for those released from prison with a substance misuse treatment need that are referred to, and subsequently engage with, a community treatment provider.¹⁷² According to a 2018 Public Health England report on the subject, evidence of successful transfer in London is low. Just 21% of prison leavers were treated in their local area following release. Nationally, the average is just 30%. The report also contained findings from a project run by The London PHE Centre which explored the barriers to continuity of care across five of the highest receiving boroughs in the city. Out of a total 264 transfers into the community, 70 engaged in community treatment giving a 26.5% engagement rate.

166 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf

167 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf

168 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1038765/prisons-strategy-white-paper.pdf

169 www.hse.gov.uk/toolbox/organisation/drugs.htm

170 www.hse.gov.uk/alcoholdrugs/index.htm#article

171 www.hse.gov.uk/alcoholdrugs/support-employees.htm

172 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760266/ContinuityofCareinLondon.pdf

Key barriers to community treatment on release included:

- Attrition at key points on the pathway from prison to community substance misuse treatment services— primarily at the referral stage and then between appointments offered and attended. Only 56% of the total transfers from prison were confirmed as referrals received in the community.
- Lack of comprehensive referral information shared between the prison substance misuse teams and community services. Key information such as drug testing and license conditions imposed on release were not routinely recorded.
- Only a third of those prison leavers that did not attend their community appointment were offered any recorded follow up.
- Lack of joined coordinated working across prison and community agencies ahead of release.
- Incomplete substance misuse referral forms shared from prison to community services, often not sent within consistent timescales.

Key enablers to community treatment on release included:

- Prison ‘in-reach’ where community workers visit residents prior to release to support with recovery planning. Of those that received in-reach support, 80% attended their appointment with substance misuse services on release.

Successful community-based drug treatment can have a significant impact on reducing reoffending. A recent joint statistical report published by the MoJ and PHE found a 33% reduction in offences committed by an offending cohort of 132,000 following engagement with drug and alcohol treatment.¹⁷³ PHE’s Social Return on Investment of Adult Drug and Alcohol Interventions Toolkit, meanwhile, estimates that 72,000 crimes by drug clients and almost 18,000 crimes by alcohol clients were saved as a result of investment in substance misuse treatment.¹⁷⁴

Recommendation 29

All prisoners with ongoing substance misuse needs, whether abstinent or not, should be offered a community treatment appointment within a week of their release.

Recommendation 30

All prison leavers that do not attend their first community treatment appointment should be contacted within 24 hours of their missed appointment and offered a new one. Investigations should be made to understand why the appointment was missed and to support attendance at the next available appointment.

173 assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674858/PHE-MoJ-experimental-MoJ-publication-version.pdf

174 www.gov.uk/government/publications/continuity-of-care-for-prisoners-who-need-substance-misuse-treatment

Mental health services

The Prisons White Paper described the primacy of access to mental health support for prisoners on release in much the same way as for drug and alcohol services, describing the 'cliff-edge in care' facing prison leavers without continued support in the community.¹⁷⁵ Without it, prison leavers risk "tripping up" and ending up back in prison, costing them not just their job but their liberty.

According to the 2021 House of Commons Justice Committee report, a lack of mental health support for prison leavers in the community can result in prisoners being returned to prison.¹⁷⁶

"We certainly see people, for example, recalled to custody because of chaotic behaviour and non-compliant behaviour in the community, and when you are looking at the case it is all about unmet need."

Often prisoners who have been receiving treatment for mental health difficulties in prison are released to find that there are no services for them in the community, including no medication. Prison leavers should not face a dearth of support for ongoing mental health needs nor should they face the prospect of being re-incarcerated when those needs are not adequately met on release.

The committee further heard in evidence that poor communication between the prison estate and community mental health services as well as a lack of fixed address were further barriers with a GP commenting;

"Prisoners who do not have a fixed address prior to release face real challenges as to who is responsible for taking over care. Even where referrals to community mental health services are made, patients are frequently not contacted by community teams in a timely manner after release."

The committee concluded that *"the transition from prison to life outside is challenging enough for these prisoners without this sudden withdrawal of their mental health support and treatment. It does not benefit the public if these prisoners fall into chaotic lifestyles, with the increased risk of re-offending that brings, because the support and treatment they had in prison has been removed."*

RECONNECT

To address many of the problems outline above, the NHS now runs a 'care after custody' programme called RECONNECT which seek to improve the continuity of care of vulnerable people leaving prison.¹⁷⁷ It is designed to work with people before they leave to support their transition into community-based services, reducing the health-related drivers of reoffending behaviours. It backed by a £20m investment under the NHS Long Term Plan.¹⁷⁸

The support on offer includes:

- Release planning up to 12 weeks prior to release

175 prisonreformtrust.org.uk/wp-content/uploads/2022/02/Winter-2022-Factfile.pdf

176 committees.parliament.uk/publications/7455/documents/78054/default

177 www.england.nhs.uk/commissioning/health-just/reconnect

178 www.clinks.org/community/blog-posts/reconnect-care-after-custody

- Up to 6 months post-release support
- 2 points of face to face contact prior to release
- A named RECONNECT staff member to work with prior to, upon release and until the individual is engaged with community-based health services.
- Peer support
- Trauma informed practice

There are 11 pathfinder sites, with an ambition to have RECONNECT services across the country by 2024.¹⁷⁹

Recommendation 31

Government should expedite the rollout of RECONNECT services, prioritising areas where there is greatest need and commissioning an impact evaluation to be published at the earliest possible opportunity.

Individual Placement and Support

Between 2013 and 2016, the Centre for Mental Health conducted a feasibility study of Individual Placement and Support (IPS) for prison leavers with mental health difficulties.¹⁸⁰ IPS is an evidence-based employment support methodology that supports people with severe and enduring mental illness into real work (i.e. competitive and paid).

Unlike traditional employment support methodologies, IPS ‘places then trains’, meaning the emphasis is on seeking employment first and then supporting the client to remain in work. Another key element of IPS is that employment support should be embedded within a mental health team.¹⁸¹

Key IPS elements are summarised in the table below.

It aims to get people into competitive employment.

It is open to all those who want to work.

It tries to find jobs consistent with people’s preferences

It works quickly

It brings Employment Specialists (ESs) into clinical teams.

ESs develop relationships with employers based upon a person’s work preferences.

It provides time unlimited, individualised support for the person and their employer.

Benefits counselling is included.

179 committees.parliament.uk/publications/7455/documents/78054/default

180 www.centreformentalhealth.org.uk/sites/default/files/2018-09/CentreforMentalHealth_From_prison_to_work_web_version.pdf

181 www.centreformentalhealth.org.uk/sites/default/files/2018-09/CentreforMentalHealth_From_prison_to_work_web_version.pdf

The model worked as follows:

- Employment specialists received referrals from mental health in-reach teams (ideally 4-6 weeks in advance of the earliest expected release date)
- For prison leavers with complex needs, referrals were made to the project lead, who matched them with a volunteer mentor
- The employment specialists made connections both within and outside of the prisons, included forging relationships with national companies like Timpson and Greggs that offered work experience placements, and were willing to consider people supported by the project for employment

The range of support offered included:

- Benefit counselling
- CV skills building and writing
- Identifying skills and interests
- Support with meeting license conditions
- Goal-setting
- Practical support with accommodation

In total, the project actively engaged with 54 prison leavers, 27 of whom received the IPS intervention and a control group which did not. Overall, 21 prison leavers were supported into work equating to 39% - more than double the national average of 16%.

Resettlement passports

It is clear that a high degree of coordination between the prison estate and community services, between services themselves and with people leaving prison is required for successful resettlement on release. One way to achieve this, if done well, is set out in the Prisons Strategy White Paper. In it the Government committed to the introduction of Resettlement Passports, which would *'bring together all of the essentials that prison leavers need to lead crime-free lives on release.'*

The resettlement passport would be a personalised document recording the information and services that prisoners, and those working with them, will need to access to ensure resettlement is a success – i.e. many of the stabilising factors outlined in the previous sections.

In the white paper, it was noted that it would document needs such as accommodation, mental health, drugs, education, skills, work, and family ties. It was also stated that the document would be started on entrance to the prison estate, it would then follow the individual through their sentence, and on into the community post-release.

By reflecting the individual's employment history and the transferable skills they have developed while in prison, the resettlement passport could be a helpful resource for those leaving prison and the agencies working with them. However, this is not the first time a common tool bringing together key information pertaining to an individual's resettlement has been attempted. Similar attempts were made under the Transforming Rehabilitation programme, which shone a light on the technical and logistical challenges that come with the sharing of potentially sensitive data across multiple agencies.

As highlighted by the Prison Reform Trust and others in their response to the Prison Strategy White Paper, the success of the passport will depend on its ability to open doors to services without stigma, and not simply act as another set of conditions on an individual's licence. It is also important that the prisoner is involved in the creation of the passport, setting their own goals and reviewing progress towards them, with the support of the relevant agency or sector partner.¹⁸²

Preparation for release, and therefore the creation of the passport, must begin on first entry to the prison estate and be linked to sentence planning. It would also be beneficial for individuals to have access to both a paper and digital copy of the passport, to ensure it is used to its fullest potential.

Recommendation 32

The Government should set out a clear strategy of implementation and a timeline of delivery of the resettlement passport, outlining how it will overcome the challenges experienced under the Transforming Rehabilitation Programme.

Barriers to employment

Stigma

Former prisoners often face discrimination when they are released into the community. Misguided perceptions of individuals with criminal convictions as dishonest and unreliable are commonplace in society. However, some former prisoners face more prejudice and stigma than others due to the nature of their offence. Notably, individuals with sexual convictions are 'the most unemployable demographic', despite evidence that that this cohort has high levels of employment and educational achievement prior to conviction.¹⁸³

However, attitudes are starting to shift. There is strong public support for employers who give prison leavers a second chance. According to an opinion poll commissioned by the CSJ, 85 per cent of UK adults agree that prison leavers should be given the opportunity to get a job once released from custody. Indeed, three quarters of UK adults (76 per cent) would be comfortable working alongside an individual with a criminal record if they were qualified and had passed relevant safeguarding checks.

182 Prison Reform Trust, Response to Prisons' Strategy White Paper Consultation, Page 18.

183 Blesset and Pryor, 2013, Page 434

In addition, employers are increasingly looking to diversify their workforce. Over two fifths of employers say hiring ex-offenders has increased the diversity of their employees, while 92 per cent of employers say diverse recruitment has enhanced their reputation and helped them to win new contracts.¹⁸⁴

Crucially, the risks associated with hiring prison leavers are dispelled once an employer has taken that step. A survey revealed that employers (n=103) who have not hired someone who has been to prison are 18 percentage points more likely to automatically reject an applicant who declares that they have a criminal record than an employer who has previously hired a prison leaver (n=117).¹⁸⁵

Recommendation 33

Government should create new statutory guidance for working with people with criminal convictions. They could commission this work from existing highly successful private and voluntary sector organisations, like the Timpson Foundation, that have longstanding experience hiring and supporting ex-prisoners into work.

Fair recruitment and hiring practices

Prison leavers face significant barriers when applying for jobs. According to The Rehabilitation of Offenders Act 1974, cautions or convictions which resulted in a prison sentence of less than four years become spent after a specified period of time which is determined by the type of disposal administered (see Figure 1 below). However, prison leavers will have to disclose their convictions immediately after release when looking for work – this adds an additional barrier to employment when they are at the greatest risk of reoffending.

Once this period has elapsed, an individual is considered rehabilitated which means they do not have to disclose their spent conviction when applying for jobs. It is therefore illegal for employers to not hire someone based on their spent convictions. It is important to note that public protection sentences for specified violent or sexual offences never become spent – subsequently, this cohort faces additional barriers to the labour market as many employers will not hire an individual with an unspent conviction.

¹⁸⁴ New Futures Network [Accessed via: newfuturesnetwork.gov.uk/wp-content/uploads/2020/10/2020-Offender-Employment-Guide.pdf]

¹⁸⁵ Accessed via: www.educationdevelopmenttrust.com/EducationDevelopmentTrust/files/d0/d02ed1de-cfdb-481e-bda1-7b0b309d-48fd.pdf, Page 14

SENTENCE	REHABILITATION PERIOD – UNDER 18S	REHABILITATION PERIOD – OVER 18S
Prison sentence: > 48 months	Never spent	
Prison sentence: 30-48 months	3.5 years from end of sentence	7 years from end of sentence
Prison sentence 6-30 months	2 years from end of sentence	4 years from end of sentence
Prison sentence: < 6 months	1.5 years from end of sentence	2 years from end of sentence
Probation Order	N/A	12 months from end of order
Community Order	6 months from end of order	12 months from end of order
Fine (from a court, not including penalty notices)	6 months from date of conviction	1 year from date of conviction
Conditional Discharge Order	The last day on which the order has full effect	
Compensation	Once compensation paid in full	
Absolute Discharge	No rehabilitation period	

Source: The Prince's Responsible Business Network, October 2020, Ban the Box

More than 150 employers, including the Civil Service, have signed up to Ban the Box campaign. Subsequently, people who have spent time in prison are not required to disclose convictions at the initial stage of applying for a job.

There are numerous ways that employers can make their recruitment process more inclusive for people who have spent time in prison, including adhering to fair chance recruitment principles.

For example, many employers ask applicants to disclose criminal convictions and use DBS checks to verify this information, even when having a criminal record will not affect an individual's ability to do the job well.¹⁸⁶

Employers should carefully consider what data they ask for from applicants and be transparent about why it is needed and how it will be stored. To give further reassurance to applicants with criminal records, employers should have a clear policy for handling applicants with criminal records that is accessible and reviewed regularly. A 2021 survey of employers found that just 3 in 10 employers are aware that their organisation has a policy about the employment of people who have served a custodial sentence.¹⁸⁷ And of those that do, 27 per cent are not familiar with the policy.

¹⁸⁶ Harris, M., Tynan, R., & Edgar, K. (2020). Thinking differently: Employers views on hiring people convicted of sexual offences. Prison Reform Trust.

¹⁸⁷ [Accessed via: www.educationdevelopmenttrust.com/EducationDevelopmentTrust/files/d0/d02ed1de-cfdb-481e-bda1-7b0b309d-48fd.pdf], Page 14

Recommendation 34

The Government should initiate a new stakeholder engagement campaign to ensure that organisations adhere to the principles of fair chance recruitment. This should promote considering whether asking about criminal records is relevant to the role, collecting information only when necessary, complying with data protection legislation, and having a clear and accessible policy for why and when you will ask about criminal records.

Recommendation 35

The Government should seek to amend the Rehabilitation of Offenders Act 1974 (ROA) and the Prisoners (Disclosure of Information About Victims) Act 2020 in line with the #FairChecks campaign to reduce the stigma prison leavers face when disclosing criminal records.

Confusion also persists among employers regarding the concept of ‘spent’ convictions. Often employers have a policy where they are happy to consider candidates with a criminal record, to then ask when the conviction will become spent and advise reapplication at this point. The legislation surrounding spent convictions needs to be better understood and communicated by Government. Many employers have wrongfully interpreted convictions becoming spent as Government guidelines on when recruitment should take place.

“I recall many conversations with employers, particularly professional employers in line with my background. All were eager to give me an opportunity in the knowledge that I had a criminal record. However, I was regularly asked if my conviction was spent which it was not. On hearing this, most employers were no less enthusiastic about opportunities with them, and maintained their stance on recruiting ex-offenders, but ultimately advised to reapply when the conviction becomes spent. It’s ironic, because if my conviction was spent then I would not have needed to disclose!”

Former Prisoner

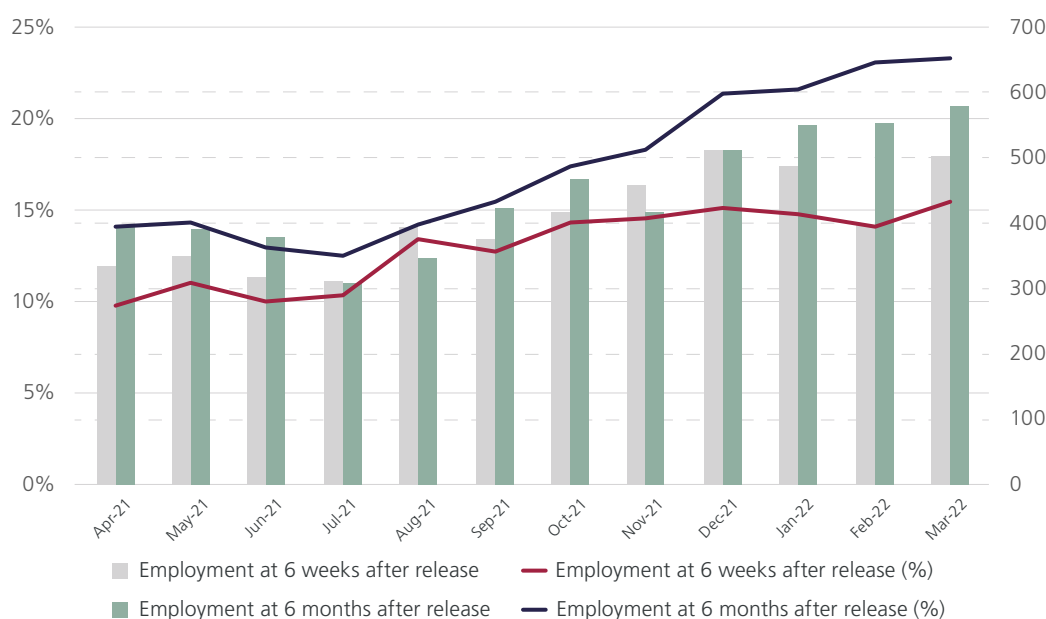
Recommendation 36

The Government should issue updated guidance to employers and trade bodies regarding spent convictions to avoid any confusion. This should state that spent convictions are when the sentence no longer carries any legal requirements to be checked, and is not related to employment recommendations.

Measuring outcomes

Ministry of Justice data shows that 16 per cent of prison leavers released between April 2021 and March 2022 were in employment six weeks after they left custody, while just 23 per cent had a job six months after they left the prison gate.¹⁸⁸ The Government has pointed to these figures (which have increased by 57 per cent and 66 per cent respectively) as evidence of the effectiveness of their interventions to boost prisoner employability.

Figure 2. Employment following release from custody



Source: Ministry of Justice

Still it is important to note that the actual increase in the number of people released from custody into employment has been marginal. For example, the number of prison leavers who have found a job at six weeks after release has risen by 169 from 335 in April 2021 to 504 in March 2022. In addition, 581 persons released from custody were employed six months after release in March 2022, compared to 394 in April 2021, an increase of 187. When these figures are assessed in context – 47,014 individuals were released from custody in England and Wales in 2021 – it is clear that more needs to be done to reach the majority of individuals who leave the criminal justice system without employment.

When investigating the veracity of these figures, it is also logical to also question the intervals at which data is collected. While we welcome the overall direction of travel in the Prisons White paper to get more prison leavers into employment, we have heard concerns from charities on the ground that the six-week target has created perverse incentives. Specifically, it has shifted the focus from work readiness (a measure which will be bespoke to the individual and which is not constrained by an arbitrary deadline) to simply getting a job. As a result, there are fears that this not only sets the prison leaver up for failure but also risks creating a false-start pipeline that lets employers down and damages confidence in the ability of people leaving prison to sustain work.

¹⁸⁸ MoJ, 30 April 2022, Employment on Release statistical release to March 2022 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1087060/20220630_Employment_Ad-Hoc_publication_Bulletinv1.pdf]

Recommendation 37

The Ministry of Justice should consult on the implementation of a new approach to monitoring outcomes data, exploring opportunities to capture data for prison leavers should be measured at six weeks, six months and one-year post-release. In particular, the data capture at six weeks should be broadened to include two measures: employment or progress towards work readiness. The latter would include steps taken to progress into employment covering the stabilising factors like registering with a GP, receiving UC, securing accommodation or opening a bank account as well as enrolment in education, engagement with third sector support services, mentoring, or volunteering.

Full list of recommendations

Preparation for employment in the prison estate

Recommendation 1: The Ministry of Justice should develop a more robust process for recruiting prisoners into educational pathways. Prisons should prioritise supporting those who want to learn, ensuring that they have access to a suitable environment undisturbed by individuals attending sessions without any intention to engage in education.

Recommendation 2: The Ministry of Justice should ensure that new prison education contracts take into account the educational needs of prisoners with low levels of basic skills. HMPPS should consult on how best to integrate the provision of basic literacy and numeracy education, considering whether this could be better provided through specialised contractors.

Recommendation 3: As recommended by the Education Select Committee, given the significant number of neurodiverse prisoners across the estate, every prison should be equipped with a qualified Special Educational Needs Coordinator. Prison staff must also be trained to identify and support prisoners with additional learning needs.

Recommendation 4: Every prison, including private prisons and prisons in Wales, should be required by the Ministry of Justice to input data about prisoners with learning difficulties. Research to identify best practice for screening individuals must take place and be rolled-out across the prison estate. As part of their initial skills assessment, prisoners should also be assessed for Specific Learning Difficulties in order to be offered suitable support.

Recommendation 5: We support the recommendation from the Lammy Review that the prison system, working with the Department of Health and Social Care, should learn from the youth justice system and adopt a similar model to the CHAT for both men and women prisoners with built in evaluation.

Recommendation 6: To restore control and order to the estate – a key requirement to facilitating better educational and employment outcomes – the Government should bolster its clamp down on drug use in prisoners, including through the roll out of waste water analysis and use of body scanners.

Recommendation 7: Having been highlighted as an impediment for many people in prison to engage in educational support, the Government should announce an urgent review of the use of methadone in the prison estate.

Recommendation 8: The Government must take urgent action to address the staffing and recruitment crisis facing our prisons. The retention framework promised in the Prisons Strategy White Paper must be expedited. Additional consideration must be given to prison officer recruitment, training, and welfare.

Recommendation 9: The roll-out of digital technology across the entire estate has the potential to revolutionise education in prison. The recommendations from the Centre for Social Justice's 'Digital Technology in Prisons' paper should be implemented. Foremost the Government should expedite the installation of hardware and software to support highly restricted access broadband throughout the prison estate, as far as is allowed by physical technology in prisons, to enable additional learning to take place.

Recommendation 10: Government should revise Prison Education Framework Contracts so that they can more flexibly cater to the needs of all prisoners. Transferable skills which are crucial for the workplace must be given greater value in future contracts.

Recommendation 11: As recommended by the Education Select Committee, the Ministry of Justice should set out a budget for prison education over the coming 10 years, including a minimum expected spend on prison education.

Recommendation 12: To raise aspirations and ensure prison leavers have the skills they need for employment upon release, prisoners should be able to complete vocational qualifications which are recognised and valued by employers in the community (including CSCS and CPCSC cards, PTS qualifications, DVLA and HGV licences).

Recommendation 13: The Ministry of Justice should issue guidance ensuring that prison employment leads are incentivised to build meaningful partnerships with local industries who are willing to recruit from, and provide basic courses to, prisoners. The delivery of such courses, and accessibility for employers and training providers, should be actively encouraged. Data should be published by prisons on how many industry recognised vocational qualifications are offered and completed.

Recommendation 14: The Government should amend the Student Support Regulations for England and Wales to extend student loan eligibility so that people in prison with more than six years left on their sentence until their earliest release date can complete degrees in prison.

Recommendation 15: Prison leaders must prioritise clearing induction backlogs to ensure that those serving shorter sentences can access education as early as possible into their sentence. The curriculum must be flexible enough to be tailored to sentence lengths with the introduction of shorter courses and/or modules.

Enabling a successful transition

Recommendation 16: The Government should review the OMiC model to ensure that it is delivering as intended. Data should be collected to understand how many prisoners are leaving the prison estate without receiving any or sufficient support to prepare for release. Urgent steps should be taken to rectify any shortcomings identified.

Recommendation 17: The Government must take urgent action to address the staffing and recruitment crisis facing probation. Probation caseloads must be reviewed and capped at a number deemed appropriately to allow for meaningful supervision and support to take place for every individual under probation's watch.

Recommendation 18: The Government must ensure that greater use is made of Release on Temporary Licence for appropriate work placements, apprenticeships, and other work-related activity, thus enabling prisoners to receive important employment experience towards the end of their sentence and ease the transition back into the community for those who have served longer sentences.

Recommendation 19: The New Futures Network should publish data on the numbers of jobs it is able to identify, prisoners it works with, and people it successfully helps into employment. A cost-benefit-analysis of the New Futures Network should also be conducted.

Recommendation 20: HMPPS should publish disaggregated employment outcomes data that distinguishes between jobs secured through NFN and those that were not.

Recommendation 21: The NFN should be mandated to work more closely with local third-sector organisations. Many local charities have valuable local knowledge, connections, and can deliver tailored support to individuals. Combining the scale of NFN with this expertise can help drive positive outcomes.

Recommendation 22: The Government should create a framework whereby the Prison Employment Lead (PEL) is expected to form relationships with employment organisations in the community. This should be structured, with a formal part of the job role to host regular monthly meetings with community organisations.

Recommendation 23: The New Futures Network should set out to foster a collaborative culture with the voluntary sector to share learnings, best practice, and to avoid duplication. For example, it should be mandatory for each EAB to have a voluntary sector partner on the board.

Sustaining meaningful employment in the community

Recommendation 24: The MoJ should reallocate a portion of the reoffending funding pot, which is largely committed to pre-release employability initiatives at present, and make this available to community organisations providing wrap-around support proven to sustain employment outcomes.

Recommendation 25: The Government should review the processes currently in place for evaluating the post-release accommodation status for prisoners. Efforts should be renewed to identify those to be released without a home, and substantive procedures implemented to connect individuals with relevant local services and third-sector organisations well ahead of release.

Recommendation 26: The Government should pilot a prison-leaver Housing First scheme providing wraparound support and focused on vulnerable prisoners who have experienced chronic homelessness and complex needs. This could be initially piloted with vulnerable women leaving the estate.

Recommendation 27: While initiatives like the Offender Accommodation Pilots are a vital first step in securing suitable accommodation for prison leaver in the short to medium term, the Government must now incorporate this into a wider strategy for longer-term accommodation outcomes.

Recommendation 28: DWP should allow prisoners who are reliant on Universal Credit to submit their claim and advance application five weeks before their pre-approved release date so they can receive their first payment on the day of their release.

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