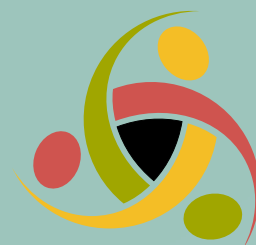


Reducing re-offending by ex-prisoners

Report by the
Social Exclusion Unit





OFFICE OF THE
DEPUTY PRIME MINISTER

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July 2002

CONTENTS

Foreword	3
Summary	5
Background	
1. The Problem – Levels and Trends	13
2. Prisoners: A Socially Excluded Group	18
3. How Prisons and Sentences Work – Key Facts	23
4. Process Through Custody – During and After	32
Analysis	
5. The Impact of Prison Sentences on Re-Offending	37
6. Sentence Planning and Management	40
7. Education and Training	43
8. Employment	52
9. Drugs and Alcohol	61
10. Mental and Physical Health	69
11. Attitudes and Self-Control	78
12. Institutionalisation and Life Skills	86
13. Housing	94
14. Benefits and Debt	105
15. Families	111
16. Why Doesn't the System Work Better?	120
17. The Costs of Failure – Re-Offending and Social Exclusion	125
The Way Ahead	
18. Recommendations	131

Annexes

A.	Women Prisoners	136
B.	Remand Prisoners	143
C.	Black and Minority Ethnic Prisoners	148
D.	Juveniles	154
E.	Young Adult Prisoners	171
F.	Changes Already Underway	179
G.	Key Issues	182
H.	Rehabilitation Framework	197
I.	Acknowledgements and Contact Details	205
J.	References	209

FOREWORD

Crime can have a devastating impact on the lives of victims. It scars entire communities, and the costs to society as a whole are huge.

When we came into office, we made reducing crime a top priority. We have embarked on a major programme of reform and investment to tackle crime *and* the causes of crime. So, for example, we have made record investment in the police – £1.6 billion extra by 2003/04 – to deliver the highest ever police numbers, and funded hundreds of local crime-reduction schemes. At the same time, we have massively expanded drug treatment provision to break the link between drugs and crime, and invested in prison education to double the number of educational qualifications achieved by prisoners by the end of next year.



And this effort is starting to pay off. Crime is down 21 per cent since 1997. Reconviction rates for juveniles serving community sentences are down 14 per cent. But we know there is still a long way to go. I refuse to accept that crime is an inevitable part of daily life.

As part of our crackdown on crime and its causes, I asked the Social Exclusion Unit to find out what more could be done to cut the unacceptably high rates of re-offending by ex-prisoners.

People who have been in prison account for one in five of all crimes. Nearly three in five prisoners are re-convicted within two years of leaving prison. Offending by ex-prisoners costs society at least £11 billion a year. This all tells us we are failing to capitalise on the opportunity prison provides to stop people offending for good.

We need to make sure that a prison sentence punishes the offender, but also provides the maximum opportunity for reducing the likelihood of re-offending.

That means we need to redouble efforts to rehabilitate prisoners back into society effectively.

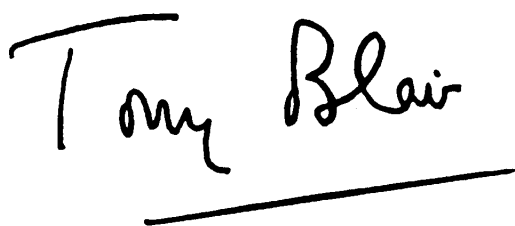
I am determined that we build on recent improvements and innovations in the way the Prison Service tackles re-offending. We also need to ensure this is carried through into the community, and that supervision by the National Probation Service, once prisoners are released, is stepped up even further. And above all, prisoners must have the consequences of their actions and their responsibilities brought home to them.

The SEU's analysis highlights a number of the key issues we still need to address. Resources could be targeted more effectively at tackling re-offending. The prison sentence could be managed much more seamlessly. Public services and a range of other stakeholders could work much better together.

Just as striking are the deep problems faced by many prisoners. Many have very poor skills, are unemployed on entering prison, and have a history of homelessness, drug addiction and mental health problems. This report highlights how intrinsically linked this level of social exclusion is with re-offending. These problems do not excuse criminal behaviour, but they do begin to show how we help people put a stop to it.

Public safety is not safeguarded when prisoners are released into homelessness, with no prospect of employment. There needs to be a new contract with prisoners, which offers greater support in return for quitting crime. The SEU has identified a range of measures aimed at stopping the revolving door of persistent offenders coming in and out of the criminal justice system.

I welcome this report as a significant contribution to our understanding of what works in combating crime. We welcome the broad thrust of its recommendations, and will be setting out our plans for taking these forward shortly. Together with the other measures we are taking to tackle crime and its causes, this will help us deliver the strong, crime-free communities in which we all aspire to live.

A handwritten signature in black ink that reads "Tony Blair". The signature is written in a cursive style. Above the first few letters of "Tony" is a horizontal line, and below the entire signature is another horizontal line.

SUMMARY

The problem

- 1** Prison sentences are not succeeding in turning the majority of offenders away from crime. Of those prisoners released in 1997, **58 per cent** were convicted of another crime within two years. **36 per cent** were back inside on another prison sentence. The system struggles particularly to reform younger offenders. 18–20-year-old male prisoners were reconvicted at a rate of **72 per cent** over the same period; **47 per cent** received another prison sentence.
- 2** Despite falling in the 1980s, the reconviction rate rose again in the 1990s and has remained obstinately high in recent years. The factors behind this are complex, but it is possible to single out a number of changes over that period which may have contributed: these include an erosion in post-release support for short-term prisoners – those sentenced to less than 12 months; a change in benefit rules for prisoners; and the sharp rise in social exclusion, in areas such as child poverty, drug use, school exclusion, and inequality.
- 3** In fact, the headline reconviction figure masks a far greater problem for public safety. We know, for instance, that of those reconvicted in the two years following release, each will actually have received **three further convictions** on average. For each reconviction, it is estimated that **five** recorded offences are committed. At a conservative estimate, released prisoners are responsible for at least **1 million** crimes per year – **18 per cent** of recorded, notifiable crimes. And this takes no account of the amount of unrecorded crime that ex-prisoners, reconvicted or otherwise, will have committed.

The cost

- 4** Many of the costs of re-offending by ex-prisoners are not quantifiable, but can be devastating and long-term, and are frequently felt by the most vulnerable in society. Most obviously, there is the impact on victims, many of whom will be repeat victims, and on their families; also on communities, predominantly the most disadvantaged. In turn, where re-offenders are caught and imprisoned, a heavy toll is taken on their families and on their own lives.
- 5** The financial cost of re-offending by ex-prisoners, calculated from the overall costs of crime, is staggering and widely felt. In terms of the cost to the criminal justice system of dealing with the consequences of crime, recorded crime alone committed by ex-prisoners comes to at least **£11 billion** per year.
- 6** An ex-prisoner's path back to prison is extremely costly for the criminal justice system. A re-offending ex-prisoner is likely to be responsible for crime costing the criminal justice system an average of **£65,000**. Prolific offenders will cost even more. When re-offending leads to a further prison sentence, the costs soar. The average cost of a prison sentence imposed at a crown court is roughly **£30,500**, made up of court and other legal costs. The costs of actually keeping prisoners within prison vary significantly, but average **£37,500** per year.¹
- 7** And yet these costs are only a fraction of the overall cost of re-offending. First, recorded crime accounts for between only a quarter and a tenth of total crime, and ex-prisoners are likely to be prolific offenders. They may, therefore, be responsible for a large proportion of unrecorded crime and its costs as well. Second, there are high financial costs to: the police and the criminal justice

system more widely; the victims of the crimes; other public agencies who also have to pick up the pieces; the national economy through loss of income; the communities in which they live; and, of course, prisoners themselves and their families.

The causes

- 8** There is now considerable evidence of the factors that influence re-offending. Building on criminological and social research, the Social Exclusion Unit (SEU) has identified nine key factors:
 - education;
 - employment;
 - drug and alcohol misuse;
 - mental and physical health;
 - attitudes and self-control;
 - institutionalisation and life-skills;
 - housing;
 - financial support and debt; and
 - family networks.
- 9** The evidence shows that these factors can have a huge impact on the likelihood of a prisoner re-offending. For example, being in employment reduces the risk of re-offending by between a third and a half; having stable accommodation reduces the risk by a fifth.
- 10** The challenge of turning a convicted offender away from crime is often considerable. Many prisoners have poor skills and little experience of employment, few positive social networks, severe housing problems, and all of this is often severely complicated by drug, alcohol and mental health problems.
- 11** Many prisoners have experienced a lifetime of social exclusion. Compared with the general population, prisoners are **thirteen** times as likely to have been in care as a child, **thirteen** times as likely to be unemployed, **ten** times as likely to have been a regular truant, **two and a half times** as likely to have had a family member convicted of a criminal offence, **six** times as likely to have been a young father, and **fifteen** times as likely to be HIV positive.
- 12** Many prisoners' basic skills are very poor. **80 per cent** have the writing skills, **65 per cent** the numeracy skills and **50 per cent** the reading skills at or below the level of an 11-year-old child. **60 to 70 per cent** of prisoners were using drugs before imprisonment. Over **70 per cent** suffer from at least two mental disorders. And **20 per cent** of male and **37 per cent** of female sentenced prisoners have attempted suicide in the past. The position is often even worse for 18–20-year-olds, whose basic skills, unemployment rate and school exclusion background are all over **a third** worse than those of older prisoners.

- 13** Despite high levels of need, many prisoners have effectively been excluded from access to services in the past. It is estimated that around **half** of prisoners had no GP before they came into custody; prisoners are over **twenty** times more likely than the general population to have been excluded from school; and one prison drugs project found that although **70 per cent** of those entering the prison had a drug misuse problem, **80 per cent** of these had never had any contact with drug treatment services.
- 14** There is a considerable risk that a prison sentence might actually make the factors associated with re-offending worse. For example, **a third** lose their house while in prison, **two-thirds** lose their job, **over a fifth** face increased financial problems and **over two-fifths** lose contact with their family. There are also real dangers of mental and physical health deteriorating further, of life and thinking skills being eroded, and of prisoners being introduced to drugs. By aggravating the factors associated with re-offending, prison sentences can prove counter-productive as a contribution to crime reduction and public safety.

Annette lost her accommodation as a result of entering prison. No one had talked to her when she arrived or during the following months about how she could keep her house or what she could do to ensure that she had somewhere to live on release. Annette's rent arrears continued to grow while she was in prison and she was evicted. Her early release under curfew was rejected because of the absence of an approved address. On release, her local authority refused to re-house her because of her rent arrears.

Tariq has been homeless and using drugs since leaving care. After several shoplifting offences, he spent six weeks in custody. His behaviour during this time was extremely withdrawn and erratic. After sentence, he harmed himself with a ballpoint pen. He received different diagnoses for mental disorder from the court and prison psychiatrists. He was also given medication for drugs withdrawal, but still hallucinated repeatedly. Between arrest and release, he had contact with 13 services at a cost of £10,000, but nothing was achieved. Prison workers referred him to community drugs and homelessness teams, but he failed to keep the appointments. Two days after release, he was arrested for shoplifting again.

What can be done?

- 15** There is increasing evidence of what works in tackling the problems of offenders, and in reducing re-offending. The following are some examples of the good practice that the SEU has identified during its visits and consultation:
- offending behaviour programmes can reduce reconviction rates by up to **14 per cent**. They aim to change the way offenders think, to bring home the effect of their behaviour on themselves and others, and to teach positive techniques to avoid the situations that lead to offending;
 - the RAPT Alcohol and Drug Addiction Recovery Project has shown that of the two-thirds of prisoners who complete its programme, reconviction rates are **11 per cent** lower than would normally be expected;
 - at HMP Norwich, the Anglia Care Trust negotiated with landlords to help prisoners retain or terminate their tenancies. They advised prisoners on finance and debt management issues during and after their sentence. More than **50 per cent** of prisoners retained their tenancy with no added debt and only **5 per cent** left prison with nowhere to go;

- at HMP Belmarsh, the Mental Health Liaison Team has attained NHS Beacon status through offering in-patient assessment and support to those experiencing mental health problems and/or awaiting transfer to NHS hospitals. It also manages an effective outpatient referral process, ensuring that prisoners' needs are prepared for and information is passed on to the appropriate Community Mental Health Team;
- at HMP Hull, a prison officer seconded to the local authority directly matches prisoners to available jobs in the community. The officer divides his time between working in prison and outside. There is no set limit on the officer's contact time with ex-prisoners. He acts as an advocate, providing advice, support and encouragement. The project has a good record in finding employment for ex-prisoners;
- at HMP Holme House, the Prisoner Passport scheme involves Jobcentre Plus staff providing one-to-one advice on benefits. On release, prisoners are given a 'passport', which sets out the details of a pre-arranged appointment with a Jobcentre Plus adviser in the community;
- at HMP Reading, the Lattice Foundation train young offenders in forklift truck driving. Participants attend a day-release course, leading to a nationally accredited qualification. Over **70 per cent** of participants have found employment on release, and only around **6 per cent** are known to have re-offended. The scheme has been further developed to include training as groundwork engineers for the gas industry; and
- at HMP Leeds, the education department has adapted existing courses to deliver basic and key skills qualifications. Despite an annual turnover of 6,000 prisoners and an average stay of only 12 weeks, all prisoners receive targeted education and training, including testing for dyslexia.

16 These examples show that prison sentences can provide a real opportunity for constructive work. And it is clear from the profile of the prison population, that a sentence can be the first time many have been in sustained contact with public services. In many cases, the task is not to resettle prisoners in society, but *settle* them for the first time.

What is going wrong?

- 17** There is a growing consensus that we are sending some people to prison who should not be there. Short prison sentences are not appropriate for all the offenders who currently receive them; and too many people with severe mental illness are in prison rather than secure treatment facilities. All of this contributes to the problem of overcrowding, which in turn limits the capacity of prisons, probation and other services to work effectively to reduce re-offending.
- 18** Although the Prison Service and Probation Service have improved their focus on reducing re-offending, the current balance of resources still does not enable them to deliver beneficial programmes such as education, drug and mental health treatment, offending behaviour, and reparation programmes and many others, to anything like the number who need them.
- 19** The availability of positive initiatives, such as those noted above, is patchy, and the majority of prisoners, particularly those serving short sentences, receive little practical support, before release or afterwards. For instance, only 50 per cent of prisons holding medium-risk prisoners have a drug treatment programme; the money invested in education per prisoner varies between comparable prisons from £200 to £2,000 per year. The result can often be a piecemeal, untailored response, based on what happens to be available in that particular prison or area, rather than what the prisoner needs to tackle his or her offending behaviour.

- 20** In addressing the factors that contribute to re-offending, correctional services often have to remedy a lifetime of combined service failure, often unaided. And when prisoners are released, agencies are far from pro-active in identifying them, and indeed there is evidence that prisoners are actively de-prioritised. Many experience real obstacles to re-engaging in learning or drug programmes on release; but these pale into insignificance compared with their difficulties in accessing housing and benefits.
- 21** No one is ultimately responsible for the rehabilitation process at any level – from national policy, to the level of the individual prisoner. Responsibility and accountability for outcomes can be very unclear. The problems in prisoners' lives are often highly complicated and inter-related. They require a co-ordinated multi-agency response, within prison, across the crucial transitions between community and custody, and sustained long after release. Without this, they are likely to fall into the gaps between services. This task is made more complex by the need to assess the risk posed by released prisoners to public safety, and in some cases, to manage any potential threat across a number of areas, including housing and employment. However, joint-working mechanisms are not robust, and are not backed by shared targets, leverage, or up-to-date management information.
- 22** For those workers involved in the prison or in the community, the opportunities and rewards for innovation in rehabilitation work are currently far too limited.
- 23** In prisons, processes on reception and release could be much better designed to promote rehabilitation and to identify and tackle factors influencing re-offending. Prisoners are losing housing and employment, and accruing debt for want of basic procedures, dedicated resource and expertise. Good practice is not well enough articulated, and the process needs more resource and management priority.
- 24** For those who do increase their employability, the requirement to disclose their convictions to a potential employer can be a significant barrier, resulting in discrimination. The current arrangements do not get the balance right between the need to protect the public and the importance of enabling those who do not pose a significant risk of harm to move into legitimate employment.
- 25** Short-term prisoners – those sentenced to less than 12 months – aged over 21 are not required to be supervised by the Probation Service. As a result, they are released in a completely unmanaged fashion, nothing is done with them on release, and indeed because there is no responsible agency to which they are handed over, very little is done in preparation for release. Yet short-term prisoners have the highest re-offending rates.
- 26** Not enough has been done to engage prisoners, their families, victims, communities, and voluntary and business sectors in rehabilitation.
- 27** The system is not always geared up to deal with the different factors affecting the re-offending of certain groups of prisoners, particularly women, young adults, black and minority ethnic groups, and remand prisoners. The challenges presented by juvenile prisoners are distinct, and the Government has recognised this by putting in place a separate tailored system for them. Each of these groups is discussed in detail in the report's annexes.

Jim has been in prison four times, has never had paid work or been involved in training. On arriving in prison he was told that the only work available was packing plastic cutlery. Jim did this for five weeks, earning £7 a week. He was persuaded to put his name down to join the prison job club, to help in looking for paid work on release. Before he could join Jim was transferred to another prison, where he was told that there wasn't a similar programme. He cleaned landings for the remaining weeks of his sentence. Following release Jim is still unemployed.

Matthew has used heroin and cocaine for the past five years and has been in prison twice before. During his latest sentence his drug use was assessed when he arrived in prison and he successfully completed a detoxification programme. He gained basic skills qualifications and staff helped him to set up a college interview on release. Matthew accepted that he would need to complete a drug treatment programme to avoid using drugs in the future, but on release he was told that he would have to wait four months to get on a programme. Matthew found that he had no one to help him to organise the support that he needed.

The way forward

- 28 To build a system that can reduce the level of re-offending is a major challenge. One key element is a transparent and robust sentencing framework, geared towards crime reduction. The Government is at present considering this, in the light of the Review of Sentencing published last year. If implemented, the Custody Plus proposal would ensure that short-term sentences contain a period both in custody and under community supervision.
- 29 But reform of sentences would not, of itself, be enough. Major changes to the way in which those inside and outside the criminal justice system operate are necessary to ensure that the system is focusing resources sufficiently to deal with the right people, using robust systems of accountability and joint working, and delivering in innovative ways. Long-term change is needed to ensure that all those dealing with prisoners and ex-prisoners make the maximum possible impact on re-offending.
- 30 The benefits of reform would not only be felt by the criminal justice system. There are likely to be multiple returns to services dealing with employment, housing, benefits, families, health and education.

The Social Exclusion Unit's recommendations

A more effective cross-government approach to rehabilitation and reducing re-offending is urgently needed. The SEU recommends that the Government should develop and implement a National Rehabilitation Strategy, based on this report, involving all relevant departments and led by the Home Office.

The Strategy would need to be long-term and wide-ranging, but the SEU recommends that it should initially focus on policy and delivery in the following key areas:

Going Straight Contract

- a) A Going Straight contract should be developed, to deliver an integrated approach to rehabilitative programmes and support. This should be tailored to the individual and cover the entire sentence, in and out of custody; it should aim to address all of the factors either associated with a prisoner's offending or likely to increase the chances of their re-offending; and it should cover all of the organisations responsible for delivery. Once this has been developed, it should be tested out with 18–20-year-olds; and then, based on experience of what works, it should be extended to other groups later on.

- b) As part of this approach, each prisoner should be set a full programme of activities and support, based on a comprehensive assessment of need. In order to ensure effective and co-ordinated delivery, the programme should be drawn up by a case manager, who would oversee its delivery throughout the prisoner's sentence. The prisoner should sign a Going Straight contract, to last from the point of sentence to the end of sentence in the community. This should include rewards for participation and sanctions for non-participation. To fulfil their side of the contract, prisoners should be required to follow their agreed programme, and make payments from their prison pay, both to make reparation to victims and to help finance the support the case manager would provide on release.
- c) The proposed form of case management would be a new approach to prison sentences, and different models would need to be tested out, all of which should involve joint working between the Prison Service and Probation Service and other statutory and non-statutory organisations. In each pilot, clear local leadership would be crucial, although different lead agencies, including those from the voluntary sector, ought to be considered. The pilots should be supervised by a national programme director, reporting to the new Correctional Services Board in the Home Office and a cross-government group of ministers.

National measures

- d) On a national basis there is a strong case for introducing measures to tackle financial and housing need among newly released prisoners. Particular consideration should be given to increasing the discharge grant to cover the period before the first benefit payment and giving resettlement departments within prisons the ability to secure emergency housing for prisoners who would otherwise be homeless on release. The case for enabling more prisoners to retain their housing or pay unavoidable arrears should also be considered. Future development of this proposal would need to ensure that any amendment to Housing Benefit rules was accompanied by measures to secure a meaningful and effective extension to the responsibility of the prisoner.
- e) Effective reception and resettlement procedures should be developed in all prisons, to secure improved outcomes on housing, health, benefits and employment, education and training, drug and alcohol work, and family contact.
- f) Outside the pilots and in the community, the availability of a number of beneficial measures should be widened further, in areas such as offending behaviour programmes, education and training, mental health, drugs and alcohol, and family support.

Further development

- g) *i)* In developing a National Rehabilitation Strategy, the Government should draw on evaluation evidence of the outcomes of any initial measures taken and on the further issues identified in this report (summarised in **Annex G**). It should also draw on several other key sources: the detailed recommendations made by HM Inspectorates of Prisons and Probation in their report on resettlement *Through the Prison Gate*; the 2001 Sentencing Review; the National Audit Office's report *Reducing Prisoner Re-offending*; the current review of the Rehabilitation of Offenders Act; and the forthcoming Criminal Justice White Paper.
- ii)* The planning, development and implementation of the National Rehabilitation Strategy should include: correctional services (Prison Service and Probation Service) at a national and regional level; other statutory agencies involved with health, education, employment, drugs, families, and housing; the voluntary sector; businesses; and faith communities. The Strategy should make strong links with effective regional and local partnerships, including Crime and Disorder Partnerships.

- 31** The changes that the SEU recommends are significant and would require considerable further development, both by criminal justice agencies and other mainstream agencies. The rate at which change could be implemented would be dependent on the speed at which the detail could be worked up and the rate at which resources could be identified and refocused across Government. As soon as possible, the Government should publish full details of how it proposes to respond to the SEU's report, together with a timetable for delivery.

CHAPTER 1

THE PROBLEM – LEVELS AND TRENDS

The number of people who are re-convicted following release from prison is very high – almost three in five are reconvicted within the next two years. And many more re-offend without being convicted.

Some prisoners are particularly likely to re-offend. Younger prisoners and those serving sentences for property crimes are some of the most likely to offend again. Many of these prisoners are likely to be serving shorter sentences. Many of those who re-offend will go on to develop long and damaging criminal careers.

Re-offending by ex-prisoners contributes significantly to the overall crime rate. Ex-prisoners account for at least 18 per cent of all crime committed in England and Wales.

Levels

Reconviction rate

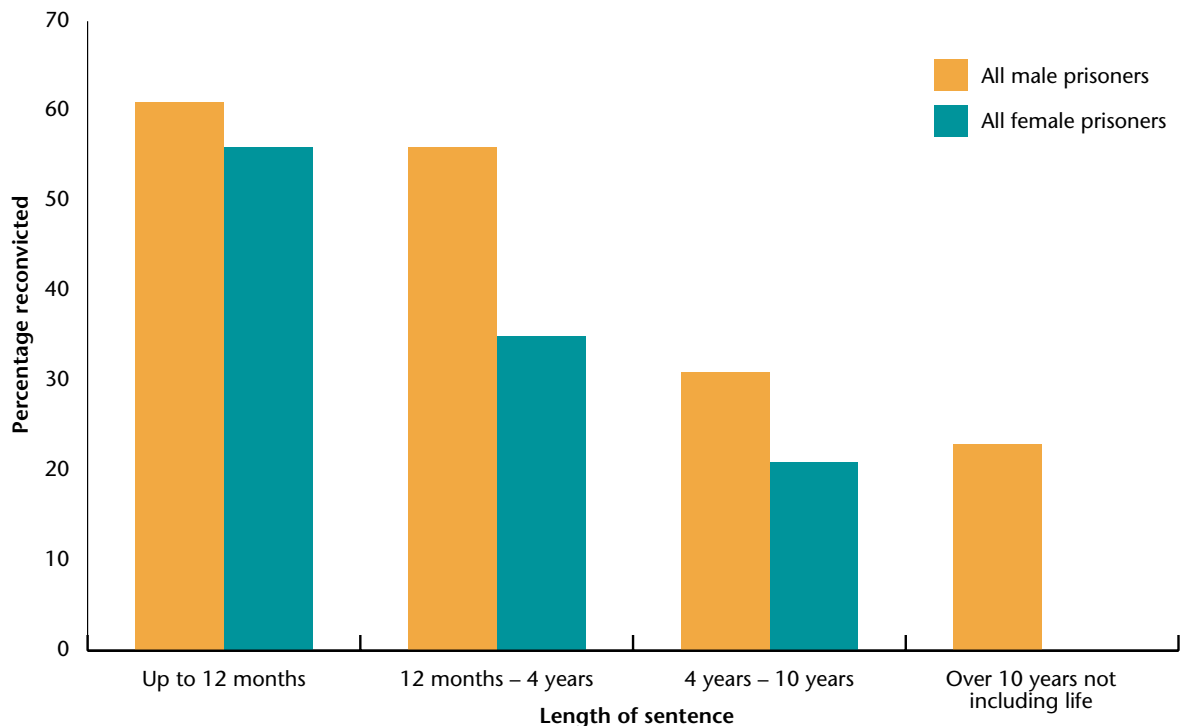
- 1.1** In 1997, the most recent year for which figures are available, **58 per cent** of people discharged from prison were reconvicted of a further offence within two years.² Many more will have committed offences than were convicted, although it is difficult to estimate how many more.³
- 1.2** Each of those reconvicted during the two years following release will have received an average of three convictions during that time. **36 per cent** of all those leaving prison will return within two years.⁴
- 1.3** **Four out of five** serving adult male prisoners have previously been convicted of an offence.⁵ And many of these will have already served time in prison. In 1999, around **two-thirds** of adult male prisoners were there for at least the second time.⁶
- 1.4** The Home Office has a target to reduce the overall number of offenders sentenced to prison or community punishment who are reconvicted by **5 per cent** by 2004.⁷

Who re-offends?

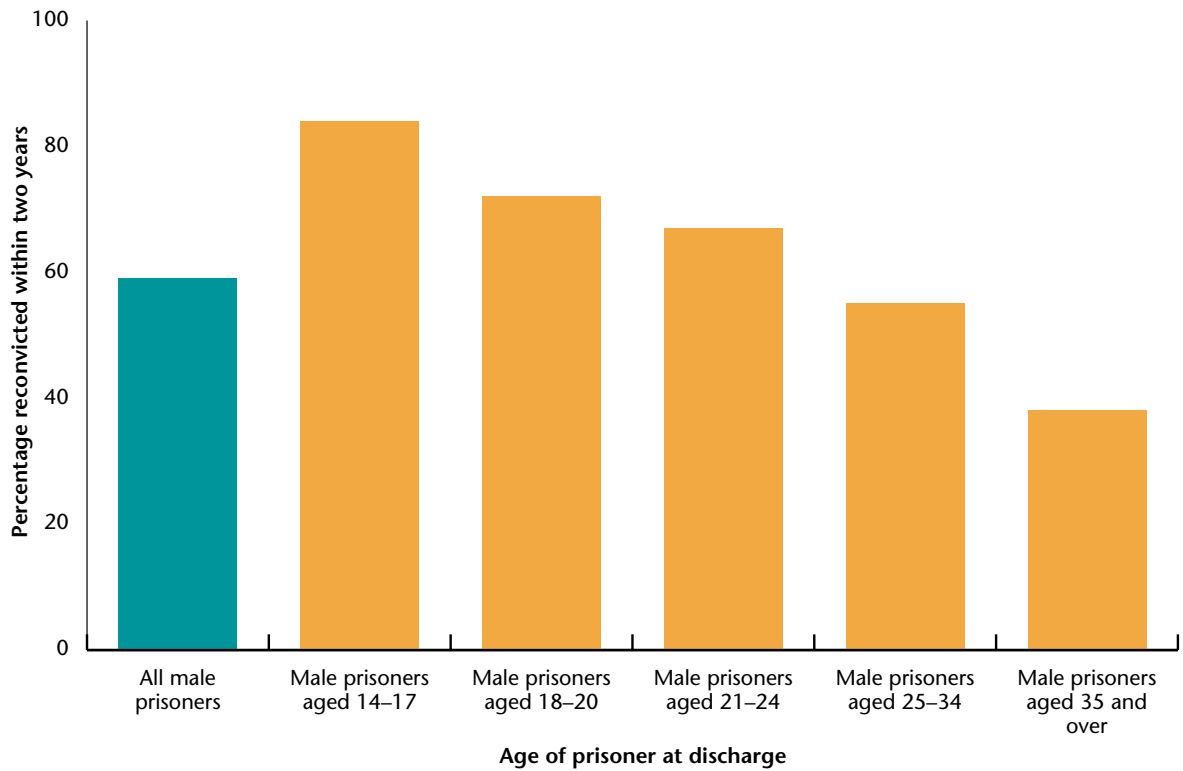
1.5 As **Figures 1, 2 and 3** show, the headline figure for reconviction conceals sharp differences between different groups.⁸ The figures illustrate the cycle of re-offending:

- **male** prisoners are more likely to be reconvicted than female prisoners – **58 per cent** were convicted within two years compared with **51 per cent** of women;
- those serving **short-term sentences** of less than 12 months⁹ are more likely to be reconvicted than those serving longer sentences. **61 per cent** of male prisoners serving up to 12 months are reconvicted within 2 years compared to **56 per cent** of those serving between 12 months and 4 years. The differences for women prisoners are even more stark – the comparable figures are **56 per cent** and **35 per cent**;
- those imprisoned for **property offences**, and **younger** prisoners, groups which often overlap, are all more likely to be reconvicted. For prisoners aged under 21, two-year reconviction rates following imprisonment for offences such as burglary, theft, and handling stolen property are **over 80 per cent**. And where these prisoners have served a short sentence the reconviction rate is **92 per cent**; and
- the likelihood of reconviction increases with the number of previous convictions – **95 per cent** of those with 11 or more previous convictions will be reconvicted within two years of release.

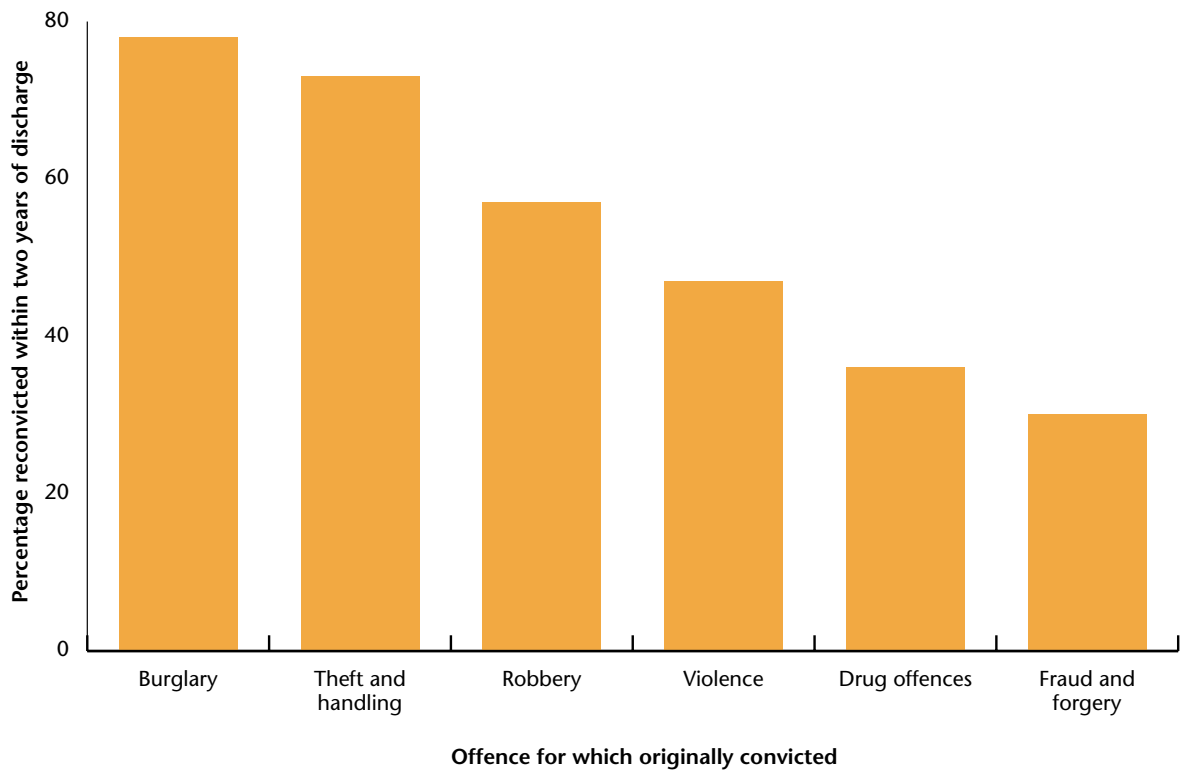
Figure 1: Prisoners discharged in 1997 and reconvicted within two years



Source: Home Office, *Prison statistics England and Wales 2000*.

Figure 2: Reconviction rate by age of male prisoner at discharge

Source: Home Office, *Prison statistics England and Wales 2000*.

Figure 3: Reconviction rate by offence for which originally convicted

Source: Home Office, *Prison statistics England and Wales 2000*.

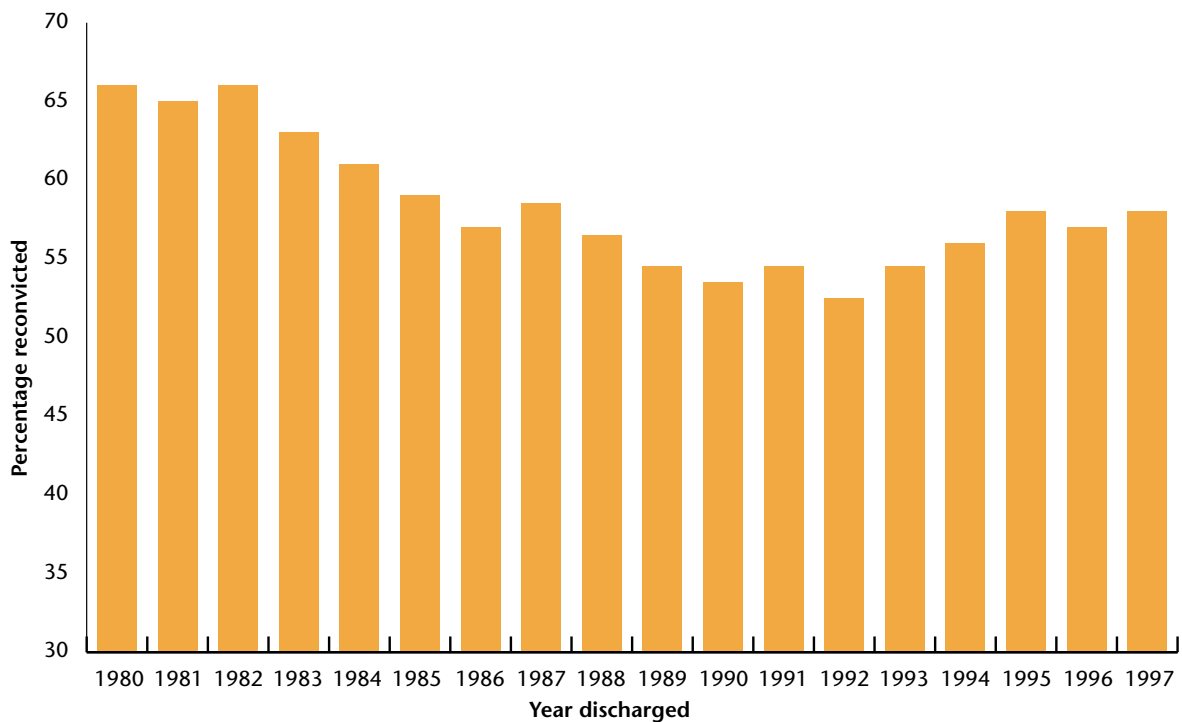
How much crime do ex-prisoners commit?

1.6 It is difficult to be certain exactly how much crime is committed by ex-prisoners, given that many crimes are unreported or unsolved. However, research undertaken by the Home Office for this project suggests that released prisoners are responsible for around **18 per cent** of recorded crime, that is, around **950,000** crimes per year.¹⁰ Deprived neighbourhoods suffer disproportionately. Over **75 per cent** of all robberies and over **55 per cent** of all domestic burglaries are committed in the 88 most deprived local authorities.¹¹

Trends

1.7 As **Figure 4** shows, the overall reconviction rate has remained high for the last 20 years, with figures prior to 1994 adjusted to account for differences in the calculation of reconviction rates.

Figure 4: Prisoners reconvicted within two years of discharge, 1980–1997



Source: Home Office, *Prison statistics England and Wales 2000*. Figures for years prior to 1994 have been adjusted to account for changes to the methods of calculating reconviction rates.

1.8 **Figure 4** shows that despite falling in the 1980s, the reconviction rate rose again in the 1990s and has remained obstinately high in recent years. The factors behind this are complex, but may well include an erosion in post-release support for short-term prisoners – those sentenced to less than 12 months – during the 1990s. It is also consistent with social exclusion being a key factor in re-offending. The early nineties saw rates of child poverty, drug use, school exclusion, inequality all rising strongly.

- 1.9** Comparisons with other countries are extremely hard to make, as figures are not collected on a consistent basis. However, there are some countries that appear to have lower reconviction rates than England and Wales – for example Denmark and Australia – and some higher – for example, New Zealand and possibly Canada. **Table 1** below gives more detail.

Table 1: reconviction rates¹²

Country	Reconviction rate – within two years of release, unless stated
Denmark	45%
Australia (three states)	38%
Northern Ireland	49% ¹³
England and Wales	58%
Scotland	58% ¹⁴
New Zealand	49% of men and 40% of women reconvicted within one year
US (New York State)	81% of juvenile males reconvicted within three years
Canada	64%

CHAPTER 2

PRISONERS: A SOCIALLY EXCLUDED GROUP

Before they ever come into contact with the prison system, most prisoners have a history of social exclusion, including high levels of family, educational and health disadvantage, and poor prospects in the labour market.

The failure of mainstream agencies to deal with these aspects of social exclusion means that the Prison Service and Probation Service are in many cases being asked to put right a lifetime of service failure.

Family disadvantage

"I had a bad experience with Social Services. I was put into care when I was about 7 until I was about 13. The Social Services – I don't want to talk about it."

Adult prisoner

"I mainly had trouble with my stepdad and things like that really. That's what the main trouble was with me, actually going out there and messing about. I reckon if I'd had a better family upbringing I would have been alright."

Adult prisoner

- 2.1** Prisoners are far more likely than the general population to have grown up in care, poverty or an otherwise disadvantaged family.

Characteristic	General population	Prisoners
Ran away from home as a child	11% ¹⁵	47% of male sentenced prisoners and 50% of female sentenced prisoners ¹⁶ (Higher for remanded prisoners and much higher for those with mental health, drug and alcohol problems.)
Taken into care as a child	2% ¹⁷	27% ¹⁸ (Those who had been in care also had longer criminal careers on average.)
Has a family member convicted of criminal offence	16% ¹⁹	43% ²⁰ (35% had actually been in prison.)

- 2.2** More recent findings from the Youth Lifestyles Survey have suggested that serious persistent young offenders are more likely than other young people to have weak family links, and to have spent less time with their parents.²¹

- 2.3** No information is held on levels of poverty experienced by prisoners in childhood. However, the highest rates of prisoners in the population are found in metropolitan areas, such as Greater London, Merseyside and the West Midlands²², where there are also the highest rates of deprivation and family poverty.²³

Prisoners' adult relationships

- 2.4** Prisoners are less likely than the general population to be in stable relationships, and are more likely to have suffered relationship or family breakdown. They are also much more likely to be teenage or single parents.

Characteristic	General population	Prisoners
Unmarried	39% ²⁴	81% prior to imprisonment ²⁵ 85% since imprisonment ²⁶
Divorced	4% ²⁷	9% ²⁸
Young fathers	4% ²⁹	25% of young offenders ³⁰
Lone parenthood	9% living alone with dependent children ³¹	21% of women prisoners living alone with dependent children at the time of imprisonment ³²

Education

Not going to school or leaving at the first opportunity

"School, I never went to school ... [left] when I was about 15 ... I done a year of just smoking, smoking hash, going out stealing, just robbing warehouses ... spending money on clothes ... I had a good time like that."

Adult prisoner

- 2.5** Most prisoners have had highly disrupted experiences of school, and, partly for that reason, leave with very few qualifications and low basic skills.

Characteristic	General population	Prisoners
Regularly truanted from school	3% ³³	30% ³⁴
Excluded from school	2% ³⁵	49% of male and 33% of female sentenced prisoners excluded from school ³⁶
Left school at 16 or younger	32% ³⁷	89% of men and 84% of women ³⁸
Attended a special school	1% ³⁹	23% of male and 11% of female sentenced prisoners ⁴⁰
Have no qualifications	15% ⁴¹	52% men and 71% women ⁴²
Numeracy at or below Level 1 (the level expected of an 11-year-old)	23% ⁴³	65% ⁴⁴
Reading ability at or below Level 1	21–23% ⁴⁵	48% ⁴⁶
Writing ability at or below Level 1	No direct comparison	82% ⁴⁷

Employment

2.6 Most prisoners have never experienced regular or high quality employment.

Characteristic	General population	Prisoners
Unemployed	5% ⁴⁸	67% in the four weeks before imprisonment ⁴⁹

- **62%** of short-sentenced male prisoners involved in drug misuse said they had spent more time unemployed than in work during their working lives and **58%** had done mainly casual or short-term jobs during their lives.⁵⁰
- **39%** of women prisoners had not worked outside of the home in the year prior to imprisonment, and **23%** had not worked for over five years.⁵¹

Health

Mental health

2.7 Prisoners suffer from much poorer mental health than the general population. The statistics below refer only to sentenced prisoners. The statistics for remand and young prisoners are even higher, significantly so in some cases.

Characteristic	General population	Prisoners
Suffer from two or more mental disorders	5% men 2% women ⁵²	72% male sentenced prisoners 70% female sentenced prisoners ⁵³
Suffer from three or more mental disorders	1% men 0% women ⁵⁴	44% male sentenced prisoners 62% female sentenced prisoners ⁵⁵
Neurotic disorder	12% men 18% women ⁵⁶	40% male sentenced prisoners 63% female sentenced prisoners ⁵⁷
Psychotic disorder	0.5% men 0.6% women ⁵⁸	7% male sentenced prisoners 14% female sentenced prisoners ⁵⁹
Personality disorder	5.4% men 3.4% women ⁶⁰	64% male sentenced prisoners 50% female sentenced prisoners ⁶¹
Drug use in previous year	13% men 8% women ⁶²	66% male sentenced prisoners 55% female sentenced prisoners (in year before imprisonment) ⁶³
Hazardous drinking ⁶⁴	38% men 15% of women ⁶⁵	63% male sentenced prisoners 39% female sentenced prisoners (in year before imprisonment) ⁶⁶

Physical health

2.8 Although prisoners' physical health problems are not as pronounced as their mental health problems, there are some areas where they are much poorer than the general population.⁶⁷ Again, these are generally worse for remanded prisoners.

Characteristic	General population	Prisoners
Long-standing illness or disability	29% men aged 18–49 ⁶⁸	46% of sentenced male prisoners aged 18–49 ⁶⁹
Smoking	28% of men 27% of women ⁷⁰	77% of male sentenced prisoners 82% of female sentenced prisoners ⁷¹ (24% and 34% classified as heavy smokers)
HIV	0.02% of heterosexual adults outside London 0.25% within London ⁷²	0.3% males 1.2% females ⁷³
Hepatitis	0.3% Hepatitis B 0.4% Hepatitis C ⁷⁴	8% men, 12% women, and 4% young offenders tested Hepatitis B antibody positive 9% men, 11% women, and 0.6% young offenders tested Hepatitis C antibody positive ⁷⁵ (Rates even higher among intravenous drug users – 30% men and 34% women)

Benefits and debt

Characteristic	General population	Prisoners
In receipt of benefits	13.7% of working age population ⁷⁶	72% (immediately before entry to prison) ⁷⁷
Debt	10% of households with difficult or multiple debts ⁷⁸	48% ⁷⁹ with a history of debt

Homelessness

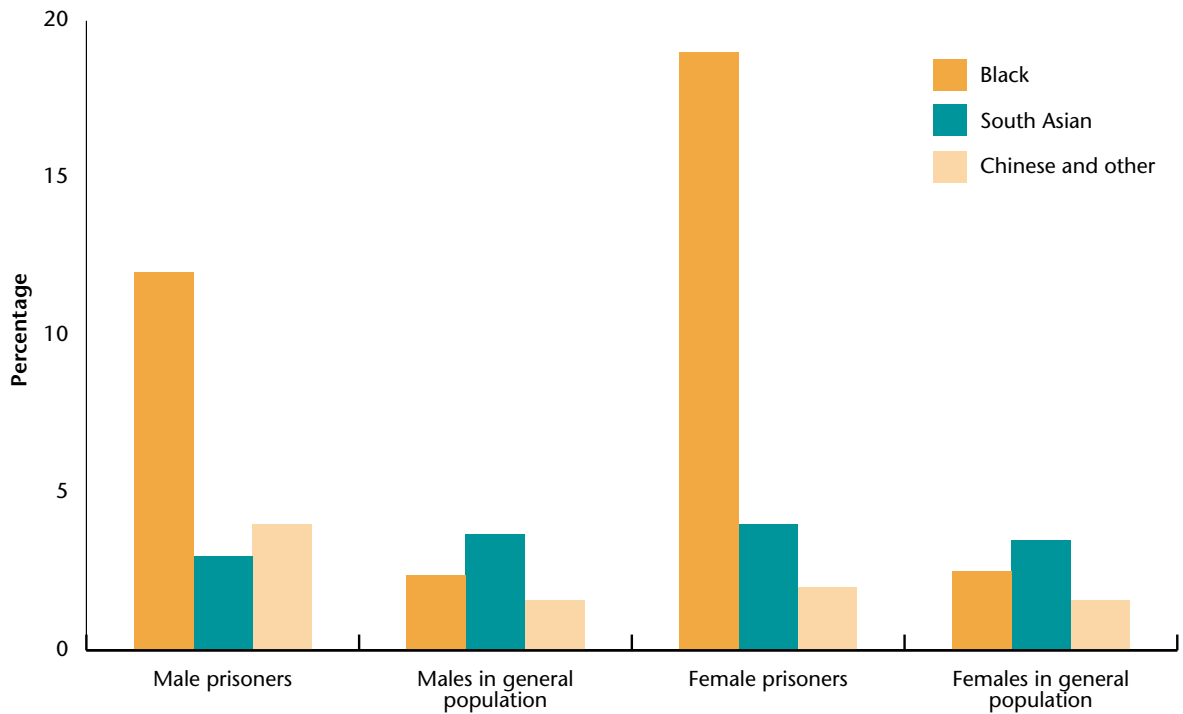
Characteristic	General population	Prisoners
Sleeping rough	0.001% ⁸⁰	4.7% immediately prior to imprisonment ⁸¹
Homelessness	0.9% of households assessed to be statutorily homeless each year ⁸²	32% of prisoners not living in permanent accommodation prior to imprisonment ⁸³

2.9 Homelessness and rough sleeping figures should be treated with caution, as a higher rate of discharge grant is payable to those declaring themselves of 'no fixed abode' on release. Although Home Detention Curfew has offered an incentive for prisoners to name a place of residence, there remains a suspicion that the reported level of homelessness and rough sleeping may be exaggerated.

A black or minority ethnic background

2.10 People from black and minority ethnic backgrounds are over-represented in almost all the dimensions of social exclusion described above – school exclusion, deprived areas, the care system, unemployment and ill health.⁸⁴ It is no coincidence, therefore, that people from some black and minority ethnic backgrounds are over-represented in the prison population.⁸⁵ In addition, black and minority ethnic offenders, on average, receive longer sentences than white people. **Annex C** provides further information about black and minority ethnic prisoners.

Figure 5: Black and minority ethnic groups – prison population and general population



Source: Home Office, *Prison statistics England and Wales 2000*. British nationals only.

CHAPTER 3

HOW PRISONS AND SENTENCES WORK – KEY FACTS

There are 136 prisons in England and Wales, holding around 71,000 people at any one time – a number that is rising. Around 90,000 prisoners are released every year.

95 per cent of prisoners are male, although the female prison population is rising at a faster rate – more than doubling in the last decade.

While those sentenced to less than 12 months make up fewer than one in five of the prison population, they account for 65 per cent of all those discharged. Only those short-term prisoners aged under 21 are supervised after release by the Probation Service.

Between them, the annual budget for the Prison Service and Probation Service is around £2.3 billion. It is estimated that the average cost of keeping a person within prison in 2001/02 is £37,500.

- 3.1** This chapter provides an overview of the criminal justice system as it relates to prison sentences. It describes how a prison sentence is arrived at, what the length of a sentence means and where a prisoner serves their sentence. It also provides key facts on the number of prisoners.

Courts and sentencing

- 3.2** Courts are required to impose sentences that reflect the seriousness of the offence committed. In deciding the sentence the judge or magistrate will take into account the circumstances of the offence and whether there was an early guilty plea. In addition, they may ask for reports to be compiled by probation staff on the offenders' personal circumstances and the most appropriate sentence. The judge or magistrate will then decide on the sentence.

Non-custodial sentences

- 3.3** Courts are able to impose a wide range of non-custodial sentences. Breaching the conditions of these sentences can lead to the offender being given a prison sentence.
- 3.4** Community sentences can involve a range of punishments, all of which are completed under the supervision of a probation officer. They can include: performing unpaid work in the community, being required to complete an offending behaviour programme, being treated for drug or alcohol dependency, living at a particular address and being under curfew. Sentences can range from a minimum of 40 hours compulsory work within the community, to six months curfew, to up to three years' Probation Service supervision. A number of sentences are specifically designed to control persistent young offenders and drug offenders.
- 3.5** In addition to community sentences, courts may impose punishments such as fines, compensation orders, confiscation orders or conditional discharges.

Custodial sentences

- 3.6** Imprisonment is the most severe penalty available to the courts. It is imposed if the offence is so serious that only a prison sentence can be justified or where there is need to protect the public from serious harm. Some prison sentences are automatic, such as a life sentence for murder. Recent legislation requires courts to impose minimum prison sentences on offenders who commit repeat offences such as armed robbery, burglary or drug trafficking.⁸⁶

Prisoners on remand and civil prisoners

- 3.7** Some people will spend time in prison without being convicted. Reasons for remand in custody can include the seriousness of the charge and previous convictions for similar offences, and belief that the defendant is not likely to come to court, would commit an offence while out on bail or would interfere with criminal proceedings. A court can also remand a person in prison in the period between conviction and sentencing.
- 3.8** There are also a small number of civil prisoners in prison. These can include those guilty of contempt of court or those who have failed to comply with a court order. In addition, a number of prisons have been required to detain people pending immigration and asylum decisions.

Where do prisoners serve their sentence?

- 3.9** There are **136** prisons in England and Wales. There are different categories depending on the level of security required. Many establishments perform more than one function.

Prisons for adult males

Local prisons – where almost all prisoners begin their time in prison, either on remand or as newly sentenced prisoners. These are the largest prisons and are subject to the greatest number of prisoner movements.

High security prisons – holding prisoners whose escape would be highly dangerous to the public, police or national security.

Closed training prisons – where the majority of prisoners will serve most of their sentence. Housing medium-risk inmates, these closed prisons usually offer dedicated education, training and in-prison work.

Open and semi-open prisons – for the lowest-risk prisoners. Emphasis is on phased progress towards eventual release. Inmates are likely to have increased contact with their family and may be able to work outside the prison.

Prisons for young males

Aged 18–20 – the majority are held separately from adult prisoners, in **Young Offender Institutions**. These can either be open or closed and some also serve as remand centres.

Aged 15–17 – held in separate juvenile **Young Offender Institutions, Secure Training Centres** or **Local Authority Secure Units**.

Aged 10–14 – held in **Local Authority Secure Units**.

- 3.10** All female prisoners, apart from a small number of inmates held within separate parts of two male prisons, are held in entirely separate female prisons. The categories of prison follow the same pattern.

Prisons for adult females

Most women are held within separate local prisons, closed training prisons, semi-open and open training prisons. Several operate as both local and training prisons.

Prisons for young females

Aged 18–20 – held in separate **Young Offender Units** within a number of the adult prisons. They are usually allowed to share leisure and education facilities with adult prisoners.

Aged 15–17 – held within dedicated **Young Offender Units** (very small numbers) in adult prisons or **Local Authority Secure Units**.

Aged 10–14 – held in **Local Authority Secure Units**.

Privately managed prisons

- 3.11** Nine prisons are currently managed by private companies, and a further two are in the process of construction. They are subject to inspection and must comply with the same prison rules. Their contracts contain clauses that can lead to financial penalties if they fail to meet performance targets.

How long do prisoners stay in prison?

- 3.12** How long sentenced prisoners stay in prison, and the conditions of their release, depends on the nature of their initial sentence. All prisoners sentenced since October 1992 have been eligible for release under the conditions set out below. All those released under licence are supervised by probation officers.

Sentences of less than 12 months – all prisoners automatically released halfway through sentence. All those released are 'at risk' of having all or part of their outstanding sentence added to any new prison sentence, if convicted of an offence committed during this phase of their sentence.

Only young offenders are subject to supervision by a probation officer from the point of release, for a minimum period of three months, or until an offender is aged 22, if sooner.

Sentences of 12 months to less than four years – all prisoners automatically released, on licence, halfway through sentence. The licence expires at the three-quarter point of sentence and for the last quarter the prisoner is 'at risk' (as above). The licence period is supervised by the Probation Service.

Sentences of four years and over – all prisoners are eligible for release on parole at the halfway point. If successful, they are released on licence, under supervision. All prisoners will be released, on licence and under supervision, at the two-thirds point. The licence runs until the three-quarter point of the sentence, at which point the prisoner is 'at risk'.

Life sentences – no automatic release. Release only via Parole Board or Home Secretary consent following detailed risk assessment. Prisoners subject to licence conditions for the rest of their life.

- 3.13** Prisoners may have additional days added to their sentence as a result of disciplinary offences committed while in prison. These will delay all release dates but will not extend the length of the original sentence. Further detail on the release of prisoners is given in [Chapter 4](#).

Proposed changes to the sentencing framework

- 3.14** The Home Office has recently consulted on a review of the sentencing framework and the Government intends to produce a White Paper on the proposed changes. If adopted, the recommendations in the review will change sentences, especially short-term sentences, to improve their effect on rehabilitation.⁸⁷

Delivery

- 3.15** The conditions under which prisoners serve their sentences and the way in which sentences are enforced are the responsibility of the main agencies such as HM Prison Service, the National Probation Service and the Youth Justice Board. The following boxes provide further information on these organisations.

HM Prison Service

HM Prison Service is an executive agency of the Home Office, whose Director General reports directly to the Home Secretary. It has an annual budget of around **£1.8 billion**, a figure that has grown by around **25 per cent** in the last decade.⁸⁸

The Prison Service employs around 44,000 people, the majority of whom are officers responsible for the day-to-day running of prisons. The Service's objectives are:

- to protect the public by holding those committed by the courts in a safe, decent and healthy environment; and
- to reduce crime by providing constructive regimes which address offending behaviour, improve educational and work skills, and promote law abiding behaviour in custody and after release.

National Probation Service

The National Probation Service was created in 2001, from 54 previously separate services. It now operates under a National Director who is directly accountable to the Home Secretary. The National Probation Service has a budget of around **£525 million**, up by over **50 per cent** in the last ten years.⁸⁹ In total, there were around 7,600 probation officers in 2000, including probation officers working in prisons. A further 8,500 other people are employed, including Probation Service officers and administrative staff.

Probation officers advise the court on suitable sentences through pre-sentence reports, oversee community sentences and deliver services such as probation hostels. They enforce the conditions under which community sentences are made. They are also responsible for carrying out assessments on offenders to check their suitability for electronic monitoring.

All offenders aged under 21 and adults sentenced to 12 months or more in custody are supervised by probation officers before and after release from prison. They ensure that swift action is taken if licence conditions governing release from prison are broken.

Youth Justice Board

The Youth Justice Board was created in 1998 and has responsibility for preventing youth offending and overseeing the operation of the criminal justice system for all those aged between 10 and 17. It is a Non-Departmental Public Body, sponsored by the Home Office. It has an annual budget of around £300 million. It has a number of roles, including:

- commissioning places from the Prison Service and local authorities for young people within Young Offender Institutions, Secure Training Centres and Local Authority Secure Units. The Youth Justice Board also advises on the setting of national standards for custodial accommodation and monitors these standards on the ground;
- identifying and promoting good practice, making grants for the development of best practice in the youth justice system and the prevention of offending; and
- overseeing the work of individual Youth Offending Teams – teams based within local authority areas, comprised of staff including police, probation, social services and health, which deliver prevention and enforcement.

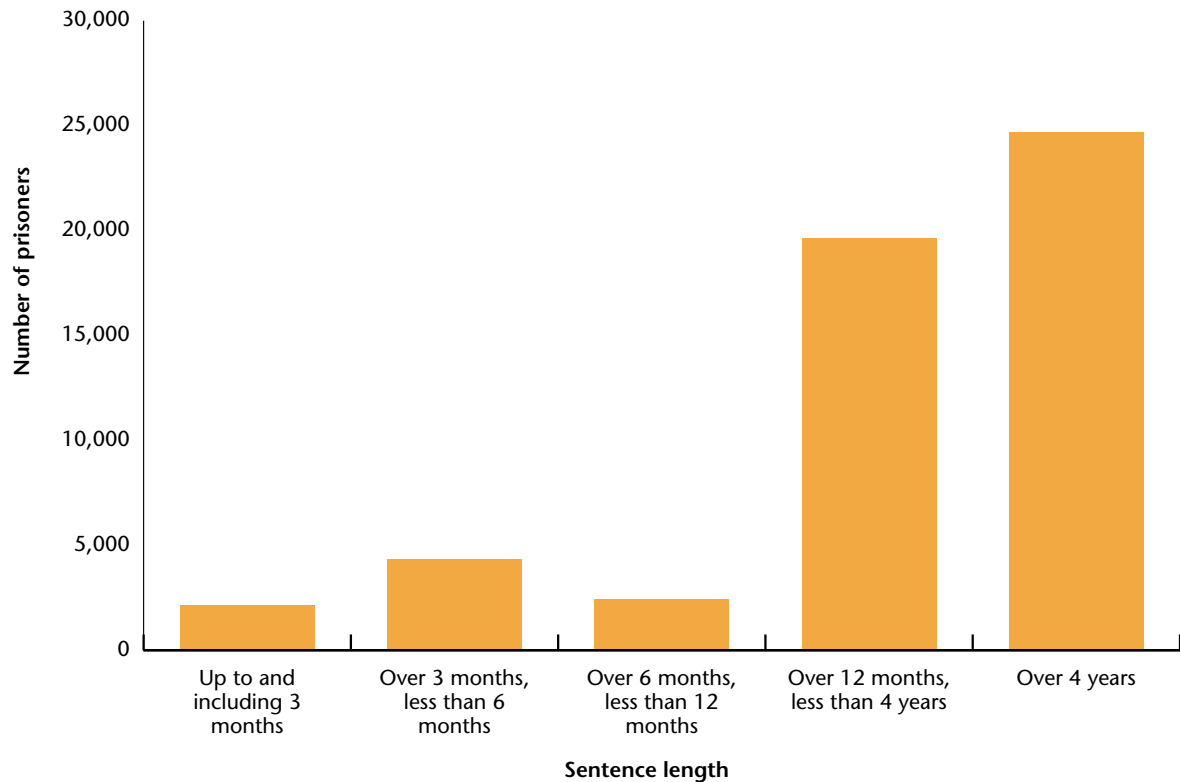
3.16 In addition to the main agencies and departments, there are several other bodies that play an important role in the delivery of services within prisons, including new bodies, which have been set up to provide leadership and accountability across the usual agency barriers. These include the Prisoners' Learning and Skills Unit, which is jointly accountable to the Prison Service and the Department for Education and Skills, and the Prison Health Policy Unit, accountable to the Prison Service and the Department of Health. These Units are covered in later chapters.

How many people are in prison?

3.17 The average population held in prison in England and Wales during 2001 was **65,322**. During May 2002, there were **71,012** people in prison, serving either a custodial sentence, or on remand awaiting trial or sentence. In 2001, a total of **86,956** prisoners were discharged from prison. Overall, the prison population has risen by over **50 per cent** in the last decade.

Length of sentence

3.18 **Figure 6** shows that short-term prisoners, those sentenced to less than 12 months, are a minority of the prison population at any one time, making up only around **17 per cent**. However, there is a high turnover among this group, and short-sentenced prisoners make up the majority, around **65 per cent**, of prisoners discharged every year.

Figure 6: Prison population and length of sentence

Source: Home Office, *Prison statistics England and Wales 2000*.

How many men and women are in prison?

3.19 Men make up around **95 per cent** of the prison population. While the total number of women prisoners is relatively small, **4,380** in May 2002, this is a figure which has nearly doubled since 1996. **Annex A** gives further information on levels and trends in the women's prison population.

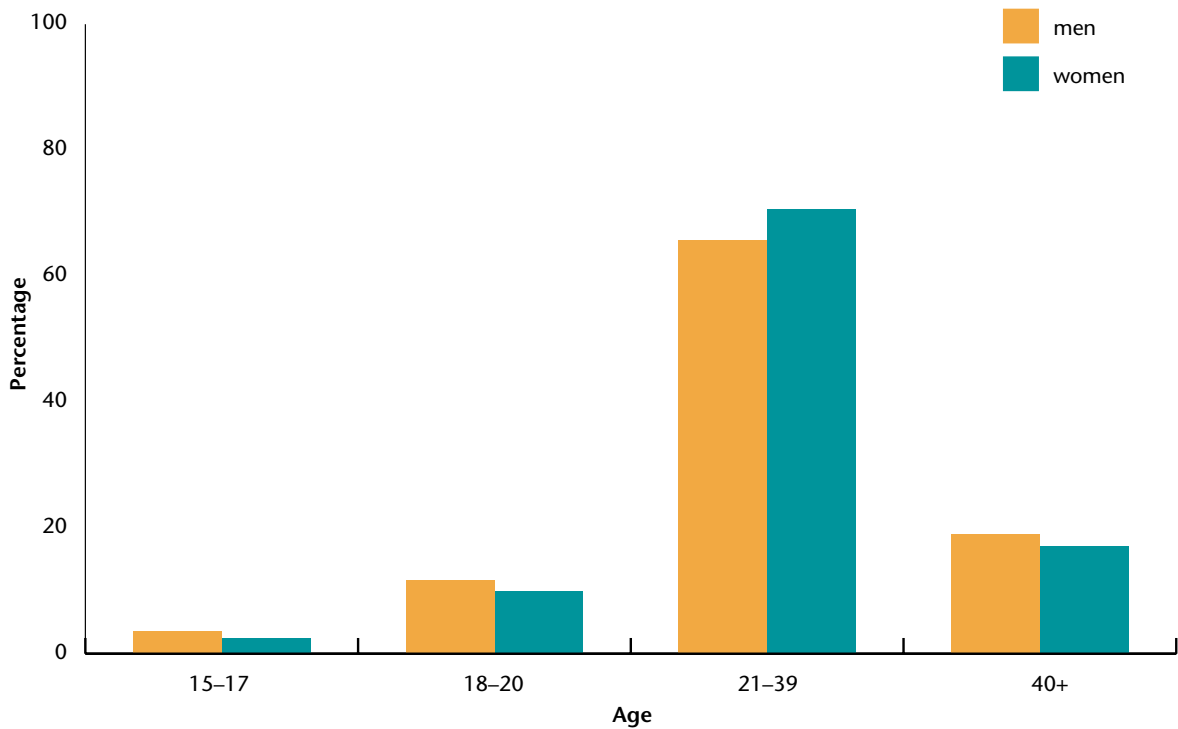
Black and minority ethnic prisoners

3.20 Black and minority ethnic men make up around **19 per cent** of the male prison population, between **two and three times** the proportion in the general population. Black and minority ethnic women make up **25 per cent** of the female prison population, **three times** the proportion in the general population as a whole. **Annex C** gives further information on the black and minority ethnic prison population.

Age of prisoners

3.21 **Figure 7** below provides an age breakdown of men and women serving prison sentences at any one time in 2000.

Figure 7: Prison population by age and gender



Source: Home Office, *Prison statistics England and Wales 2000*.

How far are prisoners held from home?

3.22 While many prisons are situated within cities or close to large centres of population, others are a considerable distance from prisoners’ home areas. Sentenced prisoners are held an average of **53 miles** from home.⁹⁰ The smaller number of prisons for women and young offenders mean that they are particularly likely to be held further away.

Are prisons overcrowded?

3.23 The Prison Service uses two methods of measuring capacity, the normal uncrowded capacity of a prison, and the higher level of the maximum safe overcrowded capacity. The majority of local prisons operate at levels well above their basic uncrowded capacity. In May 2002, the prison population exceeded the uncrowded capacity by over **6,700**.

3.24 If a local prison is in danger of being unable to accommodate prisoners sent by the courts, Governors are instructed to move prisoners to other prisons. It is estimated that around 8,000 prisoners were moved on overcrowding drafts in 2001. This is in addition to the standard movements of prisoners around the system for reasons such as security re-classification or closeness to home.

How much does it cost to keep a person in prison?

3.25 There is considerable variation in the cost of keeping prisoners within the prison system, depending on their security classification, their age, and their needs, such as drug treatment, education and health provision, as well as the degree to which these needs are actually met. There are also considerable differences relating to the time that prisoners spend within the prison, with issues such as turnover playing their part. **Table 2** below gives examples of some of the costs.

Table 2: annual cost of keeping prisoners in custody

HM Prison Service has a target to ensure that average annual cost per prisoner does not exceed **£37,500** in 2001/02.⁹¹

The cost per prisoner for different groups of prisons in 2000/01 includes:⁹²

- male Young Offender Institution (15–17 years old) – **£47,500**
- high security prison – **£41,500**
- female local prison – **£30,700**
- male local prison – **£23,700**
- male category C (training) prison – **£18,200**
- male open prison – **£17,500**

The cost per offender within a **Secure Training Centre** (15–17-year-old males) has been put at **£130,000** per year.⁹³

3.26 This chapter has highlighted some of the key facts about how prisons and sentences work, as well as the size of the prison population. **Chapter 4** looks at what happens during and after a prison sentence.

CHAPTER 4

PROCESS THROUGH CUSTODY – DURING AND AFTER

This chapter provides details of how a prisoner arrives in prison, the processes that will take place inside the prison, and what happens before and after release.

Reception

- 4.1** A prisoner's first experience of a prison is the reception process, which should take place as soon as the prisoner arrives from court or another prison. The standard procedures are:
- paperwork checked to ensure the prisoner is the one expected and can be legally held in the prison;
 - prisoner searched and all belongings recorded (and stored if necessary);
 - prisoner receives prison-issue clothes in prisons where they are not allowed to wear their own;
 - prisoner photographed;
 - prison rules and procedures explained – either face-to-face, via a reception pack or video;
 - prisoner usually allowed brief calls to relatives or friends; and
 - initial health screening to ensure prisoner not showing obvious symptoms of illness or immediate risk of self-harm.
- 4.2** In reality, what actually happens during reception is affected by the number of prisoners arriving at the prison, how late in the day they arrive and the skills of those on duty – for example, in identifying and understanding mental health problems. As a result, practice varies considerably between individual prisons and prisoners.
- 4.3** A small number of prisons have set up special schemes, often called 'First Night' schemes to reduce the risk of self-harm that can be caused by initial arrival in prison. These ensure that prisoners receive particular support, such as access to trained listeners and close staff supervision.

Induction

- 4.4** Where a prisoner receives it, the induction process usually starts on the day following reception. The aim is to integrate a prisoner into the prison's overall regime. Induction usually takes place within a separate part of the prison, often a dedicated wing, and varies in length depending on the prisoners' needs and local pressures, lasting between two days and two weeks. Information about education opportunities, prison work, visits and healthcare are all ideally passed on during this period.

Assessments

Security

4.5 Induction is an opportunity for a variety of more detailed assessments to take place. One of the first assessments to be made, usually done within the local prison, is security. Sentenced adult male prisoners are allocated to suitable prisons by one of four security classifications:

- Category A – suitable for maximum security only;
- Category B – suitable for closed but not high security conditions, likely to pose an escape threat;
- Category C – not yet suitable for open conditions, but unlikely to pose an escape threat; and
- Category D – suitable for open conditions.

Other issues

4.6 Subsequent assessments will cover a broad range of issues with some – such as suicide and self-harm – being covered by standard forms while others are left to local discretion. Assessments include:

- detailed healthcare needs, including previous medication, drug assessment and risk of suicide and self-harm;
- educational abilities, including basic skills assessment and, in some prisons, dyslexia testing;
- aptitude assessments for employment or vocational training skills and offending behaviour programmes; and
- physical fitness testing.

4.7 The Prison Service and Probation Service have jointly designed and piloted the Offender Assessment System known as ‘OASys’ as a core assessment tool to be used with offenders from the pre-sentence report stage, through custody, and on release to the community. When fully operational, OASys will play the central role in the assessment and sentence planning process and will be the key factor in deciding the appropriateness of interventions both inside and outside prison. Implementation of a paper-based system has already begun in the Probation Service. Use within the prison is dependent on obtaining appropriate information technology and is expected to start in 2003. This is a demanding target. As currently planned, the system will not apply to those sentenced to less than 12 months.

4.8 For prisoners aged under 21 or those sentenced to 12 months or over, such assessments should feed into the creation of a **sentence plan** which is designed to determine what a prisoner should do while in prison. Sentence planning is described in detail in **Chapter 6**.

4.9 Assessments tend to be focused on new arrivals but they also take place at other times, including before and after transfer to another prison and in taking decisions about early release. Probation officers, working within the prison, usually play a major role in carrying out such assessments.

4.10 Action such as identifying suitable accommodation, training, employment and even contact with families and children is dependent on up-to-date assessments of the risk posed by an individual prisoner. These risk assessments, which cover the risk of harm to victims, the wider community,

staff and the prisoner themselves, should be regularly reviewed. Prisoners who pose the highest risk are dealt with via Multi-Agency Public Protection Panels, described later in this chapter.

Pre-sentence reports

- 4.11** Part of the paperwork that should feed into the assessment is the pre-sentence report. This will often provide information about areas such as drug misuse, risk of harm to others and details of previous offences, where known. These reports should be passed by probation staff to the receiving prison. Pre-sentence reports are not always completed. A recent study has shown that a significant proportion of offenders were sentenced without the benefit of a pre-sentence report.⁹⁴

Prison routine

Purposeful activity

- 4.12** The Prison Service has a target to ensure that adult prisoners are engaged in ‘purposeful activity’ for at least 24 hours a week. This can include: work, education and training; induction and resettlement activities; physical education; religious activity; and visits. Socialising with other prisoners, washing and eating do not count towards the target.
- 4.13** Purposeful activity must generally take place outside a prisoner’s cell and therefore requires some supervision by prison officers. Security issues, staff shortages and the structure of a particular prison can all impact adversely on purposeful activity. In male local prisons weekly purposeful activity varied from **13 hours** in one prison to **33 hours** in another.⁹⁵ In 2000, prisoners spent an average of **23.7 hours** per week on purposeful activity.

Incentives and Earned Privileges scheme

- 4.14** Every prison and Young Offender Institution operates an Incentives and Earned Privileges scheme that allows prisoners to earn privileges through good behaviour and constructive participation in purposeful activities. Each scheme operates at three levels: basic, standard and enhanced, and prisoners move up or down the scale depending on their behaviour. Privileges include: access to private cash; extra or longer visits; community visits (subject to sentence criteria and risk assessment); higher rates of pay; time out of cell; and wearing of own clothes. Other privileges can be adopted at a local level, for example the provision of in-cell TV.

Moving between prisons

- 4.15** Prisoners move between prisons for a variety of reasons: overcrowding; progression to more open conditions (or vice-versa); access to a particular course or programme; to return nearer home for the last part of their sentence to aid resettlement; and to maintain good order and discipline.
- 4.16** No figures are kept centrally for the numbers of prisoners moving between prisons for these reasons.⁹⁶ Moving for any reason can be disruptive and prisoners can arrive at the receiving prison at short notice, with incomplete files and half-finished courses or treatments. Re-assessment frequently occurs before information arrives from the previous prison. There is no readily accessible electronic link between separate prisons. Programmes and courses may only be completed if the receiving prison has similar provision and a vacancy.

Release on temporary licence (ROTL)

- 4.17** Under certain conditions sentenced prisoners can be allowed temporary release from prison typically for a working day or a weekend. Possible reasons include: funerals and hospital visits; maintaining family connections; employment or education; and job or housing interviews. The Governor makes the decision, following a thorough risk assessment. Each licence is issued individually and states the conditions that a prisoner must abide by during their time outside prison. Failure to return to custody within the time set by the licence is a criminal offence.
- 4.18** In 2000/01, 257,000 temporary licences were issued, although many of these were repeat licences for those working in the community on a daily basis. Failure to return to prison occurred in only around **one in a thousand** cases.⁹⁷ There is considerable variation in the extent and use of ROTL between prisons, even with the same security categorisation.

Home Detention Curfew

- 4.19** Home Detention Curfew (HDC) allows selected prisoners serving between three months and four years to serve up to the last two months of their sentence in the community under an electronically monitored curfew.
- 4.20** The home address and the offender are both subject to a risk assessment, usually carried out by probation officers working within the prison. Violent and sexual offenders and those who have re-offended on licence are ineligible. Breach of the curfew results in a return to prison.
- 4.21** An assessment of the initial period of HDC suggested that about **30 per cent** of those eligible were released. Around **5 per cent** of prisoners were recalled to prison and only **2 per cent** were reconvicted for offences committed whilst on HDC.⁹⁸ There is considerable variation in the use of HDC between prisons. Some Governors have said that they would like to see HDC used as part of a package of resettlement rather than in isolation.⁹⁹

Discharge

- 4.22** The processes immediately leading up to release for all sentenced prisoners are subject to Prison Service regulations. Processes include:
- ensuring the prisoner is due to be released;
 - explaining the consequences of offences committed while serving the remainder of sentence in the community;
 - taking account of days that a prisoner may have spent in a police cell, where this has not been done on entry;
 - deciding whether the prisoner is entitled to receive a discharge grant;
 - ensuring that the prisoner retrieves stored goods and remaining private cash;
 - assessing whether the prisoner requires a travel warrant, and some prisons may also offer assistance with clothing on release; and

- reviewing prisoners' health needs prior to discharge, so that adequate referral arrangements can be made. These should be backed up, where appropriate, by details of a local GP and details of treatment history while in prison.

4.23 Some prisons run pre-release courses, covering issues such as employment and benefits advice. However, a recent survey suggests that only a minority of prisoners attend such courses and they are not always individualised or tailored to earlier assessments of need.¹⁰⁰ And, as later chapters will show, prisoners find accessing services such as financial support and healthcare very difficult on release.

In the community

4.24 The National Probation Service is responsible for supervising all prisoners released on licence – young offenders, and adults who have been sentenced to 12 months or more. A supervision plan should be prepared within 15 days of, but preferably before, release, should identify and address risk factors, and specify a structured programme of individual or group supervision.¹⁰¹ Licence conditions can specify a broad range of conditions, including where an ex-prisoner must live, which areas or people they must not visit, as well as which types of work they may do. Breach of the licence conditions can result in an ex-prisoner being returned to prison to serve the remainder of their sentence.

4.25 Supervision involves not only the enforcement of licence conditions, but also building on any progress made while in custody and facilitating access to support across a range of issues, such as accommodation, employment, drugs and debt problems.

Dangerous ex-prisoners

4.26 Since last year, the release of every potentially dangerous ex-prisoner into the community has been managed by a local Multi-Agency Public Protection Panel (MAPPP). Each case is considered individually and agencies such as the police, probation, health, social services and housing providers produce a joint plan for managing the ex-prisoner's return to the community.

Short-term prisoners

4.27 Before 1991, only young offenders and those on parole were subject to statutory post-release supervision. All others were on 'voluntary aftercare'. In 1991 statutory post-release supervision was introduced for those sentenced to over 12 months, but made no statutory provision for adult prisoners sentenced to less than 12 months, a group which includes some of those most likely to re-offend. They are eligible to apply for voluntary supervision, but few do.¹⁰² In reality, assistance post-release is very limited for this large group of ex-prisoners and many will look to national and local voluntary agencies for support. Such agencies are often able to meet no more than a fraction of need, and are often subject to precarious short-term funding.

CHAPTER 5

THE IMPACT OF PRISON SENTENCES ON RE-OFFENDING

A prison sentence has a number of purposes – it marks strong public disapproval of an offence and it is unmistakably a punishment for the offender.

A prison sentence also presents the opportunity to reduce crime – providing a deterrent and, for the period of imprisonment, incapacitating those who would commit further offences. Its ability to make a longer term, sustained difference to the causes of re-offending and to prisoners' attitudes and behaviour is at the centre of this report. There are a group of factors, discussed in detail in this report, which can either help or hinder this process.

- 5.1** One of the key purposes in passing any sentence, whether custodial or not, is to mark society's public disapproval of an offence. A prison sentence, involving physical removal from the community, is the ultimate demonstration of this disapproval.
- 5.2** A prison sentence is also a punishment. The deprivation of liberty and the removal of many choices about daily life during a prison sentence are seen to be the proportionate response by the sentencer to the actions of those convicted of serious crimes.
- 5.3** But, in addition to a prison sentence being both a public mark of disapproval and a punishment, it must also have a role in reducing crime. Opinions vary as to how it can fulfil this role, but the following factors are viewed as contributory:
 - providing a deterrent – using the sentence to dissuade the individual criminal, and potential criminal in the community, from committing crimes in the future;
 - incapacitating offenders – making sure that those convicted of offences are unable to commit further crimes against the wider community during their time in prison;
 - resolving the factors, or drivers, that contribute to the committing of crimes – this can include tackling drug and alcohol addiction, addressing mental health problems or improving skills and employability; and
 - changing a prisoner's behaviour and responses to the drivers of crime – including the use of programmes which improve skills, such as thinking and problem-solving, necessary to make rehabilitation and a positive life outside prison a reality.
- 5.4** It is the last two roles, the potential of a prison sentence to change or resolve many of the drivers of the crimes committed, that lie at the centre of this report on reducing re-offending by ex-prisoners.
- 5.5** The Social Exclusion Unit's consultation identified a number of factors that contribute to the likelihood of a released prisoner re-offending. The quality of evidence regarding the effectiveness of addressing different factors tends to vary, depending on the priority that each has received in the past. Also, the evidence is always limited to addressing these issues and drivers in isolation, rather than in the round. It is clear, however, that, although the evidence is disconnected, the issues and drivers are not. Most are mutually re-enforcing and require a joined-up response.

- 5.6** There are several other relevant factors that can help reduce re-offending. Most obviously, these include having a job, a home and a stable family. Evidence shows that these areas are strongly associated with reducing the likelihood of re-offending. There is a considerable risk that a prison sentence can weaken these protective factors, and therefore lead to an increase in the likelihood of re-offending. Procedures that identify those at risk, provide advice at the point of sentence, and follow through with effective and sustained support to release can help to minimise the risk of re-offending. In some instances, they can also help to put in place protective factors for the first time.
- 5.7** The table below summarises this analysis, showing how a prison sentence can be an opportunity to improve or can actually worsen those factors that are either known to cause or are heavily associated with the likelihood of re-offending.

Factor	Prison sentence can help	Prison sentence can worsen
Education	Education and training programmes can give prisoners the skills needed to gain employment.	Existing skills can be eroded or become outdated during the sentence. Can reinforce existing negative views of education. Can disrupt education in the community.
Employment	Opportunity to gain valuable practical experience of paid work. Opportunity to make contact with employers prior to release.	Loss of existing employment. Work in prison can reinforce the view of work as mundane and low paid, with little connection to real opportunities. Existing work skills can be eroded or become outdated.
Drugs and alcohol	Prison can be an effective place to get drug treatment, helping many who have had no help before. Can make valuable links to community treatment.	Drugs are available in prison – some prisoners may start to use, others will entrench an addiction. Without proper aftercare, released prisoners can return to a level of usage that is especially dangerous.
Mental and physical health	Access to proper diagnosis and treatment, often for the first time. Ensuring that ex-prisoners able to take up opportunities such as employment and training on release.	Lack of provision and patchy co-ordination; the experience of imprisonment and subsequent inactivity can exacerbate existing mental illness. Prisoners released to chaotic lifestyles, without proper follow up support.
Attitudes and self-control	Opportunity to take part in programmes to improve thinking skills, anger management. Opportunity to learn from past experiences, separated from some peer pressures.	Other prisoners can reinforce negative attitudes towards crimes and victims.
Institutionalisation and life skills	Prison can provide a safe place for offenders to develop positive life skills.	Can reinforce an institutionalised background, such as previous experience in care. Heavily structured regimes, and lack of activity, can damage prisoners' abilities to think and act for themselves, with knock-on effects in areas such as employment and housing.

Factor	Prison sentence can help	Prison sentence can worsen
Housing	Opportunity to save tenancies, reduce Housing Benefit, mortgage and rent arrears. Repaying rent arrears, assessing housing needs and beginning a move to stable, supported accommodation. Opportunity to gain skills in managing tenancies.	Housing can be lost on entry, rent arrears can build up, leading to barring from housing. May increase the chance of an offender being homeless. Lack of housing can lead to further problems, such as accessing children in care, health services and benefits.
Benefits and debt	Prison can provide access to debt advice and can improve the chances of accessing financial support on release via the setting up of benefits interviews. Offers the chance of earning and saving money.	Debts can worsen during a prison sentence. Prison can break the link between offenders and legitimate means of support. Prisoners are released without sufficient financial means to cover the period before benefit payments are made.
Families	Prison can give prisoners' families the opportunity to have an input into a prisoner's rehabilitation needs. It can separate offenders from a criminal background, or give a family respite from a difficult or dangerous family member.	Prison can damage the positive links between a prisoner and their family – breaking stable relationships with partners and children. Can lead to financial, emotional and health problems among family members.

5.8 The following chapters expand on these individual factors, explaining current practice and policy, highlighting good practice and identifying the barriers to more effective work. **Chapter 6** looks at the processes that should determine what happens to a prisoner during their sentence.

CHAPTER 6

SENTENCE PLANNING AND MANAGEMENT

Sentence planning should be the cornerstone of work to tackle re-offending in prison. But too often it is a paper exercise of which prisoners are barely aware, or that is used to allocate prisoners to what is available rather than what they need. Short-term prisoners, who form the majority of those released from prison each year, are not covered by sentence planning.

"I've never had one [a sentence plan] – never been here long enough. Well, not all at one go anyway."

Adult prisoner

"We know that we need to complete these plans with prisoners and then keep them under review. But there's not enough time and anyway we can't always provide the courses that we know they need."

Prison officer

"I've just finished a ... course ... anger replacement. I had to chase that up. I was told I had to do that, but nobody ever tried to make me do it, nobody ever asked me to do it and I wanted to do it about two years ago."

Adult prisoner

Key facts

6.1 Sentence planning is the key process connecting a prisoner with activities to reduce their offending.¹⁰³ Its aim is to prepare the prisoner for safe release: needs should be assessed, targets set and plans should connect the prisoner with offending behaviour programmes. Plans should have contributions from probation, build on pre-sentence reports and be reviewed regularly. The sentence plan should be informed by up-to-date risk assessments carried out by prison and probation staff. These assessments should ensure that the interventions identified, such as family contact or employment in the community, are appropriate and will not increase the risk of harm. The sentence plan should provide the basis for the supervision plan that covers those prisoners released on licence.

System does not always work well

6.2 A recent review by HM Inspectorates of Prisons and Probation found a highly variable quality in sentence planning, a view that was backed up by the Social Exclusion Unit's (SEU) consultation.¹⁰⁴

Sentence planning

84 per cent of those due an initial sentence plan received it.

45 per cent of sentence plans do not have input from community-based probation staff and **a third** do not have input from prison-based probation staff.¹⁰⁵

55 per cent of sentence plans either do not refer to tackling offending, or do so only poorly.

Low quality

- 6.3** During its consultation the SEU visited prisons where the sentence planning process was clearly no more than a paper exercise, completed to meet deadline targets. Sentence planning staff did not always seem aware of what programmes and activities were on offer within the prison, and many complained of lack of time and training for the role. There were sentence plans that failed to address assessed need and with little or no involvement of other staff, including education and training, drugs and health, voluntary agencies and even probation. Very few of those outside prisons, such as a prisoner's family, have an input to the plan. Too often, sentence plans have to start from scratch, rather than build on existing information.
- 6.4** The Inspectorates' joint review found that **three-quarters** of their sample contained targets to address offending behaviour but only **a third** were judged to have done this satisfactorily or well.¹⁰⁶

Rationing, rather than driving provision

- 6.5** The sentence planning process does not drive the type or amount of different activities in a prison or the order in which they should be delivered. So, even where needs are well assessed, the programmes for meeting these needs, such as offending behaviour programmes or drug rehabilitation might not be available within the prison, either at all, in the right quantity or at the right time. Sentence planning too often is the process of allocating a prisoner to what is available rather than what is needed. The staff responsible for preparing the plans do not have the necessary influence to ensure that provision meets need.

Lack of IT

- 6.6** Sentence plans are paper documents, rarely if ever entered electronically. This means that:
- they cannot easily be *updated* when circumstances change;
 - information cannot be *aggregated* to assess patterns of need or review performance, either in particular prisons or across the whole estate; and
 - the plans cannot be *electronically transmitted* when a prisoner moves to a new prison. Reflecting this, while over **90 per cent** of prisons say they transfer paper records within seven days, only **60 per cent** say they receive them within this time.¹⁰⁷

Low accountability

- 6.7** A key problem with sentence plans is that the staff responsible for preparing them are not accountable for making the action identified in the plan happen. In fact, no one is accountable for this. There is very little management information about the sentence planning process. In few places do either prison or probation staff have a role in monitoring the quality of plans or their effectiveness.¹⁰⁸

Low awareness

- 6.8** Prisoners are not always aware of their sentence plan. In the Inspectorates' study, only around **half** of prisoners serving sentences of between one and four years claimed that they had a sentence plan – when all of them should have had one.
- 6.9** As so often, short-term prisoners miss out most. Adults sentenced to less than 12 months are **not** automatically entitled to a sentence plan, despite some of the highest rates of re-offending. A small number of prisons do manage to produce plans for all their prisoners regardless of the length of

their sentence, although in most cases these plans would not be deliverable should a prisoner move to another prison.

Offender Assessment System (OASys)

The Prison Service and Probation Service have jointly designed and piloted OASys as a core assessment tool to be used with offenders from the pre-sentence report stage, through custody, and on release to the community. OASys will play the central role in the assessment and sentence planning process and will be the key factor in deciding the appropriateness of interventions both inside and outside prison. When fully operational it will replace sentence plans. Implementation of a paper-based system has already begun in the Probation Service. Use within the prison is dependent on obtaining appropriate IT and is expected to start in 2003. As currently planned, the system will not apply to those sentenced to less than 12 months.

Sentence planning issues for particular groups

Remand prisoners

- There is no requirement to prepare a sentence plan for remand prisoners and consequently little use is made of their time in custody. As a result remand prisoners often miss out on services available to help them prepare for release.

BME prisoners

- There is very little information on sentence planning issues for BME prisoners. The What Works in Prison Strategy Board is currently examining existing provision and planned changes in relation to this issue.

Young adult prisoners

- All juvenile and young adult prisoners serving over four weeks are required to have a sentence plan. But practice is inconsistent. Sentence plans often fail to show any links with targets or with earned privilege schemes.
- There is a particular lack of adequate sentence planning for juveniles and adult young offenders held on remand.

6.10 The key issues in this chapter, and in the following analysis chapters, are summarised in **Annex G** .

CHAPTER 7

EDUCATION AND TRAINING

Prisoners attending education and training are less likely to re-offend. Despite recent progress, prisoners are often not given appropriate opportunities to address their education and training needs, both in prison and beyond.

Assessment of education and training needs is often inadequate. There may be long waiting lists for courses or suitable courses may not be available. Education and training can be disrupted by prison security measures and prisoners are sometimes transferred to another prison before their courses have ended, where it can be difficult to pick up training again.

There has been a concerted effort to improve standards across the prison estate and there are examples of good practice. Significant initiatives, such as the introduction of a core curriculum and the development of basic skills provision, have provided a framework for further change.

"I've never been in prison long enough – they say that it's not worth me bothering with classes."

Adult prisoner

"Loads of assessments and tests – each time I come here, or go to a new prison, there's a new one."

Young adult prisoner

"I must have started five or six courses – but I've never finished them. Either I got moved, or something just happened."

Young adult prisoner

"I've thought about it – doing a course, getting myself some skills. But the pay's better if I'm on the cleaning – so there's no choice really."

Adult prisoner

The problem

- 7.1** Many prisoners enter custody with a history of educational under-achievement and poor skills. Until recently, education and training has been seen in many prisons as a means of keeping prisoners occupied, rather than providing them with the necessary skills for employment. As a result, the skills and commitment of prison-based education and training staff and the potential of prisoners has frequently gone untapped. Despite recent improvements, prisoners do not gain as much as they should from education and training while in prison.

Prisoners and education

30 per cent of prisoners were regular truants while at school.¹⁰⁹ **85 per cent** of short-sentenced male prisoners involved in drug misuse had truanted;¹¹⁰

49 per cent of male sentenced prisoners were excluded from school;¹¹¹

52 per cent of male and **71 per cent** of female adult prisoners have no qualifications at all;¹¹²

Half of all prisoners are at or below **Level 1** (the level expected of an 11-year-old) in reading; **two-thirds** in numeracy; and **four-fifths** in writing.¹¹³ These are the skills required for **96 per cent** of all jobs.¹¹⁴

Why education and training matters

7.2 Evidence shows that education and training can have a big impact on reducing re-offending rates. Canadian research found that participation in basic skills could contribute to a reduction in re-offending of around 12 per cent¹¹⁵; while a more recent study here found that among a group of ex-prisoners with poor educational attainment, those who had not taken part in education or training while in prison were **three times** more likely to be reconvicted than those who had.¹¹⁶ Other research confirms that having poor literacy and numeracy skills directly increases the risk of offending.¹¹⁷ Research also suggests that education was most effective for those at a higher risk of re-offending.¹¹⁸

7.3 Raising educational and skills levels has a positive impact on employability, a key factor in reducing re-offending. It can also improve self-esteem and motivation, as well as reducing the likelihood that their own children will struggle at school.¹¹⁹

Who provides education and training in prison?

7.4 Since last year, resources for prison education have been allocated centrally by the Department for Education and Skills (DfES), via the Prison Service and the Youth Justice Board. Education in prison is provided under contract by a range of further education colleges, local authority adult education providers and private companies. Each prison has responsibility for the management and delivery of these contracts. Vocational training and physical education are managed on a day-to-day basis by the Prison Service through its 900 instructors.

7.5 Education and training provision is monitored by OFSTED and the Adult Learning Inspectorate during routine inspections by HM Inspectorate of Prisons.

How long do prisoners spend on education and training?

7.6 The time spent on education and training has increased markedly over recent years. In 1998 the average time per prisoner stood at **2.56 hours** per week in local prisons and **5.27 hours** per week in open prisons. However, by 2000 the average hours had increased to **4.86 hours** per week in local prisons and **8.23 hours** in open prisons.¹²⁰ A recent study found that nearly **50 per cent** of prisoners attended some form of education and training at some point during their sentence.¹²¹

How much does it cost?

- 7.7** Although education resources are now ring-fenced, resources vary dramatically from place to place, with prisons spending between **£200 to £2,000 per year** on each prisoner's education.¹²² Differences may be due to the number of prisoners moving through the prison, the age of prisoners, and the priorities of previous prison Governors. While the higher end of spending can be considerable, it is still less than the cost of secondary school education, which many will have missed, of **£2,590 per year**.¹²³

What type of education and training is provided?

- 7.8** Prisons can provide a broad range of education and training, from basic skills such as writing and numeracy, through to courses such as National Vocational Qualifications in painting and decorating, industrial cleaning and hairdressing. What is available depends greatly on the nature of the prison, for example whether or not the establishment is a training prison, the age of the prisoners and the particular skills and interests of the local staff and education providers. A national 'core curriculum' includes literacy and numeracy skills, English as a second language, and information technology.

Targets and leadership

- 7.9** In April 2001, the Prison Service and the then DfEE, launched a partnership to improve prison education and training, creating the **Prisoners' Learning and Skills Unit**. Since 2000, resources have been significantly increased to tackle the poor basic skills of prisoners which are known to reduce their employability.
- 7.10** Until recently, prisons were asked to meet a target solely on Level 2. The perception that this was pulling much needed attention away from other levels has led to a more rounded set of targets. In 2002/03, the target is to achieve 28,800 qualifications: 10,800 at Level 2, 12,000 at Level 1 and 6,000 at entry level; and for 2003/04 to achieve 32,000 qualifications, 12,000 at Level 2, 13,300 at Level 1 and 6,700 at entry level. Each prison has its own specific target set.

The Prisoners' Learning and Skills Unit (PLSU)

The PLSU was created in 2001. It is a partnership between the Prison Service and DfES, working closely with the Youth Justice Board. The PLSU is responsible for drawing up a programme of action for the improvement of prison education and training and its links with resettlement. Some of PLSU's main aims include:

- reviewing the delivery and funding arrangements for education and training in prisons with an emphasis on securing more equitable funding, and putting in place procurement arrangements focused on quality and flexibility as well as cost;
- promoting more effective and consistent educational and skills assessment, induction and individual learning plans;
- developing the use in prisons of modern technology to support participation and flexible learning;
- introducing a new quality improvement strategy; and
- working with partners to secure links between education and training inside prison and beyond the gate.

Positive approaches

- 7.11** During its consultation the Social Exclusion Unit (SEU) saw some good examples of innovative and intensive education and training within prison. Some prisons have integrated education and training within the Incentives and Enhanced Privileges Scheme, to ensure that prisoners who wish to benefit from the higher levels of the scheme are obliged to take part in education and training. Sentenced prisoners in HMP Altcourse were obliged to undertake 40 hours purposeful activity per week. To encourage participation in education this purposeful activity had to include attendance in at least one educational class in the evening per week.

Reading Champion Peer Partnership Projects

The PLSU working in partnership with the National Literacy Trust as part of the National Reading Campaign funded six prisons to set up Reading Champions projects, to promote reading activities with reluctant male readers.

Prisoners act as peer tutors and undertake the City & Guilds Initial Certificate in Teaching Basic Skills. Following training, they not only work alongside other prisoners in education but are also available to provide one-to-one support in residential areas as well as the library, gym and workshops.

- 7.12** A number of prisoners openly said that their time in prison had enabled them to learn many of the things that they had missed in school. A recent study found that around **one in five** people with no qualifications before custody went on to gain at least one while in prison.¹²⁴ And many of the prisoners that the SEU spoke to were enthusiastic about the opportunity to take part in vocational courses. In HMP Aylesbury, up to 24 prisoners could take part in an 18-month Modern Apprenticeship in the prison's Toyota workshop. This NVQ Level 3 accredited course trained prisoners to maintain and repair cars, with the aim of developing useful job skills for release as well as providing essential basic skills training.
- 7.13** The SEU also came across very large local prisons, with a very high turnover of prisoners, which were able to deliver education and training to all prisoners, regardless of the length of their sentence.

HMP Leeds

Leeds is a large local prison holding up to 1,200 prisoners. 6,000 prisoners move through the prison each year, staying on average for 12 weeks. Despite this high turnover the education department has been successful in achieving both its literacy and numeracy targets for 2000/01. HMP Leeds' success has been attributed to a change in approach to the assessment and delivery of education, which involved:

- closely examining existing contracts and courses to evaluate their effectiveness;
- adapting existing courses and prisoner activities to focus on achieving key and basic skills qualifications;
- recognising that less traditional courses, such as drama, could be encouraged, where they enabled prisoners to develop transferable skills in areas such as communication; and
- ensuring that educational needs were fully assessed as part of the induction process, including the completion of a dyslexia test. Details were then included as part of the prisoners' custody plan devised by the prison.

Barriers

7.14 The previous section has shown how education and training is delivered and funded in prisons and has highlighted the changes that have taken place to ensure that emphasis is focused on the achievement of basic skills targets. Despite these improvements, there remain a wide range of structural and practical barriers to delivering education and training.

Funding and accountability

7.15 The inequity of funding between prisons, even among prisons with similar roles, is a key barrier to raising standards of education and training. The PLSU will address this in its funding and procurement review this year. The challenge is considerable. Some establishments remain deprived of even basic equipment and accommodation. For example, in one large local prison, IT training was conducted using computers and software that were obsolete in employment outside prison.

7.16 Unlike funding for contracted education, funding for vocational training has not been ring-fenced. Neither is there any specific target for vocational training, which means that Governors may tend to view it as a drain on resources. This has in turn led to cuts in important areas. For example, the provision of construction training, potentially a key area of employment for prisoners leaving custody, has been reduced by **50 per cent** in the last seven years.

7.17 Lines of accountability between those contracted to provide education services and prison managers can seem unclear to those working within prison. Education staff can find themselves employed by a further education college but managed daily by a prison Governor, who determines their working conditions. Several education managers told the SEU that they felt this contributed to severe staff recruitment and retention problems.

Poor targeting of need

- 7.18** A number of those working within prisons said that, while it was vital to address basic skills, this should not be at the expense of other learning needs. A recent study of education managers found that only **a third** believed that the core curriculum addressed the learning needs of adult prisoners satisfactorily.¹²⁵
- 7.19** Prisons can struggle to meet unrealistic expectations against the profile of their populations, simply because no account is taken of the type of prisoners held, the average length of stay, or the physical capacity of the prison to deliver education. The new targets on Entry Level and Level 1 and Level 2 will need to take these factors into account if they are to prove effective.
- 7.20** The widening of the basic skills targets to reflect more realistically the profile of the prison population will help to ensure that education can be provided for those with the greatest skills needs. However, there is still a need to improve learning opportunities for longer-serving prisoners who have already improved their basic skills, or for those prisoners who are already better educated. Black prisoners, in particular, tend to be better qualified, and so benefit less from the level of education offered. A good example to the contrary is the Open University programme, which provides learning opportunities for around 400 prisoners, many serving long sentences. However, most long-term prisoners still find themselves simply working through all the NVQs that are available. Places on these courses are consequently blocked for other prisoners, often with greater need.
- 7.21** The range of learning provision on offer in prisons varies significantly. For example, National Vocational Qualifications (NVQs) are available only in particular prisons and for particular subjects and there is a huge variation in the number of NVQs provided by any one prison – from **1 to 18** in a recent survey.¹²⁶ This usually depends on the availability of workshop space in each prison, the priorities of each Governor in the face of budgetary pressures and the specialisms of the Prison Instructors in place. The most common reason given for the provision of a particular NVQ was not that prisoners were interested, or intended to take up related work on release, but that this was what the instructor was qualified to teach.

Lack of incentives to learn

- 7.22** Many prisoners will have been turned off education and training by their experience of school. Others may feel too old to return to the classroom or see education and training as ‘not for them’. Many prisoners need persuading of the merits of education and training – for example, by integrating basic and key skills into a wide range of other prison activities such as industry workshops. There is little sense of any planned progression between activities, for example requiring prisoners to gain the necessary basic skills in education before progressing to vocational training in the workshops. Despite some good practice in integrating basic skills into the arts, physical education and vocational courses, these activities are under considerable pressure.
- 7.23** Education and training activities in prison still tend to address individual problems separately. Despite the complex factors leading to re-offending, there are very few integrated programmes and prisoners with more than one problem find it hard to access help. Education and training can be severely hampered by prisoners’ mental health and drug problems, but there is usually no mechanism for making the connection.
- 7.24** Prisoners themselves have said that pay is a motivating factor. Some will choose some particular types of work rather than education and training because wages are higher or time out of cell is longer. For example at HMP Manchester prisoners earn £7.50 per week in education but £13.50 per week for work in the kitchens.

Assessment

- 7.25** Prisons are required to screen every prisoner on reception to establish their basic skills level, although in practice this is patchy. A number of those consulted have said that the assessment process fails to provide a rounded picture of a prisoner's skills and their learning needs. Others have said that the effect of arrival in prison, and the influence of drugs or alcohol withdrawal, often adversely affects results. Despite isolated examples of good practice, special educational needs, such as dyslexia or other learning difficulties, are not systematically picked up at this stage.
- 7.26** In addition, the assessment methods used to gather information and the quality of assessments often vary from prison to prison. This can lead to repetitive assessments of educational and training needs. More needs to be done to use assessment to prepare prisoners for their release, for example through the provision of a summary assessment as a basis for a CV.

Difficulties experienced as a result of the prison regime

- 7.27** Education and training is often disrupted as a result of security measures.¹²⁷ Lessons are cancelled or prisoners turn up late to classes, due to prison officer shortages or staff being reallocated. While recognising that security needed to take first priority, a number of those working in prison said that education and training time was often sacrificed too easily. Some said that many prison staff did not see education and training as a priority. The result is a reduction in the number of hours delivered and an increase in the costs of provision.
- 7.28** In many prisons, education and training provision requires prison staff to escort prisoners to different parts of the prison. The limited availability of escort staff is often cited as the reason why classes often have to be three hours long. For those who have had little experience of education and who anyway may be difficult to motivate, this length of lesson can be very counter-productive. Some prisons are unable to meet the requirement to deliver part-time education because of these difficulties.
- 7.29** Movement between prisons acts as a further barrier. Transfers and movements due to overcrowding can disrupt those waiting for education and training courses, or those who are in the middle of courses. A number of prison staff gave the SEU examples where they had to intervene to prevent prisoners from being moved days before they were due to take an exam.
- 7.30** And disruption to education and training caused by transfers is heightened by the failure to transfer learning records successfully between prisons. Only **one third** of education managers said that they regularly receive prisoners' records following transfer.¹²⁸ In such circumstances, new arrivals will go to the end of any queue for courses and may well waste initial investment by having to repeat a course.

Short-term prisoners

- 7.31** Short-term prisoners often miss out most. All the barriers to participation in education and training are magnified in the short-term prison population. Their needs are not always comprehensively assessed and they do not usually get a sentence plan identifying programmes to address offending. There is little provision for this group and many programmes exclude them because their sentence length is too short. A recent survey suggested that around **three-quarters** of short-term prisoners said they were not involved in any education or training in prison.¹²⁹
- 7.32** Many people have said that short-term prisoners are unable to make sufficient educational progress in the period of time they are in prison. On average it takes an individual around **250 hours** to progress from Level 1 to Level 2 in basic skills.

Poor links between education and training inside and outside prison

7.33 Few connections are made between education and training in prison and the learning opportunities outside. A recent study has suggested that as few as **6 per cent** of prisoners have an education or training place to go to on release.¹³⁰ For understandable reasons education and training may not be at the top of prisoners' priorities when faced with the need to find housing, get an income and tackle other personal problems. Without very clear and well-supported routes into learning, any progress made in prison will end on release.

7.34 The development of pre-release programmes, many funded as short-term development projects by the European Social Fund, which address education, training and employment needs together, is encouraging. But there is still:

- a lack of compatibility between provision in prison and the community. A prisoner may begin a course in prison only to find that no similar course is available in the area to which they plan to return;
- inflexibility of start dates for community-based courses. Most courses start in September while prisoners are released every day of the year. Funding mechanisms do not allow colleges to run rolling courses with flexible start dates. For a prisoner, any delay in taking up a course after release often leads to initial motivation evaporating; and
- lack of suitably designed learning provision. Many prisoners will have had poor experiences of formal education, and will be wary of the classroom-based approaches run by many providers, or training programmes branded as government-run, and may be more comfortable in community-based provision run by voluntary providers before moving into work.

A prisoner in the North East of England had undertaken a distance learning course at a local college. Yet he was unable to continue in learning after release because the same college said he had 'no academic achievement'. He was only admitted after negotiation by his prison tutor.

7.35 Community-based learning opportunities should also be a good opportunity for preparing eligible Category D prisoners in open and resettlement prisons for release, and for encouraging them to continue in education post-release. However, although the Prison Service is responsible for funding community education places for prisoners on day release, resources are not made available to fund all of the places that are needed. Moreover, the Prison Service is charged by further education colleges at the full rate, because prisoners – whatever their status on entering prison – are not classified as unemployed and therefore are not subsidised. Partnership and joint working to a common agenda between all the key organisations involved – Jobcentre Plus, the Learning and Skills Council, the Probation Service, voluntary bodies and employer organisations as well as the Prison Service and PLSU – will be essential to promote more coherent pre- and post-release pathways which integrate education, training and employment.

7.36 Some of the issues for particular groups of prisoners include:

Education and training – issues for particular groups

Women prisoners

- Women prisoners are particularly likely to have poor education history and few qualifications.

Remand prisoners

- Poor educational attainment is particularly prevalent among remand prisoners;
- Although one in two remands go on to receive a custodial sentence they often have little opportunity to attend education and training.

Black and minority ethnic prisoners

- Black prisoners tend to be more highly qualified than white prisoners, and so benefit relatively less from the emphasis on improving prisoners' basic skills.

Young adult prisoners

- A quarter will have terminated their education by the time they are aged 14;
- Despite the importance of education in reducing the likelihood of re-offending, a recent inspection in one Young Offenders Institution found education places for only one in three young adult prisoners.

CHAPTER 8

EMPLOYMENT

Research shows that employment reduces the risk of re-offending by between a third and a half. But two-thirds of prisoners arrive in prison from unemployment, and three-quarters leave prison with no job to go to.

There is insufficient attention to helping prisoners retain the jobs they had outside, and there is more to be done to improve the help prisoners receive in accessing work or the New Deal as they leave. Work within prisons can be low quality and this adds little to prisoners' employability. But there are some good examples of co-operation with private sector employers that should be built on.

A criminal record can be a real barrier to employment. In future, employers will find it easier to obtain details through the new Criminal Records Bureau. A review of the Rehabilitation of Offenders Act 1974 is considering ways in which the requirement to disclose a criminal record can be minimised without compromising the protection of the public.

"The main thing is getting a job. I need something so I'm not just sat around doing nothing – and for money as well."

Adult prisoner

"I don't work on the outside, so I don't see why I should work in here."

Young adult prisoner

"I would get out and for the first few weeks I would ... try and get a job, but obviously with a criminal record, if you were honest and said, yes, I've got a criminal record, then, there's the door basically."

Adult prisoner

"At least I know the background of the people I get from [prison], which is more than can be said for most of the people I employ."

Employer

The problem

- 8.1** Research suggests that employment reduces the risk of re-offending by between a **third** and a **half**.^{131,132} Unemployment clearly makes it harder to maintain stable accommodation or to earn money legitimately. Yet few of those who had a job prior to imprisonment return to it on release,¹³³ and three-quarters of prisoners leave prison without a job.

Prisoners and employment

Over **two in three** prisoners are unemployed at the time of imprisonment¹³⁴ – around **13 times** the national unemployment rate.¹³⁵

Around **two in three** of those who do have a job lose it when they enter prison.¹³⁶

62 per cent of short-sentenced male prisoners involved in drug misuse said that they had spent more time unemployed than in work and **58 per cent** had done mainly casual or short-term jobs.¹³⁷

39 per cent of women prisoners had not worked for a year prior to imprisonment and **23 per cent** had not worked for over five years.¹³⁸

Ex-prisoners make up **2 to 3 per cent** of the average monthly inflow to the unemployment total.¹³⁹

Three-quarters of prisoners say that they do not have paid employment to go to on release. Short-term prisoners and those who had received previous custodial sentences are the least likely to have employment or training arranged on release.¹⁴⁰

Little history of employment

8.2 Around **two-thirds** of prisoners enter custody having spent much of their life outside stable employment. Many will have opted to avoid the formal economy altogether – over **one in seven** say that they have never had a job.¹⁴¹ Drug, alcohol and mental health problems all play their part, as does coming from a deprived neighbourhood; employment opportunities maybe be few and far between. And low skills feed into low employability, with only **half** of prisoners having the reading skills, **one-fifth** the writing skills and less than **one-third** the numeracy necessary for **96 per cent** of all jobs.¹⁴²

8.3 Understandably, those without experience of work before prison are much less likely to find a job on release. Nearly **60 per cent** of those in work or training immediately before prison had a job or a course arranged on release, compared to just over **15 per cent** of those who were unemployed prior to imprisonment.¹⁴³

Preserving jobs

8.4 Around **one-third** of men and **one-fifth** of women have a job when they enter custody.¹⁴⁴ Many employers will not want to consider re-employing those who have a criminal conviction. Yet for some, positive links can be maintained if their work record has been satisfactory and depending on the nature of the offence and its bearing on their job. However, it is not part of any procedure for someone to notify an employer that an employee has been imprisoned and to explore the possibility of them being taken on again after release.

Work within prison

Types of work

8.5 All sentenced prisoners are expected to work while in prison. The availability of work varies greatly from prison to prison, depending on facilities, staff numbers and skills and the ability of an individual prison to attract external contracts.

Prison work

Work in prison can be divided into three main types:

- work to maintain and service the prison, including cleaning cells and landings, working in the kitchen or laundry, and grounds maintenance;
- mundane and repetitive work for external contractors, such as bagging nails, stuffing envelopes, and assembling simple electrical components; and
- complex production tasks, either for external contractors or more usually for internal consumption, including making window frames and furniture, plastic household goods, and light engineering.

Pay

8.6 Prisoners are not entitled to the national minimum wage and wage levels vary according to the prison and type of activity. The wage structure is intended to provide an incentive to participate. Prisoners who wish to work, but cannot, receive £2.50 per week. Prisoners spend their earnings via a credit system and do not handle cash. **Table 3** below gives more detail on male prisoners' earnings.¹⁴⁵

Table 3: average weekly earnings

Weekly earnings	More than £10	Less than £10, more than £5	Less than £5, more than £2.50	£2.50 or less
Percentage of prisoners earning	15	55	8	23

Problems with prison work

8.7 Much prison work is low-skill, low-capital workshop activities where as many prisoners as possible can be occupied in one place – a recent study found that nearly **two in five** prisoners worked in prison workshops at some point during their sentence.¹⁴⁶ Such work is unlikely to help develop the social skills sought by employers, such as communication, teamwork and reliability.

8.8 In many cases the vocational training and employment opportunities available in prison do not match current needs in the labour market. As noted in **Chapter 7**, most training provision is driven by the availability of prison instructors rather than any assessment of an individual prisoner's – or industry's – needs. Many prisons are seeking to improve linkages by combining National Vocational Qualifications (NVQs) with paid contractual work. Training staff and prisoners commonly report that introducing an NVQ into the workshop improves participation and confidence. Currently, around **5 per cent** of prisoners gain a NVQ level qualification.¹⁴⁷

Ambition: Construction

The National Employment Panel is developing a series of sector-specific Ambition initiatives that would prepare New Deal clients for better paying jobs in occupations suffering skills shortage. Wherever possible, the Ambition projects will include a component for ex-offenders.

Ambition: Construction was launched in October 2001. It has been designed in conjunction with the construction industry and the Construction Industry Training Board. It aims to deliver unsubsidised jobs and an NVQ2 in one of the construction trades. The Panel is working with the Prison Service and Jobcentre Plus to ensure that those who have gained construction training while in prison are linked to suitable employment opportunities on release.

Connecting with employers outside prison

- 8.9** There are some good models of employer involvement in prisons such as the Lattice Foundation at HMP Reading, and a scheme involving a prison officer working on behalf of the local authority in HMP Hull.

Lattice Foundation – HM Youth Offender Institution Reading

Working with prison and probation staff at Reading, the Lattice Foundation identified a regional shortage of forklift truck drivers and initially offered a £50,000 grant to train 50 young offenders aged 17–21. Participants attend a six-day combined theory and practical course on day release that gives them entry to a nationally accredited qualification. Over 70 per cent of the participants found employment and the project won Business in the Community's Focused Action 2000 award. Lattice extended the funding and, to date, over 80 inmates have been trained. Only around 6 per cent are known to have re-offended.

The Foundation have further expanded the scheme to train young offenders as groundwork engineers for the gas industry. The first trainees have completed their training and are now in employment.

HMP Hull

A prison officer, seconded to the local authority and funded by it, directly matches prisoners to available jobs in the community. The officer divides his time between working in prison and outside. Those living in Hull City are eligible for post-release contact with the project. There is no set limit on the officer's contact time with ex-prisoners. He acts as an advocate, providing advice, support and encouragement.

The project's success is seen to be partly due to accessing immediate 'niche' training on release, in areas such as offshore trawlers and oil rigs. The training equips ex-prisoners for employment, and importantly occupies their time in the first weeks after release. As partners in the scheme, the local authority also aims to provide direct employment opportunities for ex-prisoners.

- 8.10** Some prisoners are allowed Release on Temporary Licence (ROTL) from prison to undertake work outside of the prison, smoothing the transition from custody to community.¹⁴⁸ Licences are for a set period, with prisoners returning to prison at the end of the day. The regular use of ROTL for this purpose is mainly limited to open and semi-open prisons and to resettlement units attached to closed prisons. Yet less than **one in ten** prisoners are held in these conditions. During its visits, the SEU saw a wide variation in the extent and use of ROTL, even between prisons with similar population characteristics.
- 8.11** Much more work is needed to encourage employers to see ex-prisoners as a recruitment opportunity. Many of those who do employ ex-prisoners report that they are as reliable, if not more, than other employees, and tend to stay in post longer. One hotel in North Yorkshire has successfully taken on new female staff on temporary licence in their final months at HMP Askham Grange. The hotel has employed a number permanently following release, or provided references for other hotels in their chain for those wishing to resettle away from the area. Many of the employers that the SEU spoke to said that they were happy to hire ex-prisoners because they knew more about their background. Many of those employing ex-prisoners locally had similar employment opportunities in other parts of the country. Yet few found that there was anyone within the prison system able to court and promote such opportunities.

Self-employment

- 8.12** For some prisoners, self-employment on release may present the most practical way of successfully re-entering the labour market. Positive work is already underway in some prisons via initiatives such as the Phoenix Development Fund, supported by the DTI. But few prisoners are able to take advantage of such schemes. Those who do will be unlikely to be able to continue if they are moved to another prison.

Leaving prison

- 8.13** Despite the crucial role that employment has in reducing re-offending, few prisoners receive help and advice on finding a job or training on release. A recent study found that less than **one in five** of those who had a job or were looking for one, had received help while in prison. Around **60 per cent** of those who had not received help would have liked to.¹⁴⁹ Friends and families, as well as former employers, still remain the most common sources of help for those wanting to find a job on release.

Linking up prisoners to mainstream employment programmes

- 8.14** Around three-quarters of all prisoners leave custody without a job, education or training, so help during this period is critical. Getting released prisoners to access the very significant investment in welfare to work measures would substantially improve their job chances. Ex-prisoners are eligible for early access to New Deal and other employment measures on release. Currently, very few take advantage of this, though those who remain unemployed will ultimately be required to take part. Early access depends on Jobcentre Plus staff knowing that a client is an ex-prisoner, but many will be reluctant to disclose that fact. Prison-based probation officers are supposed to make appointments for prisoners to attend interviews on release, but demands on the small number of officers in prisons means that this is rarely practical.

- 8.15** As a result, less than **one in thirty** prisoners say that they have a job or training interview planned for their release.¹⁵⁰ And only around **one in fourteen** have training or education, including government programmes such as New Deal, in place on release.¹⁵¹
- 8.16** But positive steps are underway in this area. The Prison Service set up the Custody to Work Unit in 2000, with the target of increasing the proportion of prisoners getting jobs or education and training places on release. In 2001, the Department for Work and Pensions (DWP) introduced the Freshstart initiative which provides guaranteed, pre-arranged New Jobseeker Interviews for all newly released prisoners. This allows Jobcentre Plus to identify ex-prisoners and so encourage them to take up early entry to employment measures such as New Deals. It will also enable them to track a sample of ex-prisoners to establish take up and success rates. Take up of Freshstart has built up slowly. However, Prison Service targets for 2002/03 will help to ensure that these appointments are made for all prisoners without a job to go to. Jobcentre Plus also plans to pilot the use of Jobpoints in a small number of prisons – touchscreen terminals that will enable prisoners to access up-to-date information about specific job and training opportunities.
- 8.17** Because ex-prisoners are among the most educationally disadvantaged entrants to the New Deal, some need extra help before they can benefit from it. The Prison Service is a partner in the Welfare to Work initiative which prepares prisoners for participation in the New Deal Gateway on release. The programme involves: certified training in basic and vocational skills, employment advice, and work on thinking skills. Home Office evaluation found that within four months of release, only **15 per cent** had entered the New Deal Gateway. Whilst low, this was twice the rate of those who had not taken part in the initiative.
- 8.18** But more could be done to improve the take up of employment help on release. The new, weighted, jobs targets for Jobcentre Plus provide the opportunity to recognise the extra work required with these particularly difficult to place clients. Current weightings reward the placing of those who have already entered the New Deals. A number of those consulted during the project said that a high weighting for all ex-prisoners without jobs on release, coupled with better identification of ex-prisoners via the Freshstart initiative, would ensure that staff were incentivised to get ex-prisoners into jobs immediately on release.

Employment programmes for prisoners with specific needs

- 8.19** There have recently been a number of developments in ensuring that particular groups receive employment-related support that is dedicated to their particular needs. There has been particular concentration on those with a history of drug misuse.

Progress2Work

The Progress2Work initiative is targeting £40 million at joining up employment-related support for those with a history of drug misuse. A Jobcentre Plus co-ordinator will agree with key agencies a local plan to bring together drug and employment interventions. Specialist advisory and support services will support clients into and throughout appropriate employment measures and into employment. The services will target, among others, those leaving prison who have been through detoxification or other drug interventions within prison. During 2002/04, DWP and Jobcentre Plus will pilot a similar model for others in other 'hard to help' groups, many of whom will be ex-prisoners.

A lack of support post-release

- 8.20** For many prisoners, finding employment is just one of a number of problems they will be confronted with on release. But unless dealt with effectively, issues such as lack of housing or problems of drug and alcohol misuse are likely to add to the difficulty of finding and keeping employment.
- 8.21** Low motivation and poor self-organisation are also problems. A recent study of those who had left prison found that nearly **70 per cent** of those who had said that they would be looking for a job and training on release had done nothing to make these happen.¹⁵² Many organisations report ex-prisoners frequently not turning up for job interviews or other appointments. This highlights the need for ongoing and flexible individual support if progress made in prison is to be maintained. In some circumstances, voluntary organisations report that they have found it difficult to persuade Jobcentre Plus to adopt an approach recognising the difficulties of working with this group, often refusing to rearrange appointments or even considering benefit sanctions. This is an area where voluntary sector support and expertise – and a more flexible approach – is particularly appropriate.
- 8.22** Employers may need support too. Many are likely to be wary of employing someone just released from prison without some idea of the risk they represent or being able to call on additional support should problems occur. Others may not know what action to take if a job applicant volunteers that they have an unspent criminal conviction.
- 8.23** Very little systematic and intensive work-related support is currently available to ex-prisoners after release. However, there are a number of voluntary sector organisations that not only broker employment opportunities for prisoners, but also provide specialist support to the employee *and* employer in the months following recruitment. This might include explaining the disclosure process or putting up a financial ‘bond’ to guarantee the ex-prisoner’s behaviour.

Apex Trust

Apex Trust concentrates solely on ex-offender employment issues. It delivers employability skills training, advice, support and guidance to ex-offenders and prisoners. The Trust also provides a range of specialist ex-offender employment projects throughout the country.

The Trust receives referrals from the Probation Service, Prison Service, local community and voluntary organisations, as well as self-referrals from ex-offenders themselves. The Trust also runs a national telephone helpline, *JobCheck*, offering confidential advice on employment issues for ex-offenders and employers.

The Trust also offers an advocacy service to ex-offenders, approaching employers on the individual’s behalf. This is only done after the completion of a risk assessment regarding the individual’s employment, training and education choices. The Trust continues to offer support to both the employer and the individual post-placement.

Disclosure of criminal records

8.24 The Rehabilitation of Offenders Act 1974 requires ex-offenders, if asked, to disclose their previous convictions to employers. This requirement lasts until a period of time has passed without further convictions, when they become 'spent'. For many ex-prisoners this process will take 10 years. For those sentenced to over two and a half years the requirement to disclose lasts for the rest of their lives – a requirement which affects around 100,000 ex-prisoners. And with the introduction of the Criminal Records Bureau it will be much easier for employers to check up on previous convictions.

Criminal Records Bureau

The Criminal Records Bureau is an executive agency of the Home Office that will provide a 'one stop shop' for organisations and individuals who need to check police and other records for reasons such as their suitability for employment.

There are three levels of Disclosure: Basic, Standard and Enhanced. Standard and Enhanced apply to those seeking to work with children and vulnerable adults or in other positions of trust. In these cases details of all previous convictions, including spent convictions, information held centrally by the Department of Health and the Department for Education and Skills and, in the case of Enhanced Disclosures, local police information, are included. Standard and Enhanced Disclosures will be issued directly to the organisations seeking information, with the consent of the individual concerned.

The Basic Disclosures will only show unspent convictions. They can only be applied for by the individuals concerned and are expected to cost £12. The primary use of this level is likely to be for general recruitment purposes, although there is no restriction on their use in other areas, such as insurance and healthcare.

Standard and Enhanced Disclosures are available now. Basic Disclosures will follow later in 2002.

8.25 Many prisoners already see a criminal record as a significant barrier to employment.¹⁵³ In a recent survey **57 per cent** of those looking for work said they had experienced trouble in finding employment post-release due to their criminal record.¹⁵⁴ Some people told the SEU that some unscrupulous employers will employ ex-prisoners at very low wages, knowing that a criminal record will make it hard for them to find regular employment. Recent research has found evidence that employers look unfavourably on those with criminal convictions:¹⁵⁵

- **half** of employers would routinely ask about criminal convictions when considering job applicants;
- **three-quarters** of those surveyed would treat a candidate less favourably if they were aware that they had a criminal conviction; and
- **one in seven** would ask and then reject any applicant with a criminal record irrespective of the nature or relevance of the offence.

8.26 During the consultation the SEU met many people who echoed the recent research findings with their own views that the introduction of Basic Disclosures will be a potentially significant barrier to employment for many ex-prisoners.

Handling disclosure

8.27 Despite these concerns, evidence suggests that few prisoners receive advice on how to deal with their status. One survey suggested that, of the small minority that had attended a course to prepare them for release, only **8 per cent** had received any advice on how to deal with disclosing a criminal record.¹⁵⁶ As well as a lack of advice to prisoners on how to handle disclosure, there is currently little work with employers to reduce the discriminatory approach to the employment of ex-prisoners, and to support them through the recruitment process.

Reducing the requirement to disclose

8.28 Current legislation requires all ex-prisoners to disclose their previous offences for very lengthy periods in order to protect the public from the few that pose a serious risk of harm. A more targeted approach could free from potential discrimination those ex-prisoners who pose no real risk, reducing significantly a real barrier to employment and so reducing the risk of re-offending. In 2001 the Home Secretary asked for the Rehabilitation of Offenders Act 1974 to be reviewed to find a more transparent and fair approach. The review is expected to be completed in summer 2002. It is important that, following the review, action should be taken as early as possible to introduce periods of disclosure which achieve a more appropriate balance between the protection of the public and the need to increase the number of ex-offenders in employment.

8.29 While many of the issues in this chapter apply to all prisoners, there are particular issues for some groups.

Employment – issues for particular groups

Women prisoners

- Many women prisoners have had very limited experience of stable employment;

Remand prisoners

- Remand prisoners are less likely to have had a job prior to entering prison. Those who do have a job may be more likely to lose it having entered prison;
- Remand prisoners are half as likely to have participated in some work while in prison and are more likely than sentenced prisoners to say that they require practical help on release with employment.

Black and minority ethnic prisoners

- Black and minority ethnic prisoners are more likely to receive longer sentences – which can impact upon the ability to maintain existing employment while in prison.

Young adult prisoners

- Young adults are particularly likely to be unemployed at the time of arrest;
- There is concern that vocational training for young adult prisoners rarely leads to the attainment of appropriate job-relevant qualifications.

CHAPTER 9

DRUGS AND ALCOHOL

The majority of prisoners have a history of drug or alcohol misuse. Prisoners with experience of drug or alcohol misuse are less likely to move into employment or training on release.

Over recent years there has been a considerable effort to ensure that prisoners receive drug treatment while in prison – both to tackle the drug use itself and linked offending. All prisons now have drug workers and a number offer intensive treatment.

But not all those who need to, can access help, particularly short-term and remand prisoners. Much of the positive drugs work started in prison is not sustained in the community, and so ex-prisoners resort to original habits. Alcohol work is the poor relation and needs improvement.

“I’ve been on and off drugs for years ... mostly heroin. I pretty much get myself clean whenever I’m in here ... but somehow I always get back into it when I’m out.”

Adult prisoner

“I know that it’s alcohol that’s the problem – that’s why I’m here really. Drinking, getting into fights – it’s always been like that.”

Adult prisoner

“I did it [entered a drug treatment programme] because I was just fed up with it ... getting some money, buying the gear, getting sick, getting nicked. It’s made me realise how much I’ve lost.”

Adult prisoner

“They say I’ve got a drug problem, but I haven’t ... I know what I’m doing. I’m young, I know how to get money ... it’s OK.”

Young adult ex-prisoner

The problem

- 9.1** Most prisoners enter custody with a history of drug and alcohol misuse. Many of their convictions will be for drugs offences, others will have committed often very large numbers of property offences to get money for drugs. The Home Office estimates that **one-third** of crime related to theft can be linked to the purchase of heroin or cocaine.¹⁵⁷
- 9.2** Despite very high levels of need, many prisoners have never received help with their drug problems. A reception officer at HMP Manchester estimated that **70 per cent** of prisoners came in with a drugs misuse problem, but that **80 per cent** of these had never had any contact with drug treatment services. For many, prison offers the first opportunity to begin to tackle these issues.
- 9.3** There have been considerable efforts to improve drug and alcohol treatment within prison. But, despite the importance of drug and alcohol treatment in reducing re-offending, this work is not universal and often breaks down after release.

Key facts

Around **two-thirds** of prisoners use illegal drugs in the year before imprisonment – at least **double** the general population aged between 16 and 29.¹⁵⁸

Around **a quarter** of men and **a third** of women admitted to using heroin or crack cocaine in the year before imprisonment.¹⁵⁹

Three-fifths of prisoners report that their drug use caused problems in areas such as employment, finances and relationships.¹⁶⁰

Around **three-fifths** of male and **two-fifths** of female sentenced prisoners admitted to hazardous drinking – drinking which carries the risk of physical or mental harm.¹⁶¹

The Prison Service Drugs Strategy

- 9.4** The Prison Service Drugs Strategy was introduced in 1998 following a review of the Service's previous arrangements. The aim of the strategy is to reduce rates of drug misuse during and after custody and reduce the likelihood of drug-related re-offending. The Prison Service and Probation Service make an important contribution towards the Government's drugs strategy target of reducing the levels of re-offending by drug misusing offenders by a quarter by 2005.
- 9.5** The main aim of the strategy is to develop a comprehensive treatment framework that can respond to all levels of drug misuse.

Counselling, Assessment, Referral, Advice and Throughcare (CARAT)

CARAT teams provide a general, low intensity support service available in all prisons. CARAT workers are responsible for the assessment of prisoners with drug needs and, where available, can refer prisoners to intensive treatment programmes. They are also expected to provide a key link between drug treatment in prison and in the community ('throughcare'). Staff are usually employed by external drugs agencies contracted in by the Prison Service. For short-term prisoners, who rarely progress to more intensive drugs work, the CARAT service is the key provision.

The target is to complete 25,000 assessments per year. In fact, 37,000 were completed in 2000/01.

Drug treatment programmes

There are currently intensive treatment programmes running in 50 prisons, aimed at prisoners with moderate to severe drug misuse problems, as well as reducing the likelihood of re-offending. Most of these are rehabilitation programmes, with a smaller number of therapeutic communities, providing highly structured support. The effectiveness of these programmes is currently being assessed, with a view to them being approved ('accredited') by an independent panel of experts. Decisions would then be made on whether to make them more widely available.

The target is for 5,700 entries per year by 2004. In 2000/01 there were 3,100.

Detoxification

The aim is to manage effectively the physical symptoms of withdrawal from drugs and alcohol. In 2000, the Prison Service introduced a new standard for clinical services that aims to ensure detoxification services are available in all prisons receiving prisoners directly from the community.

The target is for 27,000 entrants to detoxification programmes by 2004. In 2000/01 there were already 32,000.

Mandatory and voluntary testing

All prisoners are subject to random, mandatory drug tests. Positive tests fell from **24.4 per cent** in 1996/97 to **12.4 per cent** in 2000/01.¹⁶² Additionally, prisoners can volunteer to be tested on regular basis as part of a treatment programme or as a condition of living in a dedicated 'drug-free' wing or in resettlement unit where they can be granted temporary release during the day.

The target is for 28,000 prisoners taking part in voluntary testing in 2002.

Supply reduction

The Prison Service has taken considerable steps to reduce the availability of drugs within prison. Initiatives include using CCTV in visits rooms and sniffer dogs.

Evaluation

- 9.6** Most intensive drug treatment programmes are currently only in development and their effectiveness will only be established once longer-term evidence has been gathered on those who have been through them. However, the Social Exclusion Unit (SEU) did see encouraging examples of drug treatment within prison.

Rehabilitation of Addicted Prisoners Trust (RAPt)

RAPt has introduced a 12-step programme of recovery from addiction (including alcohol) into prisons. This highly intensive programme aims to get users to recognise the effects and consequences of addiction on themselves and those around them. The programme has been accredited by the independent expert panel, and is currently running in ten prisons. It is currently the only accredited drug treatment programme.

The RAPt programme is delivered over six months. The majority of staff are ex-drug users, which RAPt believes to be a crucial success factor. Prisoners are required to participate in the programmes on a full-time basis, with additional assignment work. As well as accepting the fact of their addiction and examining the harm it has done, prisoners must plan for how they will stay clean in the future. An aftercare counsellor helps them to co-ordinate the post-prison phase.

On average, two-thirds of the prisoners who start the programme complete it successfully. A small two-year research study indicated that those who completed the programme were 11 per cent less likely to be reconvicted than a comparable group who did not take part in the programme.

Barriers

9.7 Although there had been considerable progress since the introduction of the drugs strategy, there are a number of problems that reduce its effectiveness.

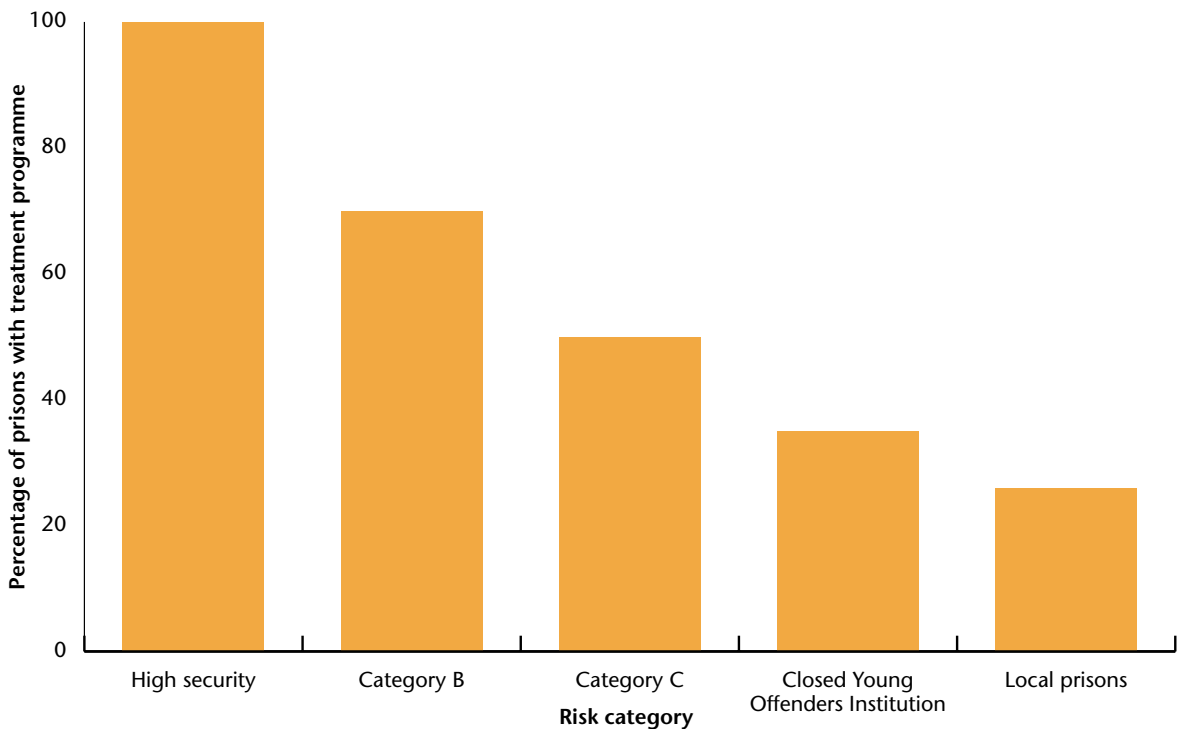
Availability of provision

9.8 Places within prison drug rehabilitation programmes are growing but still do not provide full coverage. Despite the national completion of CARAT assessments on all prisoners with identified drug problems, the Prison Service is unable to provide a figure for the proportion of prisoners with drug problems who actually receive treatment. There are plans for some increase in the spread of provision, including to a small number of local prisons, and Young Offender Institutions and one women’s prison, using funds allocated under the 2000 Spending Review.

Targeting

9.9 **Figure 8** shows that availability of drug treatment generally increases in line with the risk categorisation. It can be argued that this is the wrong way round. Lower risk prisoners account for the majority of offences – many of which are committed to buy drugs. They are also the majority of the short term population, who are at the highest risk of re-offending on release.

Figure 8: Provision of drug treatment units within male prisons



Source: NAO, *Reducing Prisoner Reoffending*, 2002.

9.10 Short-term prisoners also miss out because the allocation of drug treatment programmes is a part of the sentence planning process which does not apply to most short-term prisoners **Chapter 6** and because one of the key criteria for drug treatment programmes is available sentence length. At least 3 months is usually needed and the more intensive programmes are reserved for prisoners with histories of severe drug dependency and related offending who have a minimum of 12–15 months left in prison. Those unable to access programmes may receive brief, low-level intervention from CARAT workers.

Dual diagnosis

9.11 The large number of prisoners with both mental health problems and a drug/alcohol addiction – so-called ‘dual diagnosis’ – can often be very badly served. Lack of co-ordination and collaboration too often results in prisoners falling between the two sets of support and receiving no treatment at all. The establishment of the Prison Health Policy Unit provides an opportunity to tackle such issues in a more co-ordinated way. This issue is dealt with in more detail in

Chapter 10 .

Transfers

9.12 Prisoners who might benefit from a treatment programme may be transferred to a prison where a programme is available. But much more frequently, transfers due to overcrowding disrupt drug treatment and result in prisoners joining the back of another queue. Recent research found that **a third** of prisons were unlikely to be able to continue the treatment of prisoners transferred to them.¹⁶³

Planned progression

9.13 As with other areas, the sentence planning process is not rigorous enough to deliver real progression between different kinds of programme. Hence, drugs work is not often part of a logical sequence of support, which for instance would aim to deal with a drug problem before moving to address basic skills.

Drug treatment following release

9.14 Although prisoners may make substantial progress in prison the chances of continuing drugs programmes and support on release are very slim. Drug use on release from prison, which is very likely to be linked to prolific offending, is high.

- One survey of prisoners¹⁶⁴ – who had predominantly served short-term sentences and had used drugs in the 12 months before imprisonment – found that **77 per cent** admitted taking illegal drugs since release; and
- **28 per cent** of those questioned had used heroin since release. **51 per cent** of these had done so every day or more than once a day.

9.15 A return to damaging drug and alcohol use can have fatal consequences when prisoners are released. The mortality rate of prisoners while under post-custodial supervision is **three and a half times** that of the general population, and accidents, most often involving drugs and alcohol, account for the largest proportion.¹⁶⁵ Tellingly, **a quarter** of post-custody deaths occurred within the first four weeks, suggesting a strong link with over-dosing.

Responsibility

9.16 During the consultation the SEU found that there was no one clearly in charge of joining up treatment between prison and the community. CARAT teams are responsible for the production and management of a care plan based on the prisoner’s specific needs. Currently, where a link cannot be made with a community drug agency on release, or responsibility does not pass to a statutory body such as the Probation Service, CARAT teams will, if possible, provide an eight-week period of post-release aftercare.

- 9.17** Although all CARAT teams are on a standard contract, some maintain that they are not required to provide this aftercare, and others say they are so overwhelmed by the demand inside, that they lack the resources to provide care post-release. This leads to confusion and the dumping of problem cases. Although CARAT workers are not expected to remain in contact with all prisoners with whom they engage in prison, the SEU was regularly told that the numbers of ex-prisoners who are in contact are much lower than would be expected. In one study, only **7 per cent** of those involved in one-to-one or group drug misuse sessions in prison said that they had been in contact with their CARAT worker since release.¹⁶⁶
- 9.18** Above all, because prison and community drugs work are viewed and funded as separate services, prisoners are often viewed as 'new cases' when they are released, and have to join the back of the queue.

The availability of provision

- 9.19** Underpinning many of these problems has been the basic lack of capacity in the community to deal with the level of drug misuse found among prisoners. As a whole, the London prisons carry out some **5,000** detoxification episodes per year, compared to just **1,000** in the whole of the London NHS area. In the last Spending Review the Government took significant steps to increase drug treatment provision, with funding due to rise from £234 million in 2000/01 to over £400 million by 2003/04. It has also launched action to tackle drug-related deaths, setting a target to reduce these by **20 per cent** by 2004.
- 9.20** However, the problem with a shortfall in community capacity can be particularly stark for Class A drug users who have come off drugs while in prison. On release, they are at a considerably enhanced risk of overdose and even death because they often revert to the dosages they took before they went into prison even though their tolerance levels have been much reduced.

Attitude

- 9.21** As noted above, resources in the area of drug treatment are extremely stretched, and some community workers are quite open that they judge a released prisoner as already having had 'their turn' at treatment, and that other (perhaps 'more deserving') individuals should be a priority.

Positive community developments

- 9.22** The piloting of drug hostels and development of a National Treatment Agency provide some opportunities to broaden the range of provision available to those wishing to remain 'drug-free', and to ensure more consistent standards of treatment in the community. It also offers the prospect of clarifying access to treatment, working with the health authorities, local authorities and the voluntary organisations that provide the actual drug treatment.

National Treatment Agency (NTA)

The NTA was set up in April 2001 to oversee the provision of treatment services. It is responsible for ensuring that there is effective, high quality, consistent treatment available to all those who need it no matter where they live or from where they are referred.

The NTA will also have a role in:

- identifying and disseminating good practice on a wide range of treatment issues. It will look not just at traditional treatment methods, but at new, innovative ways of tackling drug misuse and on harm reduction interventions such as needle exchanges that help drug users avoid infections such as hepatitis B and C, and HIV; and
- helping to reduce the number of drug-related deaths.

Working with a wide range of agencies such as housing organisations, higher education establishments and employers, the NTA will seek to ensure that people who successfully complete treatment have opportunities to rebuild their lives and make a useful contribution to their community. The NTA is developing a workforce strategy for the entire area of drug work, both in custody and the wider community.

Drug hostels

The Prison Service, as part of its drug strategy, is working with the National Probation Directorate to pilot five post-release hostels. Each hostel will have about 12 beds each. It is expected that around 250 ex-prisoners a year would go through the pilot.

The project is aimed at meeting the needs of released short-sentence prisoners who have histories of drug-driven offending and who also face accommodation difficulties. The hostels will provide intensive support for around 12 weeks after release, and then further supported accommodation, as necessary. The hostels will be fully evaluated via independent research.

Alcohol treatment within prison

- 9.23** Structured help to address alcohol or other addictions has consciously been put on the back seat while the drugs strategy has been developed. As a result, alcohol treatment is patchy and ad hoc. In 1997, although **97 per cent** of prisons claimed to offer some form of treatment or education for alcohol misusing prisoners, only **30 per cent** provided any detoxification;¹⁶⁷ a much more dangerous omission than it would be with drugs detoxification, given the heightened risk of serious harm or death during unsupported alcohol detoxification. Many of the issues that affect drug treatment, such as dual diagnosis, are equally true for those prisoners with alcohol problems.
- 9.24** Improvements are underway. The new mandatory requirements to provide detoxification courses will apply to alcohol as well as drugs misuse, and in 2000/01, 8,129 prisoners completed alcohol detoxification courses, an increase of **19 per cent** on the previous year. To bring this work, and more, together, the Prison Service is currently developing an alcohol strategy.

Alcohol strategy

The Prison Service and National Probation Service are working towards a framework for addressing the needs of offenders with alcohol problems that will complement existing arrangements for drugs.

The aim is to provide a range of treatment interventions appropriate to offenders' drinking and drink-related offending, from low to heavy alcohol dependence and encompassing such behaviour as binge drinking and domestic violence. Options will be put forward summer 2002.

9.25 There are distinct issues for particular groups of prisoners:

Drugs – issues for particular groups

Women prisoners

- Drug-related offences accounted for half of the increase in the female prison population between 1993 and 1997;
- Over a quarter of women have been dependent on drugs in the six months before arrest, yet there are no drug programmes that have been specifically designed to meet their needs.

Remand prisoners

- Remand prisoners are much more likely to be drug misusers than sentenced prisoners. This is particularly true of drugs such as crack cocaine and heroin.

Young adult prisoners

- Nine out of ten young adult prisoners admitted that they had used drugs prior to imprisonment. Only one in three Young Offender Institutions provide drug treatment programmes.

CHAPTER 10

MENTAL AND PHYSICAL HEALTH

Many prisoners have significant mental and physical health problems. Some will have received treatment before entering prison, but others will have serious undiagnosed conditions.

Untreated, such problems can be made worse by imprisonment and will make the chances of finding or keeping a home and a job much more difficult. Time in prison can present a valuable opportunity to address some of these health issues. However, even where progress is made, further work is needed to ensure that help continues on release and that prisoners are linked to services in the community.

The Prison Service and NHS have made real progress in improving treatment provision and further work is underway. However, good practice is still scarce and many of the problems that affect other areas of prison, such as ensuring adequate assessment and post-release arrangements, are key here as well.

"There are people in here that shouldn't be – they should be in a mental hospital. We're just not able to give them what they need."

Prisoner Governor

"I've never had this kind of thing before ... seeing the nurse, getting all this stuff sorted out. I just never bothered with all that outside."

Young adult prisoner

"I know that how we run the prison ... how long they are out of their cell, whether they get enough exercise, if they can work and earn money, see their family ... it all has an effect on their health."

Prison Governor

"We can't help him because he has a mental health problem. But they won't help him with his mental health until we've sorted out his drug problem."

Prison-based drugs worker

The problem

- 10.1** Mental and physical health problems may be made worse by imprisonment unless dealt with. Inadequately treated, they will make it more difficult for prisoners to make the best use of opportunities such as education and training which can reduce re-offending. Although a great deal of effort has been made to improve healthcare recently, considerable difficulties still exist. And too often any progress made during custody is lost due to poor care on release. The result is not only lost investment, but the additional costs of community treatment.
- 10.2** Not all health problems are severe, but combined with the difficulties that prison sentences often create, they can lead to significant problems with coping. Even if severe mental health disorders were treated appropriately, there would still be a majority of prisoners for whom less severe disorders would pose real problems.

Mental health

72 per cent of male and **70 per cent** of female sentenced prisoners suffer from **two or more** mental health disorders; **14 and 35 times** the level in the general population respectively.^{168,169}

40 per cent of male and **63 per cent** of female sentenced prisoners have a neurotic disorder; over **3 times** the level in the general population.^{170,171}

7 per cent of male and **14 per cent** of female sentenced prisoners have a psychotic disorder; **14 and 23 times** the level in the general population respectively.^{172,173}

64 per cent of male and **50 per cent** of female sentenced prisoners have a personality disorder; **12 and 14 times** the level in the general population respectively.^{174,175}

20 per cent of male and **15 per cent** of female sentenced prisoners have previously been admitted to a mental hospital.¹⁷⁶

95 per cent of young prisoners aged 15 to 21 suffer from a mental disorder. **80 per cent** suffer from at least two. Nearly **10 per cent** of female sentenced young offenders reported already having been admitted to a mental hospital at some point.¹⁷⁷

20 per cent of male and **37 per cent** of female sentenced prisoners had previously attempted suicide.¹⁷⁸ **Over 50** prisoners commit suicide shortly after release each year.¹⁷⁹

Physical health

46 per cent of sentenced adult male prisoners aged 18–49 reported having a long-standing illness or disability.¹⁸⁰

77 per cent of male and **82 per cent** of female sentenced prisoners smoke.¹⁸¹

HIV infection of adult male prisoners is **15 times** higher than in the general population.^{182,183}

Hepatitis B and C infection of female prisoners is **40 and 28 times** higher than in the general population respectively.^{184,185}

Healthcare in prisons

10.3 It has been acknowledged for many years that prisoners are entitled to receive the same range and level of healthcare services as are available in the community. The Prison Healthcare Standards have the stated aim of 'Giv[ing] prisoners access to the same quality and range of healthcare services as the general public receives from the National Health Service'.

10.4 In the past healthcare in prisons has been delivered solely by the Prison Service and not the NHS. However, this separation led to concern about the disparity between provision in the community and in prison, as well as concern about the variation in standards between different prisons. Following a report by a joint Prison Service and NHS working group, it was recognised that there needed to be a formal partnership between the two bodies, with the Prison Health Policy Unit and Taskforce coming into operation from April 2000.

Prison Health Policy Unit and Task Force

The Prison Health Policy Unit and Task Force have the immediate aims of introducing:

- local **Prison Health Plans** for each prison, outlining how needs will be met and how services will be organised most effectively;
- **new standards and performance monitoring** linked to clinical governance approaches. Including sharper health management structures with clearer lines of accountability, and measures to manage improvements;
- **new reception screening tools** – currently being piloted in 10 prisons – to improve the effectiveness of the health screening process. Particular emphasis will be placed on detecting mental health problems;
- **recruitment, training and retention** strategies, to be implemented for medical professionals working in prisons, and focusing on supporting professional development; and
- initiatives to tackle areas such as **mental health, harm reduction** and **information technology**.

10.5 The Prison Service is responsible for the delivery and cost of primary healthcare services within prison, usually provided by the prison's own healthcare staff. The NHS provides secondary and specialist services, such as mental healthcare.

Mental health

10.6 During its consultation, the Social Exclusion Unit (SEU) found that mental health care in prisons is in need of significant improvement, and in particular that:

- despite isolated examples of good practice by the Prison Service, NHS and voluntary sector organisations, most prisoners with mental health problems are not currently receiving the care and treatment they might expect outside; and
- medical practice in prisons does not tend to follow that in the community. Mentally ill prisoners, who would not be hospitalised if they were in the community, are routinely placed in prison healthcare centres, rather than being cared for on the wings. Generally this is because prisons lack the facilities or trained staff to provide a more comprehensive service.

10.7 Consequently, many prisoners do not receive treatment that matches their needs. Research suggests that prisoners are twice as likely to be refused treatment for mental health problems inside prison than outside.¹⁸⁶

10.8 This chapter sets out the issues relating to mental health in detail. However, it should be acknowledged that the Prison Service has already set in place a programme of action to improve provision for those with severe mental health problems within prison.

Prison Service – Mental Health Policy

The new partnership between the NHS and prisons should mean that the needs of the prison population are taken into account when general provision is planned. It should also mean that the care programme approach to mental health is reinforced in the prison setting. All prisoners with severe mental health illness should be appointed a care co-ordinator and given a care plan which clearly sets out the help they require both inside and outside of prison. To make this a reality, the NHS plan committed the Government to ensuring that prisoners receive the same level of care within prison as they would receive in the wider community.

As part of this partnership, 300 additional mental health staff will be employed by 2004. Pathfinders in health authorities have begun – to be followed by a phased roll-out. This will ensure that 5,000 prisoners at any one time will receive more comprehensive mental health services, reaching in to prisons and treating people on the wings.

Diagnosis of mental health problems

- 10.9** Many prisoners enter custody with a history of mental illness and contact with mental health services. Left undiagnosed and untreated, the impact of imprisonment on such problems can be immensely damaging and is likely to make them worse or even cause new problems to develop.
- 10.10** Previously undiagnosed mental health problems may not be picked up on reception, particularly in those prisons where pressure of numbers is a problem. Even previously diagnosed problems may be missed initially if the individual prisoner shows no symptoms and chooses not to reveal his or her past history. The consequences of this can be stark. In 1997, **27 per cent** of suicides occurred within the prisoner's first week in custody.
- 10.11** The Prison Health Policy Unit has begun piloting a new reception screening tool, one of the aims of which is to provide a more effective assessment of prisoners' mental health. In order to limit the amount of assessment that is required, however, this needs to sit alongside improved information exchange. If prisoners' records followed them in and out of prison effectively (see below), this would mitigate the need for often intrusive questioning.
- 10.12** There is concern that the inadequacy of current screening tools, and a general lack of awareness of mental health issues, means that some people with severe mental illness are sent to prison instead of being diverted into secure psychiatric services. As a result, they, their fellow prisoners and prison staff, may be placed at avoidable risk.

Quality and level of healthcare

- 10.13** As reform and investment is taken forward, it will be vital that mental health, which has been a particular casualty of previous neglect, should be prioritised. While quality secondary care is being introduced gradually through NHS mental health in-reach teams for the most serious cases, it will remain the responsibility of primary care within prisons to ensure that the full range of mental health problems are addressed. Some schemes led by voluntary organisations have proved successful in identifying and addressing lower level mental health problems. However, these are isolated examples, and have highlighted a massive level of unmet multiple need.
- 10.14** The SEU found that many healthcare centres were extremely isolated from the rest of the prison regime. In one prison visit, no health representative had ever attended the prison's drugs committee. Joint working is vital if information exchange can take place, and if healthcare needs are to be factored into the way each prisoner's needs are addressed.

Staff awareness

- 10.15** While those with obvious and severe mental illness are often immediately identified, those with lower and perhaps less obvious levels of mental illness are often overlooked. Prison officers can play a key role here, as they are in a position to observe prisoners' behaviour daily, as can staff working in education, workshops, programmes and the chaplaincy.
- 10.16** Yet many voluntary sector organisations working in the area of mental health report widespread lack of understanding and experience of mental illness and its effects. The symptoms of mental illness can therefore be met with inappropriate punitive responses.
- 10.17** The Prison Service is working to address this issue in part through the provision of a training module by the National Schizophrenia Fellowship in the induction programme for new prison officers. This will not, however, cover existing staff nor staff who are not prison officers. Moreover, it will not meet the need for more formal systems within prisons for recording, reporting and passing on information about worrying behaviour.

Diversion to more appropriate provision

- 10.18** In some areas there are mental health diversion schemes where workers have access to both health and criminal justice information. In some cases it may be appropriate to divert an individual away from prosecution towards secure mental health provision. In other cases a prosecution will continue, but with additional support.
- 10.19** Even where severe mental health problems on reception to prison *are* diagnosed, current processes to move prisoners from prison to more appropriate provision can be slow and cumbersome. While the Prison Health Policy Unit monitors this situation, and will intervene if the waiting time exceeds three months, it has no power to secure provision.

Effect of the prison regime upon mental health

- 10.20** Aspects of the prison regime can have a direct bearing on general standards of mental health within a prison. The World Health Organisation, for example, has highlighted the necessary links between access to physical exercise, education, work and the arts, and good mental health.¹⁸⁷
- 10.21** However, high proportions of prisoners spend significant amounts of time in their cells, figures which increase markedly for those with evidence of a psychotic disorder. It has been found that **28 per cent** male sentenced prisoners with evidence of psychosis reported spending **23 or more hours a day** in their cells – over twice the proportion of those without mental health problems.¹⁸⁸
- 10.22** Despite the more co-ordinated approach of the Prison Health Policy Unit to treatment, this has yet to filter through to the prison regime more generally. A joined-up approach is needed within prisons to mental health, and much greater recognition of the influence that prison regimes, particularly time out of cell and purposeful activity, can have on mental well-being.

Dual diagnosis

- 10.23** Research suggests that a majority of prisoners, particularly those on remand, suffer from at least two mental health problems. And one study found **54 per cent** of remanded males and **61 per cent** of remanded females suffering from at least three mental disorders.¹⁸⁹
- 10.24** The SEU found that such dual diagnosis – where a prisoner is found to suffer from a mental illness and substance misuse at the same time – significantly increases the problems faced by prisoners in accessing services. Drugs workers, for instance, were reluctant to take on prisoners with

neurosis, while mental health staff would not work with a prisoner while he or she was addicted to drugs. However, this is not unique to the prison system. A number of voluntary organisations point out that this is also mirrored in the community where people with dual diagnosis typically fall between services.

- 10.25** The Department of Health has established a Dual Diagnosis Steering Group to address this issue, and has a number of strands of activity already underway. These include a recently published literature review¹⁹⁰ and an analysis of training needs. Good practice guidance on addressing dual diagnosis has also been commissioned for inclusion in the Department’s Mental Health Policy Implementation Guide. This guide already makes clear that people with severe mental illness and linked serious substance misuse are part of the core business of mental health teams.

Positive steps

- 10.26** The Prison Service has made tackling self-harm and suicide a high priority and there have been significant improvements in this area. In 2000, for the first time in five years, the number of suicides began to fall. A number of prisons have established special initiatives, targeted at first-time prisoners, such as the First Night in Custody project at HMP Holloway **Annex A**. There are other examples of good practice by both the NHS and voluntary sector organisations.

HMP Belmarsh – Mental Health Liaison Team

The Mental Health Liaison Team at HMP Belmarsh is the result of a successful partnership between the local NHS Trust and the prison. Members of the team, which includes psychiatrists, mental health nurses, counsellors, psychologists, social workers and occupational therapists, are employed by the NHS but work directly within the prison.

An in-patient unit provides around 40 beds for assessment and support for those needing intensive help or who are awaiting transfer to NHS hospitals. Each person receives an individual care plan and a key worker who makes links with the community health team on release. There is also a therapeutic day care centre for both in-patients and outpatients which provides programmes based on individual assessment. HMP Belmarsh has been identified by the Department of Health as a Best Practice Beacon.

Revolving Doors Agency – Link Worker Scheme

The Revolving Doors Agency set up the Link Worker scheme to engage and support prisoners with mental health problems and improve links with community services that prisoners need on release. The scheme operates in four prisons, working particularly with remand prisoners and those serving short sentences. It is targeted at prisoners who fall between the responsibilities of mainstream health, housing and social care agencies. Link workers meet with clients in prison to develop a co-ordinated plan for release and then continue this support in the community.

The Revolving Doors Agency believes that training prison officers to be aware of mental health issues is essential for the success of this project. In HMP Woodhill, Pentonville and Wormwood Scrubs they have run a number of training sessions to help officers identify and refer prisoners with mental health problems.

Physical health

10.27 Prisoners' physical health is less of a widespread concern than their mental health. Some studies show that prisoners are less likely to be overweight compared to the general population, and to have significantly lower blood pressure.

10.28 Despite these indicators, which may reflect the fact that the prison population is disproportionately young, prisoners' physical health is worse than that of the general population, and there is an alarmingly high incidence of blood-borne diseases. In addition, it was widely reported to the SEU that only half of those entering prison were registered with a GP. As a result, the Prison Service is charged with a great deal of restorative health work.

Long-standing illness

10.29 Some groups of prisoners suffer from much poorer general physical health than the general population.¹⁹¹ Women prisoners report higher rates of a range of physical problems than women in the general population, including asthma, epilepsy, stomach complaints, period and menopausal problems, sight and hearing difficulties, and kidney and bladder problems.¹⁹²

10.30 Rates of smoking in particular are much higher than those in the general population. A recent survey¹⁹³ found that **77 per cent** of male and **82 per cent** of female sentenced prisoners were smokers compared with just **28 per cent** of men and **27 per cent** of women in the general population.¹⁹⁴

Blood-borne diseases

10.31 A 1997 survey found that the HIV positive rate was **0.3 per cent** of the adult male and **1.2 per cent** of the adult female prison population,¹⁹⁵ compared to around **0.02 per cent** of the general heterosexual adult population outside London and **0.25 per cent** within London.¹⁹⁶

10.32 Rates of hepatitis B and C among prisoners were significantly higher than those found in the general population. Of those tested, **8 per cent** of adult male prisoners, **12 per cent** of female prisoners, and **4 per cent** of young offenders were found to be hepatitis B positive.¹⁹⁷ These rates were even higher among intravenous drug users, with around **one in three** prisoners testing positive.

10.33 The Prison Health Policy Unit has recognised that imprisonment provides a valuable opportunity to vaccinate prisoners against hepatitis. This strategy should be complemented by health education.

Disability

10.34 There is no reliable data on the number of those with disabilities entering prison.¹⁹⁸ Such information is held on an individual prisoner's record provided it has previously been identified or is picked up during the induction process. However, it is clear from discussion with prisoners and prison staff that certain types of disability are missed. In some cases this is due to inadequate screening for such problems, but in others prisoners actively try to hide any disability for fear of discrimination.

Deaf Prison Project

The Deaf Prison Project was set up in 1999 to give information, advice and support to deaf and hard of hearing people in prison. Very few prisons provide any services in British Sign Language, making it difficult for most deaf prisoners to communicate their needs, issues and concerns, or to receive information in accessible formats.

The project is a partnership between the British Deaf Association, West Midlands Probation Service and BID Services for Deaf People. Prisoners can be referred by prison and probation staff, by their families or make a personal request. The project offers:

- trained prison visitors and volunteers qualified in sign language;
- basic deaf awareness training for prison and probation staff; and
- information and advice to deaf families with a family member in prison.

Based in the West Midlands, the Deaf Prison Project operates throughout the country.

Links into the community

- 10.35** It is crucial that robust systems are in place to follow-up on the health treatment of released prisoners. The challenges of successfully resettling into the community are exacerbated for prisoners with health problems, particularly mental disorders, especially because they may face substantial interconnected barriers in areas such as access to housing and primary care.¹⁹⁹ The most extreme consequences of this breakdown are less visible than when prisoners are in custody, but a recent report found that **over 50** prisoners each year commit suicide shortly after release.²⁰⁰
- 10.36** For the vast majority of prisoners, there is no healthcare follow-up post-release. As shown in other chapters, the links between health services in prison and those in the community, particularly on release, are often extremely ineffective. The SEU found that healthcare records often did not follow prisoners into prison and that, where they were provided, GPs often charged for copying.
- 10.37** Where a prisoner is receiving healthcare which needs to be continued after discharge, prisons are required to ensure that arrangements are made for follow-up in the community. Such arrangements should include help to register with a GP, an appointment where necessary, a history of treatment while in prison and arrangements for necessary medication to ensure a supply until a GP prescription can be obtained. The SEU found that such processes were rarely completed. As primary healthcare can often be a gateway to other services, the failure to connect or reconnect with a GP can have wide-ranging consequences.

10.38 The health issues for particular groups of prisoners are highlighted below:

Mental and physical health – issues for particular groups

Women prisoners

- Women prisoners report very high rates of physical and psychological problems – one in six had spent time as an in-patient in a mental hospital or psychiatric ward;
- Two in five reported receiving help or treatment for a mental, nervous or emotional problem in the year before coming into prison.

Remand prisoners

- Remand prisoners are more likely than sentenced prisoners to suffer from personality and neurotic disorders, and to have had contact with mental health services before entering custody.

Black and minority ethnic prisoners

- People from some black and minority ethnic groups are at much greater risk of suffering some specific conditions than white people. These conditions can include Sickle Cell Disorders and diabetes. Among African-Caribbean people, especially young men, rates of diagnosis of psychotic illness are high relative to the white population.

Young adult prisoners

- Young adult prisoners are more likely than adults to suffer from mental health problems and are more likely to commit suicide than both younger and older prisoners;
- Widespread concern about the ability of the prison system to deal with issues of mental health among young adult prisoners.

CHAPTER 11

ATTITUDES AND SELF-CONTROL

Most prisoners come from some of the most socially excluded groups in society. Many see crime as the only way of life or as an easy way to make money. Many will have grown up in an environment where crime is seen as acceptable. Some will see prison as an inevitable part of their lifestyle, others will be unable to understand the circumstances and behaviour that lead them into offending.

Significant efforts are being made to tackle the causes of offending behaviour, with dedicated programmes designed to deal with anger and violence, as well as improving thinking skills. Yet, many prisoners are currently unable to take part in such programmes, including many short-term prisoners, some of those most likely to re-offend.

While some prisoners are able to address their offending behaviour in prison, very few are encouraged to make amends for their crime. Restorative justice and reparation, which are increasingly being used for offenders outside prison, are rarely used inside.

"I don't care about anyone else – I never have. I do what I like. Just got to sit here for another six weeks and then I'm out, back with my mates."

Young adult prisoner

"I'm in here because of my temper, that's all – just lose it with someone and then I'm back here again."

Adult prisoner

"This is my life, it's what I know, what I've always done. I've learnt a lot while I've been here – I won't get caught next time."

Adult prisoner

"I wouldn't want to meet him – that bloke whose house I broke into. Don't know what I'd say to him."

Young adult prisoner

The problem

11.1 Previous chapters have shown that many of those in prison come from the most socially excluded groups in society. Many will have grown up in backgrounds where serious violence, drug and alcohol abuse are commonplace experiences. Few may have known the security of a stable home or done well in school. Crime may be seen as a survival strategy, as inevitable, or the only means of getting the things that others have.

11.2 Yet committing a crime is an active choice. The absence of a job, a home or poor education is never an excuse for committing offences against neighbours or the wider community. There has recently been a significant emphasis on tackling offending behaviour within prison – using intensive programmes to change the way that offenders think about their actions and their effects on others, and to improve their self-control.

- 11.3** Despite evidence of the success of such programmes, some groups of prisoners miss out on them. And little is done either to bring home to prisoners the direct effect of their offences on victims or to provide reparation to individuals or the wider community.

What do prisoners think about crime and victims?

- 11.4** There are as many attitudes to their crime and victims as there are individual prisoners and offenders. Some of the prisoners that the Social Exclusion Unit (SEU) met during the consultation had been deeply affected by seeing or knowing the outcome of their crime. Yet, many others found it difficult to understand the effect of their actions on others and saw either nothing wrong with what they had done or believed that it was inevitable.

'Bad luck'

- 11.5** Many prisoners, especially young offenders, believed that they had somehow slipped into crime accidentally or had just got into trouble in a one-off incident. Violence was often described as retaliation and offenders seemed to believe they had no other choice.

Not seeing themselves as criminals

- 11.6** Some, particularly those involved in drug offences and property crime such as fraud or handling stolen goods, believed that their crimes did not have any direct victims. A number of prisoners, especially those involved in property crime, believed that they were different to so-called real criminals such as armed robbers or murderers.

Living in 'the now'

- 11.7** Many prisoners tended to live their lives completely in 'the now', reacting spontaneously to people and events around them, without thinking about the consequences of their actions or planning ahead in any meaningful way. Many became involved in fights or arguments easily. Few saw a pattern to their risk-taking behaviour or that ending up in prison was the inevitable consequence of their actions.

A means to an end

- 11.8** Despite their lack of a normal life in the past and their seeming inability to lead one, many have normal aspirations towards material goods and lifestyles, despite what they often do or say. For many, a criminal career is perceived as an easy way to get money and as a way of achieving a desirable lifestyle. Many believe that they won't be caught, a view that can be reinforced by peer opinion. For young and new prisoners, the risk of prison can be seen to be worth the reward. If thought of at all, victims are seen as a means to an end.

What effect does prison have on these attitudes?

- 11.9** A prison sentence can have a variety of effects on these views, either to reinforce damaging attitudes towards crime and victims, or to begin a positive process of change. Some of the negative effects of prison that the SEU came across during the consultation included:

Less respect for authority

11.10 Some prisoners said that their time in prison had confirmed their lack of respect for authority figures and for abiding by rules. This was particularly the case for those who believed that staff were inconsistent in their treatment of prisoners or where the regulations appeared to work against what they saw as positive activities within prison.

Reduced sense of involvement and guilt

11.11 Prison can result in separating prisoners from the consequences of their crime, replacing possible feelings of guilt with the need to build a temporary new life within prison. Isolated from the consequences of their crime, it is easier for prisoners to reinforce the belief that their crimes have little effect on others. And some prisoners see a prison sentence simply as a respite from the outside world.

Emotional withdrawal

11.12 Undoubtedly, the regimes within some prisons have the effect of causing a number of prisoners to emotionally withdraw from contact with other prisoners, prison staff and even their families. The result of such an effect is to limit their opportunities for taking part in activities that reduce their likelihood of re-offending.

Learned helplessness

11.13 Many prisoners show a level of 'learned helplessness' as a response to life in prison, losing the ability to successfully resolve, or even begin to manage, their own entry back into the community.

Learning more about crime

11.14 A number of prisoners repeated the often heard view that prison can offer the opportunity to learn more about how to commit crime from more experienced prisoners.

Using time in prison to tackle offending behaviour

11.15 Some of the above factors show how damaging time in prison can be if it is not used constructively to address the causes of offending. But prison can also offer a number of positive opportunities to improve attitudes towards crime and victims. It offers time to re-evaluate past choices and previous lifestyles, removes some of the temptations to commit crime that exist outside prison, and can offer a safe, structured place in which to learn positive behaviour from other prisoners and staff.

11.16 One of the most important initiatives over the last decade has been the development of offending behaviour programmes. These programmes, targeted at different types of offender, aim to change the way that they think and act, bringing home the effect of their actions on themselves and others. They teach positive techniques to avoid the situations that can prompt offending behaviour in the first place.

Offending Behaviour Programmes

First introduced in the Prison Service in 1992 and based on work primarily carried out in North America, the principal aim of the programmes is to reduce the likelihood of re-offending. Secondary aims are to improve behaviour, problem solving skills and attitudes. Programmes can be delivered in prison and in the community.

Programmes are targeted at particular groups of offenders. Current programmes target sex offenders, high risk violent offenders, offenders where anger has played a part in the offence, and offenders who need to improve their reasoning and problem-solving skills in order to avoid returning to crime.

Programmes vary in their intensity and cost, from £2,000 per prisoner for the Enhanced Thinking Skills course (around 40 hours) to around £7,000 per prisoner for programmes aimed at high security risk, violent prisoners.

Around 6,000 prisoners completed an accredited offending behaviour programme in 2000/01. By 2003/04 the Prison Service has a target of delivering 8,900 courses in prison and the Probation Service has a target of delivering 30,000 in the community.

Only programmes which have been accredited by the Joint Accreditation Panel are counted towards these targets. The Panel, made up of experts in the field, has very demanding requirements, covering areas such as the intensity of the programme and training, and skills of those delivering it.

A Home Office review suggests that such prison-based thinking skills programmes can result in reconviction rates which are up to **14 percentage points** lower than comparison groups.²⁰¹ Based on the number of prisoners expected to complete such programmes this year, this represents a reduction of around **21,000 crimes**.

- 11.17** During the SEU's consultation many welcomed the focus that the Prison Service and Probation Service placed on robust, dedicated programmes for addressing offending behaviour. Some prisoners welcomed the opportunity to learn new skills to avoid situations that previously led them into crime. For many prisoners, these programmes offered the first opportunity to look at the way in which their offending behaviour impacted on their own lives, those of their families and their victims.

Prison could do more

- 11.18** Despite this good practice, many people raised specific issues in relation to offending behaviour programmes during the SEU's consultation, believing that more needs to be done to ensure that the system does as much as it can to change offenders' views of crime and victims. The following section discusses some of these issues in detail.

Availability and access

- 11.19** A recent study reported that around **70 per cent** of prisons run accredited offending behaviour programmes and that the number of prisoners completing programmes has grown significantly.²⁰² However, the same study reported that there were significant regional differences in access to programmes, with numbers waiting to begin a particular course ranging from **none** in one prison to **450** in another. Waiting lists mean that prisoners who would have met the criteria are often released before they have had a chance to benefit from the programme. Despite their proven success, there is currently no reliable measure of the overall number of prisoners who would benefit from such offending behaviour programmes.
- 11.20** Most existing programmes are aimed at male adult prisoners serving sentences of over 12 months. Those serving short sentences are not usually in prison for long enough for the identification and assessment procedure to be completed. The SEU found that there are also gaps in relation to young offenders and women who currently fit few of the programmes.

Developing new offending behaviour programmes

The Prison Service and National Probation Service have begun to identify gaps in provision and are developing programmes to address areas such as domestic violence, property offenders and juvenile offenders. Programmes aimed at short-term offenders which will span the prison and community phase of the sentence are also being piloted. It is not expected that these programmes will be accredited before 2003/04 at the earliest.

Staff and training

- 11.21** In order for offending behaviour programmes to be delivered well, relatively highly skilled and motivated staff are required. It is becoming apparent that there may not be enough suitably skilled people within the current system to deliver programmes to increasing numbers of prisoners. Some prison staff report that there is a high turnover of tutors due to promotions and moves to other duties. In 1999/2000 the Prison Service missed its target of those taking part in the Sex Offenders Treatment Programme, because of a shortage of qualified treatment managers.

Co-ordination with other activity

- 11.22** Selection for accredited courses is rigorous to ensure maximum success rates. Yet this can result in many of those with mental health problems or poor basic skills being unable to access accredited offending behaviour programmes, as it is felt that they will not be able to cope with the demands placed on them.²⁰³

Non-accredited programmes

- 11.23** It can take over three years for a new programme to gain accreditation.²⁰⁴ The same study found that around **70 per cent** of prisons were providing a range of non-accredited programmes, described as reducing offending behaviour. During consultation a number of people said that the emphasis on accredited programmes had resulted in such independent programmes, many of which had promising results, being deprived of funding and attention, particularly during the build-up to accreditation. The Prison Service is currently in the process of developing a National Framework of approval and standards for a range of interventions within prison, including offending behaviour work with prisoners and non-accredited programmes.

Practical barriers

11.24 The Prison Service has made significant efforts to ensure that those involved in accredited programmes are not subject to moves around the prison system, disrupting their attendance. Yet there is no data on the numbers who are moved and a recent survey by the National Audit Office has found that only **34 per cent** of prisons believed that those moved to their establishment would be able to continue with an offending behaviour programme.

Restorative justice and reparation

11.25 Initiatives such as offending behaviour programmes provide one way of beginning to change prisoners' attitudes towards crime and victims. Yet even the best offending behaviour programmes neither bring prisoners face-to-face with the victims nor provide direct reparation to victims or the community.

11.26 Just as prison can isolate criminals from the effects of their crimes, it also isolates victims and communities from those who have committed crimes against them. This can mean that victims and communities can feel that all the effort is being directed towards offenders, without their involvement.

11.27 The current system enables most prisoners to spend long periods in custody without giving anything back to the community or their victims. While some prisoners do take part in voluntary work in the local community this is far from routine. One study showed that although over **a third** of prisons had prisoners working as volunteers in the community only **1 per cent** of prisoners were actually involved in such work.²⁰⁵

11.28 Some prisoners also take part in voluntary activity such as acting as official listeners for other prisoners in distress. But the vast majority of those who serve repeated short sentences will never be involved in such activity, either inside the prison or outside. In one prison **73 per cent** of prisoners said that they would be willing to do voluntary work yet only **7 per cent** were actually involved in such activity.²⁰⁶

11.29 Courts are able to impose a compensation order in addition to a prison sentence. But few of those that the SEU met during the consultation had either been subject to such orders or had received reparation via them. In any case, most prisoners will have insufficient money and any pay for work within prison is often too low to meet such orders.

11.30 In the last decade, the need to meet more effectively the needs of victims and communities, as well as the need to bring home the effects of their crimes to offenders, has led to the increasingly widespread use of an approach known as restorative justice.

Restorative justice

This is the collective term for a process that usually involves offenders and victims meeting to discuss the effect of a crime on themselves and the wider community. It seeks to redress the harm caused by an offender with collective agreement about reparation and changing future behaviour. Ensuring that offenders are unable to avoid the consequences of their actions and that victims' voices are fully heard are both central to the process.

These approaches are only used where an offender admits their guilt. Restorative justice is about deciding the most appropriate outcome following an offence, rather than establishing facts.

Restorative justice can be delivered in a number of ways, including direct contact between victim and offender and, particularly in the case of young people, often involves other people such as parents and teachers. In other situations, contact between the parties is made via a third person. In cases where an individual does not wish to have contact with an offender, other people can represent the victims' views.

Restorative justice can have a number of direct outcomes, ranging from an apology, through to reparation and practical work, either to the victim directly or to the wider community. Longer-term results, such as improving school attendance, can also be part of the outcome of the restorative justice process.

- 11.31** Restorative justice is already widely used in a number of non-criminal settings such as in resolving bullying in schools, as well as in other more formal criminal cases. Criminal justice agencies in the Thames Valley have long advocated its use and it is now their preferred option in giving final warnings. Action Plan Orders and Reparation Orders, which specify action to be carried out by offenders, have been in existence since 1998.
- 11.32** The Government is about to introduce Referral Orders nationally for young offenders who plead guilty at their first court conviction. The offender is referred to a Youth Offender Panel, who consider the circumstances leading to the offending behaviour and the effect of the crime on the victim. A contract is agreed with the offender, including reparation to the victim or the wider community. The aim of the Order is for the young person to accept responsibility for their offending behaviour and to deal with the causes.
- 11.33** Recent research into restorative justice schemes has suggested that those which are rigorously implemented can have an effect on offending attitudes and in some cases on reconviction rates.²⁰⁷ Initial research on the Final Warning scheme, which replaced police cautions for young offenders and uses a restorative justice approach, showed a **17 per cent** reduction in reconviction rates, compared to the previous approach.²⁰⁸ One of the most positive results claimed for these approaches is the fuller involvement and satisfaction of victims.
- 11.34** These approaches are currently mainly used either as an alternative to the official legal process, or as the outcome for a first offence, and are usually restricted to young offenders. However, advocates of the approach say that it can be used at all stages of the criminal justice process, including with those who have already received a court sentence, including a prison term.
- 11.35** During the consultation the SEU found a very small number of prisons who were trying these approaches. Staff in HM Youth Offender Institution Brinsford have been working with the local mediation service to use restorative justice approaches with small groups of young prisoners, bringing home the effect of their crime on victims. So far, most of the work is carried on via third parties or letters, and there have been very few face-to-face meetings.

- 11.36** Other prisons have begun to explore the possibility of using the money that prisoners can earn inside prison to pay back money to groups supporting victims in the community. The SEU found that prisoners in HMP Altcourse sign a contract to pay **5 per cent** of their wages to local victim support groups.
- 11.37** These approaches are promising, showing the victims of crime that time in prison can have positive effects for themselves and the wider community. They also show the prisoner that their crime has had an effect, even inside prison. Yet restorative justice and reparation schemes are far from universal. Despite the importance of bringing home to offenders the effects of their actions on victims and communities, and the symbolic and real value of reparation for their offences, very few prisoners are able to take part in such programmes. Those few who do will almost always find themselves unable to continue them if they move to another prison.
- 11.38** The issues facing particular groups of prisoners are listed below:

Attitudes and self-control – issues for particular groups

Women prisoners

- No accredited offending behaviour programmes (OBPs) designed specifically for women;
- Concern about the appropriateness of using OBPs designed for male offenders on women, given the different backgrounds and needs of male and female offenders.

Remand prisoners

- One in two remand prisoners go on to receive a custodial sentence, and four out of five are found guilty. Yet they are unable to begin programmes designed to improve areas such as thinking skills during the remand period.

Young adult prisoners

- There are currently no accredited OBPs specifically for young adults.

CHAPTER 12

INSTITUTIONALISATION AND LIFE SKILLS

Many prisoners have had disadvantaged family and educational backgrounds which have not helped them to develop the practical skills necessary to sustain a job, relationship and housing, or to manage their finances.

The institutionalising effect of prison does not help and can damage what confidence and sense of responsibility they have developed. Lack of support after custody is also an issue. However, there are some promising developments to reduce institutionalisation in custody, to teach prisoners positive 'life skills', and to support them better after release.

"Doing courses, getting qualifications, the NVQs. I never had it in my life, I finished school at about 12 so ... just showing me that I have got it in me to do something else ... I'd got off drugs, I'd looked back at the life I was living and got a few qualifications behind me, I'd been seeing the drug counsellor and it just all started making sense, making me realise that there is more to life than doing [crime]."

Adult prisoner

"One of my patients – she's been in prison before and now she's up on a charge again. She says maybe prison's the best place for her. She has such financial difficulties, she's got huge drug problems, no chance of detox. I can understand why she thinks that."

GP

"Prison spins you round, tells you to do tedious things so your brain turns into cabbage, and spits you out worse off and twice as likely to commit crime as before."

Adult prisoner

"I walked into the supermarket ... and found eleven different types of bread. Eleven. In prison there was one, and you ate it or didn't. I spent ten minutes trying to make a choice, then stressed out and left without buying anything."

Adult prisoner

"It's true what they say – your sentence begins the day you get out."

Adult ex-prisoner

Why life skills matter

12.1 To survive outside, ex-prisoners need to have well-developed life skills. Indeed, given the prejudice and barriers they will face in accessing employment, benefits, housing, and other services, they arguably need to have *better* life skills than the rest of the population. Yet, too often time in prison reinforces institutionalisation, rather than promoting positive life skills.

Prisoners' life skills

12.2 Life skills are an area where many prisoners are already very weak. Much of this is unsurprising given the experiences they have had before coming into prison. As shown in **Chapter 2**, prisoners are disproportionately likely to be among the most socially excluded groups in society:

- many prisoners will have spent time in **care** as a child, an experience which does not have a good record for preparing people to live on their own or to develop positive life-skills. Others will have spent periods of time in other institutional settings such as mental health units;
- most prisoners have poor **basic skills**, which impacts on their ability to cope with finances, fill in forms, access services and stand up for their rights. As a result of **truancy or exclusion**, many will have not benefited from the life-skills taught as part of personal social and health education;
- many prisoners have little or no experience of **employment** and the disciplines necessary to sustain a job;
- a large proportion of prisoners have experience of **mental health problems**, which can lead to difficulties in coping with unusual or stressful situations;
- prisoners are more likely to be **single, divorced or separated** than the general population and so are more likely to end up trying to cope with life on their own; and
- recent findings suggest that serious persistent young offenders are more likely than other young people to have weak **family links**, and to have spent less time with their parents.²⁰⁹

12.3 All of these factors, and the many others identified in **Chapter 2**, interact and reinforce each other, and are often complicated by a prisoner's particular crimes and their chaotic lifestyles due to drug and alcohol misuse. The result is that many prisoners are not good at managing the practicalities of life, and, for example, struggle to manage the basics of their finances and housing.

12.4 Prisoners also struggle to access services, such as the benefits and health advice they may be entitled to receive. For example, it was widely reported during the consultation that only half of those entering prison were registered with a GP. And despite high levels of need, large numbers of prisoners have never received help with their drug problems.

Prison does not always help

12.5 Prisons have highly institutionalised regimes and one of the biggest problems faced by prisoners on release is that the process of depriving them of their liberty has often also deprived them of any positive form of responsibility and control over their lives.

12.6 This problem is often intensified because of the small amount of time that prisoners spend unlocked from their cells and engaged in purposeful activity.²¹⁰ Time spent unlocked from cells averages **9.5 hours** on weekdays and **8.3 hours** on weekends.²¹¹ However, there is a huge variation between prisons in the amount of time spent on purposeful activity which ranges from only **20 hours per week** in local prisons to **42.4 hours per week** in open training prisons.²¹²

- 12.7** The contribution that time out of cell and purposeful activity can make to tackling mental illness and avoiding institutionalisation is also often overlooked. In one survey, **38 per cent** of male prisoners with evidence of psychosis reported spending **23 hours or more** in their cell, **twice** the proportion of those without evidence of psychosis.²¹³
- 12.8** Some of these problems are inevitable given the constraints of managing a large population in a confined space. However, it also removes from prisoners any sense of responsibility for their actions or well-being, in direct contradiction to the purpose of other activities such as Offending Behaviour Programmes, discussed in **Chapter 11**. Previous chapters have shown how many prisoners lose all responsibility for their daily routine from the moment they enter custody. They are told when to get up, when to go to bed and what to do at all points in between.

Prison could do more to help

- 12.9** There are some examples of prisons and other programmes tackling these problems effectively, although such provision is patchy. For example, institutionalisation can be combated through:
- use of Release on Temporary Licence (ROTL) to undertake work outside the prison, smoothing the transition from custody to community. The regular use of ROTL for this purpose is mainly limited to open prisons, semi-open prisons²¹⁴ and to resettlement units attached to closed prisons. During its visits, the Social Exclusion Unit (SEU) saw a wide variation in the extent and nature of use of ROTL, even between prisons with similar population characteristics;
 - semi-open prisons, where much of the success they experience in allowing prisoners to ‘work out’ on day release is put down to the responsibility placed on the prisoner to abide by the terms of his or her licence; and
 - closed prisons, such as HMP Bullwood Hall and HMP Low Newton place individual responsibility on the prisoner to attend education, training or employment as required, without the need for staff escorts from one part of the prison to another.
- 12.10** There are also examples of good practice in prisons abroad where prisoners are given the opportunity, and are encouraged, to take responsibility and control of their lives as much as possible while in custody.

Penitentiary Institute Norgerhaven, Netherlands

Norgerhaven is a closed prison, holding up to 250 prisoners, which operates an ‘open community’, in which prisoners have free movement between 7.30am and 9.30pm. Prisoners are responsible for following their own programmes, such as arriving for work on time, and attending education and training.

The prison operates the ‘Opt for Work’ scheme, to achieve effective rehabilitation following detention. Each prisoner accepted onto the scheme undergoes a full needs assessment, then enters into a specifically tailored coaching programme. A plan is drawn up between the prisoner and their coach, which includes a combination of training, education, social issues and counselling. Outside agencies are specifically linked into the prisoner’s resettlement plan.

As part of this scheme, prisoners gain vocational qualifications in areas such as catering. If they are successful, the prisoner’s coach and probation officer then try to secure a work placement for the prisoner upon release.

12.11 Prison can be an opportunity to improve prisoners' life skills. The focus on improving literacy, as well as the opportunity to tackle mental health and drugs problems, are obviously key, and life-skills do form part of the core curriculum within prison education. And there are other helpful programmes available in some prisons and after release. For example:

- offending behaviour programmes, discussed in **Chapter 11**, involve teaching participants how to think more positively, to empathise with others, and to avoid situations and patterns of thinking and behaviour that have previously led to crime in the individual's past;
- educational programmes such as Safeground's Parents for the 21st Century course at HMP Wandsworth not only offer prisoners the opportunity to achieve basic skills qualifications but also to gain important life skills in communication and parenting. At the same time the programme encourages prisoners to think about and discuss how their criminal behaviour affected other members of their family;
- the Citizens Advice Bureau in HMP Wormwood Scrubs helps prisoners not just with housing problems, legal matters, and benefits issues, but also consumer questions, relationship issues, tax, employment, utilities, consumer care, education, health, immigration and nationality, helping to build up the life skills needed on release; and
- the Anglia Care Trust, discussed in **Chapter 13**, worked with prisoners in HMP Norwich on their debts and how to manage their finances in the future as part of its housing advice project. It aimed to build and reinforce the key skills that prisoners needed to deal with their housing and finances on release.

After prison

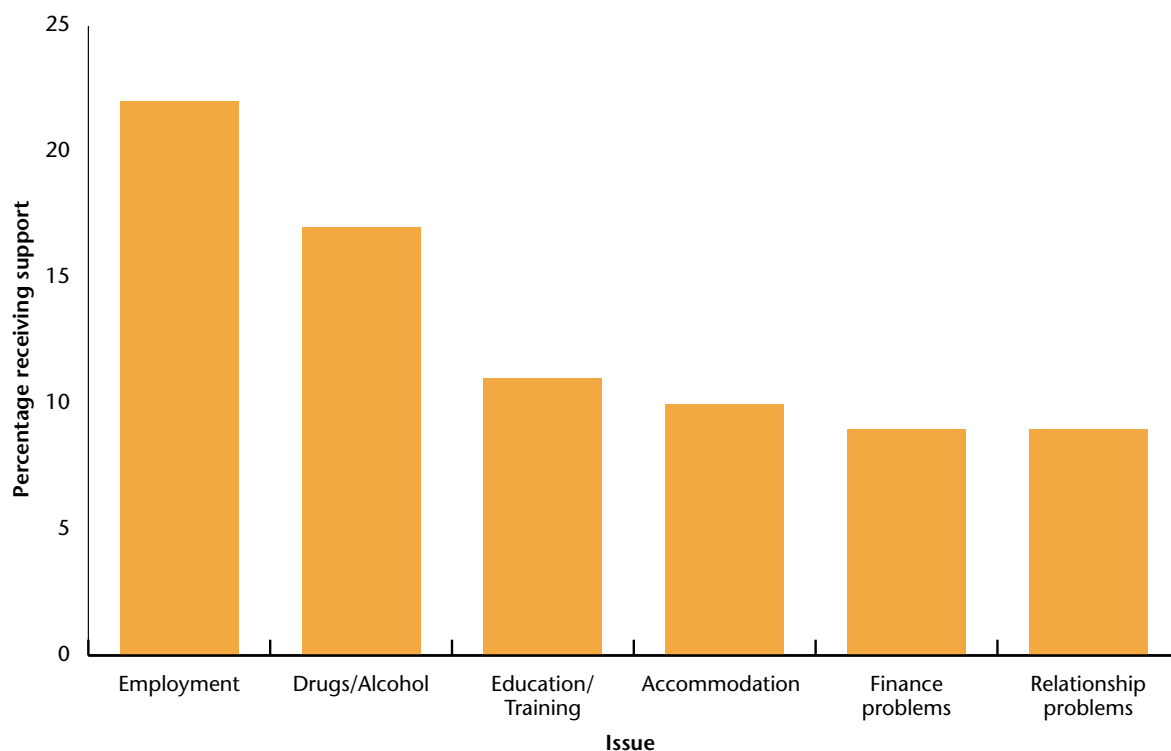
12.12 While the SEU came across a number of such examples of initiatives to provide prisoners with positive life skills, too many prisoners are still released without the skills necessary to lead a successful life on release.

12.13 On release, many prisoners are suddenly confronted by a vast range of choices and decisions on every aspect of their lives. Without some gradual introduction back into such an environment, the provision of training in the most basic life-skills and on-going support, many find it difficult to cope and so are overwhelmed, with predictable consequences.

12.14 Without some ongoing help and support to address the practical issues facing prisoners upon release, it is less likely that they will be able to avoid the situations and actions that lead them into prison. Previous chapters have shown that many links between services in prison and the community are weak. Difficulties around ongoing drug or mental health treatment are particularly key areas.

12.15 The National Probation Service is able to support some ex-prisoners following release. Probation officers can provide support and information on areas such as employment, training, housing and benefit needs. **Figure 9** gives details on some of the areas in which a group of ex-prisoners who had served short sentences said that they had received support following release.

Figure 9: Post-release support received by ex-prisoners



Source: Criminology Survey: drugs follow-up (short-sentenced prisoners using drugs prior to prison) Home Office, 2001 (unpublished).

12.16 As seen in previous chapters, the Probation Service does not have responsibility for supervising those who are serving sentences of less than 12 months, apart from young offenders. While services remain free to offer voluntary support to all short-term prisoners post-release, a study has shown that the number of offenders starting voluntary supervision in England and Wales fell from **27,000** in 1991 to **7,400** in 1998.²¹⁵ It also found that **four in ten** areas discouraged prisoners from seeking aftercare or only took cases in exceptional circumstances.

12.17 In reality, practical support from probation staff on release is likely to be limited to those serving longer sentences. And many of these prisoners are unlikely to have contact with their home probation officer during their sentence – around **20 per cent** of those serving sentences of more than four years said that they had not had contact during their time in prison.²¹⁶

12.18 The role of probation officers has also changed in recent years. The role of officers increasingly concentrates on the enforcement of licence conditions and court orders. Their ability to provide what many officers perceive as their traditional resettlement role is rapidly diminishing, across all ages and types of prisoners.

- 12.19** As a result many prisoners, especially those who have served short sentences, rely upon resettlement help from voluntary organisations such as NACRO and other local voluntary sector providers. In many cases, faith organisations play an important role in providing this support, such as the Thomas Project which provides supported accommodation, described in **Chapter 13** . Some areas have sought to put in place specific initiatives to provide resettlement support and strengthen life skills on release.

Society of Voluntary Associates (SOVA)

In the early 1990s, the then Inner London Probation Service commissioned SOVA to provide a resettlement service for short-term prisoners. SOVA recruit, train and supervise the work of volunteers, who offer advice and support to offenders sentenced to less than 12 months. Contact is made with the prisoner and volunteers offer to see the offender on release. Typically the project deals with practical issues such as accommodation, finding work, obtaining benefits and gaining access to specialist services for drug and mental health support. Serious and potentially dangerous offenders are not included in this project. The overall aim is to assist offenders to prepare for release and resettlement in the community.

- 12.20** Despite the examples of good practice the availability of services from such agencies is insufficient to meet more than a fraction of need, and is often, as with other areas of voluntary work, subject to precarious short-term funding.
- 12.21** And even where there is scope to provide some support post release, establishing links between prisons and probation, and voluntary agencies for resettlement purposes usually depends upon the approach of individual prison Governors and probation managers. One report highlighted that **19 per cent** of prisons had no links with outside agencies and only **43 per cent** of those that did had entered into partnerships specifically for resettlement purposes.²¹⁷
- 12.22** As a result of all of this – institutionalisation within prison, the absence of opportunities to develop positive life skills or to manage the transition between prison and the community – many prisoners, including those most likely to re-offend, are let out of prison without the skills necessary to make a positive start.

Joint working between Prison and Probation

12.23 As part of the Government's Crime Reduction Programme, **Resettlement Pathfinders** are currently running in seven prisons to test different approaches to helping prisoners being released from **short prison sentences**.

Resettlement Pathfinders

Four of the projects involve joint working between the Prison Service and the Probation Service, the remaining three between the Prison Service and voluntary organisations. Prisoners' needs are assessed early in their sentence with the aim of dealing with urgent resettlement needs as soon as possible after reception and establishing a plan of action for release.

A number of the pathfinders are testing new offending behaviour programmes, aimed specifically at short-term prisoners, including female short-term prisoners. Programmes can be delivered either before or after release. Prisoners are able to access support following release from a variety of sources, including probation, the voluntary sector, prison staff or volunteer mentors, depending on the project.

Pathfinders are due to conclude this year. An evaluation and good practice guide will follow. A full evaluation of their effectiveness in reducing re-offending will be available in 2004.

NACRO – HMP Birmingham Pathfinder Project

Established by NACRO in 1999, the project offers support to prisoners sentenced to between 3 and 12 months. A resettlement worker based within the prison provides pre-release assessments and an individual resettlement plan for each participant. This is followed up with support following release. Cases are managed jointly by NACRO and prison and probation staff, enabling the sharing of information at different stages of the resettlement process.

Staff meet prisoners on release and work to resolve immediate needs such as housing and benefits. Staff are able to arrange specialist training for those not able to move straight to basic employability or vocational training. Since its start over 200 prisoners have accessed the project, which was highlighted as an area of good practice in the 2001 HM Inspectorate of Prisons report on HMP Birmingham.

12.24 Some of the issues for particular groups include:

Institutionalisation and life skills – issues for particular groups

Women prisoners

- Many women enter prison with low educational levels and particularly low levels of work experience. Many also have a history of drug or alcohol misuse;
- The fewer number of women's prisons means that distance from home can have a significant impact on resettlement and cause problems in relation to areas such as temporary release.

Remand prisoners

- Remand prisoners are less likely to work or take part in education whilst in prison and so are less likely to benefit from the life-skills that these provide;
- Remand prisoners are especially keen to receive information on resettlement but less likely to receive it.

Young adult prisoners

- Young adults are at a crucial time in their lives when they would normally be learning and putting into practice the life skills necessary to lead a successful life.

CHAPTER 13

HOUSING

Prisoners who are homeless are more likely to be reconvicted. But up to a third of prisoners lose their housing during custody. This is often caused by Housing Benefit policy or poor communication with housing providers. Swift action on reception could prevent some people losing housing, and for others it would minimise arrears, debt, eviction, loss of ID and possessions, and exclusion from housing. But good practice on this is exceptionally rare.

Prisoners face severe difficulties accessing housing on release. Some social housing providers simply ban all ex-offenders, though the Homelessness Act 2002 will make such blanket bans illegal. Private sector accommodation may ban benefit claimants or require deposits prisoners can't afford. Hostel accommodation is in short supply.

There is some good practice in prisons both in preserving accommodation and advising prisoners before release, but it is very patchy. After release, the Probation Service is only resourced to support those under compulsory supervision. In the past, across the criminal justice system housing issues have had insufficient priority and clarity about who is to do what.

"I lost my house when I came here. How can I even think about starting again when I haven't got anywhere to go to?"

Adult prisoner

"I'm going out worse than I came in – more debt, all my furniture gone, no home. I don't know where I'm going to be sleeping three days from now."

Adult prisoner

"It must be accepted by the Government that ex-offenders should be dealt with as priority cases where housing is needed. Many ex-offenders re-offend entirely because they are NFA [no fixed abode]."

Housing advice worker

The problem

- 13.1** Research suggests that stable accommodation can make a difference of over **20 per cent** in terms of reduction in reconviction.²¹⁸ This is unsurprising as the need to look for housing makes it hard to find a job and earn money legitimately – over **three times** as many ex-prisoners with an address on release were in paid employment as those without an address.
- 13.2** Homelessness can exacerbate a prisoner's problems and be a barrier to accessing support services such as benefits or even registering with a GP. Some prisoners are already homeless before they enter custody. But despite the importance of housing as a factor to prevent re-offending, up to **a third** of prisoners lose their housing due to imprisonment.²¹⁹

Key facts

Homeless before prison

Around **one in three** prisoners are not in permanent accommodation prior to imprisonment.²²⁰

In one recent study around **1 in every 20** prisoners claimed to be sleeping rough immediately prior to imprisonment.²²¹

Homeless after prison

As many as **a third** of prisoners lose their housing on imprisonment.²²²

Around **a third** of prisoners about to leave prison said that they had nowhere to stay.²²³

Of short-term, repeat prisoners going back into prison following a previous sentence, **10 per cent** said that they had slept rough when they left custody last time.²²⁴

Another recent survey found that of those who had been homeless at any time since leaving prison, **33 per cent** said that this had been the case for more than six weeks.²²⁵

Why prisoners lose their housing during custody

13.3 Some prisoners can lose their housing partly because of a failure to communicate and negotiate with landlords when they enter custody, but also as a result of Housing Benefit policy and its administration. Housing Benefit rules allow a prisoner to retain their accommodation for a very limited period of time only. Initial work by the SEU suggests that, once the cost of re-housing is factored in, the result of how the rules operate could actually increase the net cost.

Housing Benefit

13.4 The majority of prisoners depend on Housing Benefit to help with the rent before they enter custody. One survey in 2000 found that **three-quarters** of ex-prisoners were in rented accommodation and were likely to depend on Housing Benefit for help with their rent.²²⁶

13.5 Single prisoners used to be able to claim Housing Benefit for absences of up to 52 weeks. But since 1995 entitlement to Housing Benefit stops at the point of sentence for all sentenced prisoners expected to be in prison for more than 13 weeks.²²⁷

13.6 This means that those prisoners in custody for more than 13 weeks without immediate family available to take over a Housing Benefit claim have very little chance of keeping a tenancy open until the end of the sentence. This is the case even if the prisoner is in custody for as little as 14 weeks resulting in the prisoner being left to secure new accommodation from scratch.

13.7 It also means it is almost impossible to avoid building up rent arrears for accommodation in which a prisoner is no longer living. Whatever notice period a landlord requires, no Housing Benefit will be paid and arrears will build up unless the prisoner has other means to pay the rent.

Housing Benefit – how the 13-week rule works

Convicted prisoners are eligible to claim Housing Benefit where ‘the expectation is’ that they will not be away from their home for more than 13 weeks. Prisoners expected to be absent for more than 13 weeks are unable to claim Housing Benefit for any period. Prisoners on remand are able to claim where the absence is not expected to exceed 52 weeks. But a prisoner who has served 13 weeks on remand and then receives a custodial sentence will be unable to seek Housing Benefit for any additional weeks.

From the Social Exclusion Unit’s (SEU) visits to prisons and in consultation responses, it is clear there is both discretion and confusion about the interpretation of these rules. In some cases this worked in the prisoner’s favour: some prison-based advisers had been able to negotiate with local offices to accept at the start of a sentence that the effect of HDC would mean that a prisoner would be released within 13 weeks without any later verification that release had taken place within this time scale.²²⁸ In others it did not: some Housing Benefit staff interpreted a six-month sentence to mean six-months absence, rather than three months in prison and three months in the community, and wrongly used the ‘13-week rule’ to refuse a claim.

In the large majority of cases, in order to even qualify for consideration under the ‘13-week rule’ a new claim must be made. Each new claim must usually be made within four weeks of entry to prison, with the responsibility on the prisoner to obtain, complete and submit this form, which sometimes requires the enclosure of original documents which a prisoner may well not have access to. Each local authority Housing Benefit office uses a different set of forms. A busy local prison needs, therefore, to keep forms from scores of different local authorities in order to be able to assist prisoners.

Poor communication

- 13.8** But not being able to afford to keep accommodation is only half the problem. Many prisoners end up in a far worse position, because they are unable to give the four weeks’ notice required by many landlords and their landlord does not know where they are.
- 13.9** There are two ways a landlord can find out a tenant has gone to prison, but neither works well:
- the first is that the local authority Housing Benefit staff should be informed by Jobcentre Plus staff that a prisoner’s benefit claim, such as Jobseeker’s Allowance or Income Support, has lapsed. This information may then be passed to the local authority housing department. But this arrangement frequently breaks down, either the Housing Benefit department is not told about the lapsed claim, or the information is not passed on. The situation is complicated where housing associations and private landlords are concerned; or
 - the prisoner can contact the housing provider directly to terminate their tenancy. But many prisoners lack the skills to do this, in the circumstances of the first days in prison this may not be the first thing on a prisoner’s mind, and in most prisons it is no one’s job to make sure this is done.
- 13.10** Both these routes commonly fail. This means:
- prisoners are able to run up considerable rent arrears, although they are not living in their home;

- these arrears can lead to their eviction and subsequent exclusion from local housing waiting lists, including housing providers other than the one that evicted them; and
- in the worst case the housing provider loses patience with the apparent disappearance of the tenant, takes possession of the property and destroys the prisoner's belongings. That is one reason why some prisoners do not even have documents to prove their identity when they come out, which in turn makes it harder to claim benefits and access housing.

What happens to owner occupiers

A 2000 survey suggested that just **over a fifth** of prisoners owned their own home.²²⁹ Convicted prisoners lose any existing entitlement to state assistance with their mortgage and are unable to make a new claim during their sentence. On release, those who are eligible and have served over 12 weeks in prison must also serve at least an 8-week qualifying period before receiving assistance even if they also served it before they went into prison.

Good practice in preventing loss of housing

- 13.11** These problems make a strong case for action to be taken as soon as possible by prison or other staff to make sure prisoners' housing is retained or closed down in an orderly fashion. The SEU saw a number of examples of good practice in providing advice at the reception stage.

HMP Norwich – Anglia Care Trust

Established in 1998 the Anglia Care Trust's Links Project helped prisoners in HMP Norwich with housing problems. The project aimed to reduce homelessness and re-offending by ex-prisoners. The project:

- assisted those entering prison to retain or terminate their tenancies;
- helped prisoners manage debts and finance during and after their sentence; and
- negotiated with housing providers to re-establish an ex-prisoner in stable accommodation on release. This could have been either hostel accommodation for those needing support on release, or permanent housing where this was appropriate.

The project received around 80 referrals per month and enabled more than 50 per cent of prisoners to retain their tenancy with no added debt. Only 5 per cent of those referred left prison with nowhere to go. Lottery funding for the project ran out in May 2002 and the Trust have had to suspend their work in the prison.

- 13.12** But schemes like this are fragile in funding and not the norm. It is not a routine requirement on prisons or probation to ensure action to secure or close down prisoners' housing when they enter custody. The current requirement is only that prisoners must be offered help in preserving accommodation – this help might be limited to providing leaflets or telephone numbers.

Securing housing on release

13.13 Preventing the loss of housing is obviously part of the answer to prisoner homelessness. But many prisoners will still need to find housing afresh when they come out. Most of these will be looking for rented accommodation. There are problems with all the main options, as shown below.

Social housing

13.14 For many ex-prisoners, social housing – provided by a local authority or a housing association – is the most obvious option (**56 per cent** of ex-prisoners surveyed in 2000 were living in this type of property²³⁰). However, even here barriers exist:

- availability of social housing varies hugely from region to region, and is extremely difficult to secure in many parts of the country, especially in London and the South East;
- local authorities vary greatly in their willingness to identify prisoners as homeless before release, although they are required to consider all those who, while currently in accommodation, will be at risk of homelessness within 28 days. The box below provides further detail on forthcoming changes to the way in which homeless people are prioritised;
- some prisoners find it hard to establish a ‘local connection’ which housing providers may require in allocating accommodation. Others find that they are seen as being intentionally homeless; and
- finally, some local housing providers have taken up the power provided in the Housing Act 1996 to exclude automatically from their housing stock certain groups, including those convicted of a criminal offence. The Government has recognised that allowing people to be excluded from housing on the basis of criminal conviction, rather than on actual behaviour, may be counter-productive. The Homelessness Act (see box below) seeks to end blanket bans on certain groups in accessing social housing.

Housing Act 1996: extending the homelessness priority needs categories

As part of the strategy to prevent and tackle homelessness, the Government intends to extend the groups of vulnerable homeless people who have a priority need for accommodation. This will shortly be achieved by an Order under existing powers in the Housing Act.

The Department for Transport, Local Government and the Regions (DTLR) issued a formal consultation document regarding the extension of the priority needs categories in 2001. Broadly, ex-offenders fall within one of the new categories. Accompanying statutory and non-statutory guidance to the Order will emphasise the importance of authorities assessing whether ex-offenders are vulnerable as a result of a period in custody. This is likely to apply to a range of people who are ex-prisoners, who may have lost the skills and social networks to live independently immediately upon release. The Order will not be restricted to those who have served long sentences.

Homelessness Act 2002

Provisions in the Act will mean **an end to blanket bans on certain groups** in accessing social housing. Local authorities must instead take individual decisions on individual people.

The Homelessness Act contains duties on local authorities to undertake a **review of homelessness** in their area and formulate and publish a **homelessness strategy** based on local consultation of that review's findings. A strategy should provide a coherent plan to prevent and tackle all forms of homelessness (both statutory and non-statutory) and secure sufficient accommodation for homeless people. Strategies will need to cover all homeless groups including ex-offenders.

DTLR issued guidance to local authorities in England in 2002 regarding developing and maintaining effective homelessness strategies.

13.15 A number of local authorities already make significant efforts to safely house ex-prisoners.

Manchester Housing

Manchester Housing's Tenancy Compliance and Support scheme assists with the rehabilitation of serious offenders. The scheme was initially developed in partnership with the Probation Service and a member of the Probation Service's staff is seconded to Manchester Housing as a Tenancy Compliance Officer.

Applications for accommodation from ex-offenders are considered by Manchester Housing's Serious Offender's Panel. A protocol has been developed with the Probation Service to share information on an offender, carry out risk assessments, and help to develop a risk management plan for those ex-offenders who are re-housed in the area. This work is carried on alongside the Multi Agency Public Protection Panels.

The Tenancy Compliance and Support scheme provides intensive management to high-risk ex-offenders who are not suitable to live in mainstream tenancies. This includes home visits to ensure they are complying with their tenancy conditions, as well as identification of any signs that suggest any risk of re-offending has increased. The service continues to provide support for as long as the risk of re-offending is deemed to be at a level that they are able to manage without the intervention of other agencies.

Tenancy Compliance Officers work closely with Probation and Police Officers. Together they ensure that the offender is linked in with appropriate support agencies such as drug and alcohol services.

Private rented sector

13.16 Some factors exacerbate the difficulties faced by ex-prisoners in accessing private sector housing as well:

- some landlords refuse to accept Housing Benefit claimants as tenants at all and long delays in the time some local authorities take to process benefit claims make this more likely;
- many private landlords require a deposit and a month's rent in advance, which is beyond the means of many ex-prisoners, unless they are able to get support provided by small schemes run by some local authorities or funds provided by the Probation Service; and

- the Single Room Rent regulations, which limit the rate of Housing Benefit payable to those under 25, discourage some private sector landlords from letting accommodation to this group. It may also discourage many under-25s from applying for such accommodation.

Voluntary sector projects

- 13.17** A number of small, local voluntary organisations, often subject to fragile funding arrangements, are providing supportive environments for prisoners on release. Many of these are based around faith organisations willing to engage with some of those at the ‘hard end’ of social exclusion.

Those On the Margins of A Society (THOMAS)

THOMAS is a Catholic faith community-based project working in partnership with other agencies to re-integrate socially excluded people. It runs a drop-in centre in Blackburn and operates a mentoring scheme for ex-offenders. This scheme provides support for ex-prisoners on release and continued mentoring which begins several months prior to discharge. The project has a worker based within the local prisons.

THOMAS also runs the ‘Reconcile’ project, a 12-week drug rehabilitation programme for ex-users. Participants stay in one of two houses rented from the local council, with a live-in support worker in each house. They are required to keep strict hours and are routinely drug-tested. Anyone who receives a positive reading is expelled. The programme consists of counselling, education and information technology training.

Hostels

- 13.18** Ex-prisoners without stable accommodation to go to may be able to access temporary accommodation on release but the options are not many, and fewer than **one in thirty** prisoners currently move to this accommodation:

- probation hostels, known as ‘approved premises’, do exist but their main purpose is to provide an appropriate facility for risk management of those requiring intensive supervision and support, such as certain categories of serious offenders or those who have served particularly lengthy sentences. The majority of ex-prisoners do not fit such criteria. The National Probation Service currently spends £52 million providing over 4,000 residential places for those within the criminal justice system. The Probation Service is developing a hostel pathfinder project, designed to evaluate effective practice in approved premises and the contribution that hostels can make to reinforcing the effects of offending behaviour programmes;
- prisoners can also sometimes gain access to more general hostel accommodation but they are in competition with other vulnerable groups for these. The number of such general hostel places is limited and the difficulty of finding suitable, subsequent ‘move-on’ accommodation can lead to local ‘bed-blocking’. The Probation Service is undertaking work to develop housing needs assessment tools to better ensure that the accommodation requirements of ex-prisoners are more effectively assessed;
- however, the opinion of hostel accommodation among prisoners seems quite low, often being seen as places of last resort. Ex-prisoners who may have taken steps away from drug use within prison in particular view them as places where progress can quickly be reversed. The Government has recognised this and prison and probation officials are in the process of piloting a small number of hostels, aimed at those who have committed drug-related offences and who are keen to maintain drug treatment begun in prison; and

- an issue that was raised a number of times during the consultation was the virtual absence of temporary accommodation suitable for ex-prisoners who wish to move into employment on release.

First Fruit – jobs-led hostel

The Homelessness Directorate, formerly known as the Rough Sleepers Unit, has funded a hostel managed by First Fruit in Newham. The hostel encourages homeless people into employment by charging them a lower level of rent and providing support and training to help residents into work. Young ex-prisoners have been helped by the scheme which provides support with areas such as personal discipline, anger, personal hygiene, money and time management.

- 13.19** The housing options for those with complex needs are often especially limited. A recent study found that a person with a mental illness, criminal record and substance addiction was ineligible for **99 per cent** of the social housing and **95 per cent** of the hostels in one London borough.²³¹

Supported accommodation

- 13.20** Many of those the SEU consulted during the project stressed the vital role played by supported accommodation. In addition to housing, such schemes provide support across a very wide range of issues, including drug treatment, employment and skills training, and mental health support. The intensity of the scheme, from one-to-one support to drop-in facilities varies according to need. Such schemes are valued for their ability to form a bridge between prison and fully independent living.

- 13.21** The Supporting People programme, which will come into operation from 2003, is designed to provide a single revised framework for the delivery of such supported accommodation.

Supporting People

The Supporting People programme will provide housing-related support services to a wide range of vulnerable people via partnerships with local government, service users and support agencies such as the National Probation Service. The target group includes those who are vulnerable due to leaving an institution, such as prison. Supporting People will provide preventive and low intensity support to aid independent living.

In the programme, funding will be transferred from Housing Benefit and other sources to one local pot, with decisions about allocations made by local representatives. The Government will put in place mechanisms to ensure that partnerships provide a balance of services to various groups.

Supporting People will come on stream in 2003 and interim arrangements are already in place, aimed at securing provision for continuing or new funding. The Office of the Deputy Prime Minister (which includes the housing and local government responsibilities of the former DTLR) has commissioned the production of an information guide on options for delivering accommodation to offenders and those at risk of re-offending.

13.22 Many consultees said that Supporting People offered a valuable opportunity to improve the support that ex-prisoners receive on release. Yet a number also raised specific concerns. There was anxiety at the prospect of the level of support being decided locally, with concern about the way that support for ex-prisoners might be judged against other vulnerable groups. There was also concern about the ability of the programme to support those who move across local authority boundaries – particularly on leaving prison.

Good practice in support to find housing

13.23 Against this background it is not surprising that many prisoners struggle to find appropriate housing on release. If they are to succeed it is essential that they have access to accurate and timely advice throughout their sentence. Yet less than **a third** of all prisoners had someone to discuss their housing needs with in prison and less than **one in five** actually received help in finding accommodation.²³²

13.24 Housing advice in prison is currently provided by a range of initiatives, run variously by the voluntary sector, prison officers, prison-based probation officers and in some prisons by prisoners themselves. Some of these have proved successful: for example, the prisoner-run housing advice centre at HMP Buckley Hall had success rates of 53 per cent of clients rehoused direct from prison and another 27 per cent within 4–6 weeks, as well as successfully influencing a number of relevant local authorities' policies towards ex-prisoners.

HMP Drake Hall – Housing Advice Centre

Modelled on the Housing Advice Centre (HAC) in HMP Buckley Hall, the HAC in HMP Drake Hall was set up by a prison officer and a serving prisoner in 1999. Its aim is to provide advice and assistance in order to ensure that every prisoner released from Drake Hall has accommodation to go to on release.

The HAC is run by one serving prisoner who has complete autonomy regarding all HAC matters, access to a telephone and use of a computer. She is supported by prison and probation staff. Prisoners are advised of the HAC during induction week and are given the option to seek assistance at this early stage in order to start work as soon as possible. The HAC has close links with various housing providers all over England and Wales.

Around 40 per cent of Drake Hall's population is on the client list at any one time. Permanent accommodation on release is secured for more than half of those helped by the HAC. A number of others are found temporary accommodation. Other prisoners have received assistance with Housing Benefit, rent arrears, property transfers and existing tenancies.

13.25 The Homelessness Directorate has set up a number of housing advice centres within prisons.

Homelessness Directorate – housing advice schemes

The Homelessness Directorate is funding housing advice schemes in five prisons and two Young Offenders Institutions. The schemes are aimed at implementing the findings of the research commissioned by the Rough Sleepers Unit – ‘Blocking the Fast Track from Prison to Rough Sleeping’.²³³

The schemes are being run by voluntary agencies in partnership with the Prison Service and are working with short-sentenced offenders and those on remand who may be vulnerable to homelessness on release. Each helps to preserve tenancies, reduce arrears, and provide advice and housing solutions, with an aim to develop housing advice models in a range of prisons working with young people, female offenders and those vulnerable due to substance misuse or mental health problems. One scheme links clients with mentoring schemes after release.

By December 2001, the schemes had worked with over 1,500 prisoners and produced around 2,500 positive outcomes including saving tenancies, reducing arrears, referring to hostel accommodation, and negotiating with landlords, Housing Benefit departments and Homeless Persons Units.

In April 2002 the Prison Service agreed to jointly fund each scheme and to feed in their work to Area Directors, who will commission housing advice and resettlement work from April 2003 onwards.

13.26 But the challenges facing housing advisers in prison are considerable:

- because of the wide geographical area each prison covers, and the fact that each housing provider has different application forms and procedures, prison advice is highly specialised and complex work;
- unless it is possible for prisoners to be granted Release on Temporary Licence for housing purposes, and to afford travel costs, it may be hard to finalise arrangements before release, as prisoners have no opportunity to see accommodation or be interviewed by housing management staff in advance of release; and
- the most common failing is not starting early enough: housing is too often seen as an issue that can wait until the last weeks of a prisoner’s sentence, by which time arrears may have accumulated or there may be too little time to sort things out.

13.27 But the two biggest challenges in this area are lack of priority for tackling the issue and lack of clarity about who is in charge of doing it. The good schemes that the SEU found in prisons have largely been the result of individual initiative and do not reflect a clear or reliable national system. No one would deny that the quality of housing advice is currently highly variable.

13.28 There are some steps in hand to clarify what prisons ought to do and to support them in their task. The Prison Service and NACRO have produced detailed advice on the creation and operation of housing advice within prisons. But what happens in prisons is only part of the problem: the lack of probation aftercare for the majority of prisoners after prison means most have even less support and advocacy once they have left custody.

13.29 The housing issues affecting particular groups are highlighted below:

Housing – issues for particular groups

Women prisoners

- Greater proportion of single women means that there are fewer partners to maintain housing in their absence;
- Fewer prisons means that women are more likely to be held far from home – making it harder to maintain good links with housing providers;
- Half of all women prisoners have dependent children. Yet on release, many are unable to regain their children from care without suitable accommodation, and can't get access to housing without being the main carer of their children.

Remand prisoners

- This is a difficult group to plan for and work with, given the difficulty of predicting how long they will be in prison for and how they will be released.

Black and minority ethnic prisoners

- Research suggests that black prisoners are likely to be given longer sentences than either white or Asian prisoners which can impact negatively on their ability to maintain existing housing.

Young adult prisoners

- The Single Room Rate Allowance for those under age 25 places a lower limit on Housing Benefit payments, which may restrict availability and access.

CHAPTER 14

BENEFITS AND DEBT

Not having enough money is likely to increase the danger of a prisoner re-offending within the first few weeks after release. Yet ex-prisoners often have to wait for a number of weeks after they have been released before receiving benefit. For a third of prisoners, existing debts worsen while in prison.

Benefit claims and other financial liabilities are often not successfully closed down on entry to prison. Lack of formal identification documents, and poor literacy, can make it difficult for some prisoners to establish legitimate financial support, such as benefits, on release. Good quality, practical advice is rare.

The prison discharge grant which is intended to meet a prisoner's immediate needs on release has not been increased in over five years and is usually less than one week's Jobseeker's Allowance.

"I'm getting out tomorrow – prison will give me £37 and that's got to last me until I get some money from the benefit office – that'll be a fortnight at least."

Young adult prisoner

"I've been here for over four months, but there's no one to talk to about all the money I owe. I know it'll be a big problem when I get out – how I get something to live on."

Adult prisoner

The problem

14.1 Financial stability in the period immediately following release is essential if an ex-prisoner is to effectively resettle back into the community and avoid reverting to crime. However, many prisoners enter custody with a history of debt and financial problems which, left unaddressed, often get worse during their time in prison and the system leaves many almost penniless in the weeks immediately after release.

Key facts

Financial situation before prison

72 per cent of prisoners were in receipt of benefits before coming into prison.²³⁴

Almost a quarter said that they had needed help with benefit and debt problems.

48 per cent of those questioned had a history of debt.²³⁵

Financial situation after release

81 per cent claimed benefits on release.²³⁶

For **a third** of prisoners, existing debt problems had worsened in prison.²³⁷

Why do financial problems get worse during custody?

Closing down benefit claims

- 14.2** With only one exception, prisoners are not entitled to claim benefits while in prison.²³⁸ While some prisons do notify Jobcentre Plus staff that a prisoner has entered prison and that their benefit should be stopped, in many cases this either does not happen or happens too late. This is a significant problem for Housing Benefit, covered in more detail in **Chapter 13**.
- 14.3** The final responsibility for telling Jobcentre Plus or the local Housing Benefit department that they are in prison remains with the prisoner themselves. In practice, prisoners do not routinely close down their claims. This can be difficult to do from inside the prison walls and they may not even be aware that they are not entitled to benefit during their stay in prison. This can cause delays in the process of transferring benefit claims to the partners of prisoners, or can lead to overpayments of benefit which in turn adds to the prisoner's financial difficulties.²³⁹ A small scale study at HMP Durham found **one in four** prisoners about to be released were still receiving their benefits while in custody, with a significant sum being overpaid as a result.
- 14.4** Conversely, some prisoners may be owed benefit for the period prior to imprisonment. The rules surrounding payment of arrears can be confusing and many prisoners experience difficulties ensuring that any arrears are paid on release.
- 14.5** To prevent over or underpayments occurring the prisoner's benefit and debt situations need to be assessed as soon as possible. The availability of standard letters and benefits advice to transfer or close down claims can help reduce overpayments and arrears, saving money for Jobcentre Plus and reducing debts and difficulties for the prisoner on release.
- 14.6** The extent to which such support and even general advice are provided, varies from prison to prison. And no one is in charge of ensuring that risks are minimised at induction or as soon as possible afterwards.

Establishing benefit claims on release

- 14.7** Ensuring that benefit claims are in place and that prisoners have enough money for the first few weeks after release is often equally problematic.
- 14.8** Prisoners can submit a claim for certain benefits up to three months before release, although they do not receive benefit until they are released.²⁴⁰ During the consultation, the Social Exclusion Unit (SEU) found that few of those providing advice in prison seemed aware of this and all advice seemed based on how to claim on release. Others reported that benefits staff do not encourage prisoners to follow this course of action, as they consider that their circumstances may go on to change prior to release.

- 14.9** There are also a number of practical barriers to claiming while in custody. The Jobcentre Plus office in the prisoner's 'home' area would need to be contacted, the prisoner would need to know his or her future address in order to claim Housing Benefit and any queries about the claim would need to be relayed to the prisoner and responded to.²⁴¹
- 14.10** Identification for making a benefits claim is a significant problem for many prisoners. Many enter prison with little by way of formal identification and some lose their existing ID while in prison when possessions left with friends or relatives are lost. Re-establishing claims on release can be severely delayed without formal identification. Form B79, issued by the prison when a prisoner is discharged, can be used, together with other information, to confirm an ex-prisoner's identity.
- 14.11** In practice, prisoners often rely on individual letters from the Governors, or the form B79, as confirmation of ID. The Department for Work and Pensions (DWP) are currently reviewing the use of this form, and in the interim additional guidance has been provided to local Jobcentre Plus and prison staff to ensure that vulnerable ex-prisoners are more likely to be able to verify their identity. Ex-prisoners can experience prolonged delays while waiting for claims to be processed, in some case up to two months.
- 14.12** Delays are experienced not just in claiming Jobseeker's Allowance, Income Support and Housing Benefit, but also in re-claiming Child Benefit. Cases can be complicated where the benefit has been claimed by another person during the period of imprisonment. Until Child Benefit has been re-awarded, dependant's allowances on other benefits such as Income Support and Jobseeker's Allowance cannot be paid.
- 14.13** Even when the system is working perfectly, the first payment of Income Support or Jobseeker's Allowance will not generally be made until 14 days after the claim, leaving a significant gap to bridge without help from other sources.

Discharge grant

- 14.14** Many prisoners receive a prison discharge grant to meet their immediate needs and to enable better resettlement on release. The grant is not payable to all prisoners, for example remand prisoners, civil prisoners and those released from hospital, are not entitled.
- 14.15** The grant has not been increased in over five years and is less than one week's Jobseeker's Allowance. **Table 4** below gives more detail.

Table 4: Rates of discharge grant and Jobseeker's Allowance

Age of prisoner	Prison discharge grant (£)	JSA (£)
Over 25	46.75	53.95
Under 25	37.00	42.70
No fixed abode grant	94.40	–

- 14.16** Given the likely demands on their finances in the period immediately following release, it is not surprising that research suggests that the vast majority of prisoners spend their discharge grant in a week or less, in the main on basic items such as food, clothing, travel and telephone calls.
- 14.17** The higher level of the grant is available to prisoners claiming that they will be of 'no fixed abode' on release (and is widely known as 'the NFA Grant'). It is recognised that this system is open to abuse. Most prison and prison-based probation staff have only limited opportunity to check on the truth of an NFA claim, a fact which is clearly widely known among prisoners.²⁴²

- 14.18** It is increasingly rare for prisoners to receive the higher level grant and a number of prisons pay only the lower level of grant. Others pay the higher level only if temporary accommodation has been arranged prior to release. A cheque is then made payable to the accommodation provider. This ensures that the NFA grant is put to use to secure accommodation, but is also likely to discriminate against short-term prisoners who have no access to the Probation Service or voluntary agencies to get help with accommodation prior to release.
- 14.19** The discharge grant is not ring-fenced within the main prison budget. Many prison Governors have come to see the discharge grant as a drain on resources which might be better spent on other activities.

The Social Fund

- 14.20** If a prisoner needs money towards items such as clothing and cooking equipment or for immediate short-term expenses, they can apply to the Social Fund.

Social Fund

Community Care Grants are available to cover such items as clothing and cooking equipment. In order to be able to claim, prisoners need to be aware of the grants and have sufficient information to allow Jobcentre Plus staff to decide on the extent and urgency of the need – for example where the applicant will live on discharge and with what facilities.

Crisis Loans are small interest-free loans that aim to help people who cannot meet their immediate short-term expenses in an emergency situation and are often used to tide people over while their benefit claims are assessed.²⁴³ As with Community Care Grants, Crisis Loans are awarded on a discretionary basis and there is concern from welfare advice agencies about the high proportion of ex-prisoners refused loans.

- 14.21** However there can be problems in prisoners receiving money through this route. Jobcentre Plus districts are allocated Social Fund resources annually. Amounts differ from district to district which inevitably impacts upon the number of awards made and the amounts paid. This means that prisoners from different areas held at the same prison can receive a differing response to applications for similar items.

Reviews and Appeals

- 14.22** During the consultation exercise, the SEU heard many complaints about the administration of claims for Community Care Grants. Both prisoners and Probation Service staff found that initial claims were often turned down.²⁴⁴ This was particularly the case if the application was for clothing, where some said that there appeared to be a presumption that all prisons held ‘clothing boards’ where a prisoner’s clothing needs are dealt with in readiness for release, when this is rarely the case. The DWP has issued guidance to confirm with decision-makers that these boards are not routinely held. Having had applications turned down, claimants can ask for a review of the decision. However, many ex-prisoners remain unaware of the rules and regulations of the benefits system and are often only likely to know about the review and appeal process if they are in receipt of adequate advice. Most reviews and appeals have to be in writing. Prisoners, many of whom have low literacy levels, are therefore unlikely to seek a review if they do not have someone to advocate on their behalf.

Good practice in tackling benefit and debt problems

- 14.23** Benefit and financial advice is available in some prisons to help prisoners reduce their financial liabilities. This advice is typically provided by voluntary agencies, or prison-based probation officers. In a small number of cases, such as the weekly advice surgeries undertaken in HMP Manchester or HMP Durham, or the Prisoner Passport scheme below, such services involve local Jobcentre Plus staff.
- 14.24** The Homelessness Directorate, formerly known as the Rough Sleepers Unit, which has clearly identified financial support as an important element in preventing prisoners becoming rough sleepers on release, is currently working with Jobcentre Plus to pilot enhanced benefits advice in ten local prisons. Furthermore the DWP leaflet on benefits, *Prisoners and their families*, which explains the position on benefits for those entering or being released from custody, has recently been revised and reissued.

Citizens Advice Bureau, HMP Wormwood Scrubs

HMP Wormwood Scrubs has the only full time Citizens Advice Bureau (CAB) operating in a prison in the country. It aims to ensure that prisoners have access to the same confidential quality of service as any other citizen in the community. The prison provides 50 per cent of the project's costs.

Inmates at Wormwood Scrubs are introduced to the CAB during induction and around 60 prisoners, including those on remand and serving short sentences, are seen each week. The majority of advice covers housing problems, legal matters, and benefits. Other areas include relationship issues, tax, employment, utilities, education, health, immigration and nationality.

Since 1994 the project has had contact with over 22,500 prisoners. The project plays an important role in helping prisoners in preserving or obtaining accommodation, easing financial pressures and maintaining links with the community – factors that are recognised as contributing to reduced re-offending.

- 14.25** To help prisoners improve their financial management skills some prisons provide training and advice or are able to set up debt repayment plans with prisoners. Typically a prisoner can expect to repay £2–£3 per week as part of the plan, around a quarter of the average prison wage. In West Yorkshire, the Probation Service has been able to agree with Yorkshire Water to cancel water charges for prisoners whose absence is covered by Housing Benefit and who intend to return to West Yorkshire. However, these kinds of agreement and assistance are not consistently provided in all prisons.

Prisoner Passport

The Prisoner Passport scheme operates in HMP Holme House, a local prison. It was established in 1997 by a local partnership, involving the then Benefits Agency and Employment Service, with the aim of reducing the difficulties facing ex-prisoners and providing access to benefits on release.

The scheme involves Jobcentre Plus staff providing one-to-one advice and support to inmates prior to release. Advisers help complete benefit applications and book appointments in preparation for release. Staff work closely with probation officers who arrange and vet all the appointments between Jobcentre Plus staff and prisoners. Prisoners leave prison with a 'passport' – a document that signposts their pre-arranged appointments and details their responsibilities.

There is a high level of support for the project by both prisoners and Jobcentre Plus staff. The scheme has been successful in reducing delays in financial support on release, as well as reducing the problems caused in local offices by incomplete or ineligible applications. The project has increased the number of those seeking legitimate financial support.

- 14.26** Good practice such as this is not available across the country and there is still considerable confusion among benefits staff and others about prisoners' entitlements leading to inconsistency in the way claims are treated. Issues for particular groups are highlighted below:

Benefits and debt – issues for particular groups

Women prisoners

- There is a lack of adequate benefits and debt advice in women's prisons;
- Women have particular difficulty re-establishing Child Benefit claims on release and this can impact negatively on the award of dependants' allowances on other benefits such as Income Support or Jobseeker's Allowance.

Remand prisoners

- Prisoners on remand who are released from prison or court are ineligible for a discharge grant – and therefore particularly likely to suffer financial hardship on release and whilst waiting to access benefits.

Young adult prisoners

- Benefit levels are lower than for older adults. Discharge grant is lower than for older adults.

CHAPTER 15

FAMILIES

Maintaining family relationships can help to prevent prisoners re-offending and can assist them to successfully settle into the community. However, support and advice for families is limited, visiting facilities are often inadequate, and families are rarely involved in the process of tackling offending behaviour. Also, there is scarcely any post-release support, which is the time when relationships are at most risk of breaking down.

Prisoners' families, including children, often experience increased financial, emotional and health problems when a family member is imprisoned. Very little help is available to deal with these problems. It is estimated that 125,000 children have a parent in prison, adding to the inter-generational effects of custody.

"My girlfriend is the best thing I've got going for me – if I lose her I'll have nothing left ... it's as simple as that. I'm doing all this stuff ... [training] ... for her ... she wants a normal life."

Young adult prisoner

"I think about them ... [my children] ... all the time. But I don't want them to come to here and see me like this."

Adult prisoner

"I've not seen my mum since I've been here ... it's too far for her to come. Anyway, I think that she'd rather not see me – she says that this is my last chance."

Young adult prisoner

The problem

- 15.1** Research shows that the existence and maintenance of good family relationships helps to reduce re-offending, and the support of families and friends on release can help offenders successfully settle back into the community.^{245,246} Yet at every stage of a prisoner's movement through the criminal justice system, families are largely left out of the decision-making process and rarely get the opportunity to support prisoners effectively.
- 15.2** Although families are not always a positive influence on offenders, in the vast majority of cases they will have been entirely uninvolved in the prisoner's criminal behaviour and in some cases they may have been the victims. Despite this, families often say they are assumed to be 'guilty by association'.²⁴⁷

Key facts

55 per cent of male prisoners describe themselves as living with a partner before imprisonment.²⁴⁸

35 per cent of women prisoners describe themselves as living with a husband or partner before imprisonment, and **66 per cent** say they have dependent children under 18 (**40 per cent** under 10).²⁴⁹

Around **125,000** children are affected by the imprisonment of a parent each year.²⁵⁰

25 per cent of young offenders are fathers, while **39 per cent** of female young offenders are mothers.²⁵¹

43 per cent of sentenced prisoners and **48 per cent** of remand prisoners say they have lost contact with their families since entering prison.²⁵²

22 per cent of the prisoners who were married on entering prison are now divorced or separated.²⁵³

In 2001 prisoners were held an average of **53 miles** away from home.²⁵⁴

Maintaining links with families on entering, and during, custody

Process at court

- 15.3** From the very start, families are often well-placed to offer positive suggestions for addressing the problems that offenders face, such as on drugs and mental health. However, apart from the families of young offenders, families are rarely given the opportunity to contribute to the Pre-Sentence Report.
- 15.4** Typically, families have no opportunity to discuss with the prisoner how they are going to address childcare, housing and income issues before they are taken to prison.
- 15.5** The joint Prison Service, Prison Reform Trust and Federation of Prisoners' Families Support Groups leaflet, *Guide for Visitors to Prisons*, should be distributed at court. However, families do not always receive it, and much of the information it contains, although useful, is very general and basic. Variation in practice means that prison-specific information is also required.

Responsibility for maintaining family ties

- 15.6** No one has day-to-day responsibility within prisons for ensuring that links between prisoners and families are maintained. Consequently, families are not involved in the process of rehabilitation, there is no one person the family can contact for information, and there is generally no one they can pass on concerns to about the prisoner's welfare or mental health.
- 15.7** Lack of information for prisoners' families is a recurrent complaint. Visits are seen as a particular problem. Some families only find out that a prisoner's visit entitlement has changed, or even that they have been transferred to another prison, on arrival for a visit.

Sentence planning

15.8 Prisoners' families are rarely involved in the process of sentence planning **Chapter 6**. Yet over a third of prisoners say they would welcome their family's involvement.²⁵⁵ Others have argued that, where appropriate, families' involvement in this process would help to make prisoners more honest in their assessment of the progress they were making in tackling their offending behaviour.

Visiting

15.9 Prisoners can keep in touch with their families through letters and telephone calls. However, as noted in **Chapter 7**, many prisoners have low basic skills levels, making written correspondence difficult. Access to telephones is limited and usually dependent on earning enough to purchase phonecards, which are expensive relative to prisoners' earnings. Visits are therefore a very important means of prisoners and their families maintaining contact.

15.10 Since the Woolf Report,²⁵⁶ convicted prisoners have been entitled to one visit per fortnight, although prisoners on 'enhanced status' will be entitled to more. Unconvicted prisoners are entitled to at least three visits per week. Prisoners are usually allowed up to three people per visit.

15.11 Although no central record is kept, evidence points to a decline in the overall number of prison visits during a time when the prison population has been increasing. For instance, claims for financial assistance with prison visits have dropped by **over 10 per cent** between 1999 and 2000.²⁵⁷

15.12 Research has also found that only **about two-thirds** of prisoners in local prisons and **just over half** of those in training prisons received the minimum statutory entitlement of two visits per month.²⁵⁸ One of the main reasons behind this may be the long distances that many prisoners are kept from home.²⁵⁹ This can be particularly difficult for those families relying on public transport as prisons are often located in remote areas not served by transport routes.²⁶⁰ Although there is an absence of up-to-date figures, research has shown that almost **a quarter** of prisoners' families faced a round trip of at least five hours.²⁶¹ The SEU was told of two London-based mothers, who were wheelchair users, whose sons were in Portland, Dorset. For those who do not receive financial assistance the cost of visiting can be prohibitive.

15.13 Other possible reasons for the seeming reduction in the overall number of visits could be the arrangements in place for visits. There is no Prison Service standard for the conditions and facilities in which visits are conducted and conditions vary widely, with the result that they can be far from 'user-friendly':

- some visiting halls are unpleasant and frightening, particularly for children;
- time slots for visits are usually pre-scheduled and inflexible. They are nearly always during the daytime, which requires adults to take time off work and children to miss a day of school;
- the necessity of booking ahead can mean that prisoners are unable to receive visits in the first weeks of their sentence, which is when they are most at risk of depression and suicide;
- many families have difficulty getting through to the prison to book a visit. In one case, the SEU was told of a women's prison where a reduction in the staff available to take bookings resulted in a reduction in successful requests. In response, the prison cut visiting hours;
- procedures for booking and visiting vary widely from prison to prison and information can be hard to come by;

- visiting can take a whole day, and partners with children either have to find childcare or bring their children with them. Although crèche and other visitor facilities have improved in some prisons, not least through effective partnerships with the voluntary sector, there are still lots of prisons where families have to wait in the rain outside the gate;
- the attitude of staff conducting visits at prisons has often been criticised as being unsympathetic and characterised mainly by suspicion. Prison officers, even those working in visitor halls, receive no training in dealing sensitively with the needs and concerns of families; and
- although drug prevention measures are very important, some have criticised them as being unnecessarily intrusive. There has been much criticism of the manner in which drug searches are conducted, and surveillance of visits is often felt to remove them of all privacy.²⁶² Many prisons are trying to address this by a more intensive use of surveillance cameras, although CCTV alone is insufficient to prevent all drug smuggling.

Good practice

15.14 The Assisted Prison Visits Scheme plays an invaluable role in allowing some low-income relatives to visit prisoners.

Assisted Prison Visits (APV) scheme

Visiting prisoners can be extremely costly for families, especially if more than one family member is travelling or if the prisoner is far from home. The Assisted Prison Visits (APV) scheme was introduced in 1988 and provides financial help to close relatives and partners of prisoners who are in receipt of income-related benefits or have particular health difficulties. The scheme covers travel, food and childcare costs, and, in some circumstances, helps towards the cost of overnight accommodation. Those not eligible for APV receive no financial assistance.

Information and assistance on how to claim are available in some prison visit areas, some local Jobcentre Plus offices, and in the new '123' prisoner induction leaflet. However, families still often report a lack of information, with some not discovering the scheme's existence for several months, if at all. The level of bureaucracy attached to making a claim can be a hindrance with some prisoners' families finding it difficult to understand and navigate the claim process.

15.15 Some prisons are trying to make visiting more convenient, through increased flexibility, extended and all-day visits, and imaginative use of Release on Temporary Licence (ROTL). HMP Parc has a minimum target waiting time of half an hour for visits, but typically visitors are admitted within five minutes. The prison can arrange compassionate visits at two or three hours' notice and has extended visiting hours to 9pm.

15.16 Approximately 90 prisons now have visitor centres outside of the prison gate, where families can wait to be admitted, in an attempt to make visiting a more positive and valuable experience. However the quality of provision at these centres varies significantly. Centres are staffed either by prison officers, voluntary sector workers, or a combination of the two. At HMP Whitemoor Citizens Advice Bureau staff are on hand to offer advice on benefits and housing.

Ormiston Children and Families Trust, HMP Norwich

At HMP Norwich, Ormiston's visitor centre provides a first point of contact for partners and families wishing to visit inmates. Ormiston staff take on much of the administrative burden for the prison, booking in visitors, informing them of procedure and ensuring that ID is correct.

Category D prisoners are allowed to come out of the prison on ROTL to the visitor centre, and have extended contact with their children in the centre's playroom.

The centre offers advice and support to families, and, where appropriate, can act as a mechanism for relaying their concerns about an inmate's behaviour or state of mind back to the prison. The trust is also involved in running parenting programmes in the prison.

It is difficult to track the long-term outcomes of the Trust's work, because involvement with prisoners ends when they leave the prison. However, it is clear that the work undertaken at the centre helps to lessen some of the negative impacts of imprisonment upon prisoners' families.

- 15.17** Every prison in Scotland has a Family Contact Development Officer (FCDO) to provide a point of contact for prisoners' families. In HMP Shotts, this role has been developed to ensure that family issues are high on the prison's agenda. FCDOs provide information on benefits, the APV scheme and travel timetables, and will often help families to fill in claim forms. Families are given an information booklet that among other things includes details of how to get to the prison, visiting times and what to expect at visits. The booklet also gives a contact name and telephone number for an FCDO and details of other agencies/organisations that may be able to assist families.
- 15.18** Education can also support family links. Parenting and family relationships' courses are now part of the Prison Service education 'core curriculum'. Prisoners' Learning Skills Unit and the Prison Service run many innovative projects in partnership with voluntary organisations. The National Literacy Trust is piloting projects which encourage fathers and mothers in prison to keep in touch with their children by taping stories or making books, games and story boxes.

Family learning

A family learning programme at HMP Wolds provides a ten-week accredited course involving weekly attendance by inmates' partners and their pre-school children. Each two-hour session includes free play and a craft activity, as well as time for discussion about an aspect of child development and an opportunity for dads to read with their children.

Prison libraries also contribute. A library-based pilot delivered by Nottingham Library Service at HMP Nottingham works across the prison, involving prison officers alongside library staff. Run by the national library development agency LaunchPad, the Big Book Share is funded by Marks & Spencer and East Midland Arts and supported by several children's publishers. Fortnightly sessions allow inmates to select books and tape stories to be sent to their children, along with postcards so that they can write back.

Support for families outside

15.19 Prisoners' families have to cope with the practical, emotional and physical consequences of a family member being in custody. Yet it is no one's responsibility to respond to their needs, either inside or outside of prison, before or after release. The lack of support with, for example, financial and housing problems, can place strain on relationships and leave prisoners and their families in a worse position on release.²⁶³

Financial and practical support

15.20 In many cases, imprisonment of a family member leads to the loss of a main source of household income, even if this income is not always legitimate. At the same time average costs for the family can increase, for example with additional costs for services such as insurance. Families that were in receipt of child maintenance will lose this while the parent liable for such payments is in prison. In one survey, **60 per cent** of prisoners' families stated that imprisonment had left them 'less well off'.²⁶⁴

15.21 For many families the major source of income, at least in the short-term, is likely to be benefits. During the consultation, some prisoners' families said that they had experienced difficulties in accessing information and advice. This reflects a lack of expertise and accountability in Jobcentre Plus and Housing Benefit local offices in dealing with prisoners' families' needs, and a lack of someone with lead responsibility in this area.

15.22 The DWP produce a leaflet, *Prisoners and their families*, which was revised and reissued in July 2001. Although DWP plan to distribute this leaflet more widely, it is not currently available at most courts for example, and may not be easily understood by those with poor literacy skills.

15.23 The financial adjustments required by imprisonment can prove too much for some families. Many of those taking on childcare responsibilities are unaware that they can claim Child Benefit, and receive little, if any help, to make the necessary claim.²⁶⁵ As a result they do not receive the financial support they would in more formal circumstances, such as fostering. Families also face considerable difficulties in taking over tenancies and ensuring that Housing Benefit or mortgage interest payments continue.²⁶⁶

Health

15.24 Many prisoners' partners report that stress-related conditions such as anxiety, depression and eating disorders worsened due to their partner's imprisonment.²⁶⁷ Almost **three-quarters** of spouses, partners and mothers in one survey attributed health problems directly to the imprisonment of a family member.²⁶⁸

15.25 As with financial issues, families find it difficult to get the medical services that they need. Professionals are often felt to be unsympathetic towards their situation and families can find it difficult to get appointments. Some even report being struck off their GP's list.²⁶⁹

Family support and the impact on children

15.26 As there is no systematic approach to collating data in this area, there is little accurate information about the numbers of children who have a family member in prison.²⁷⁰ However, a recent study estimated that each year 125,000 children are separated from an imprisoned parent.²⁷¹

- 15.27** Although a strong inter-generational effect has been identified in offending behaviour,²⁷² there is very little support for children with a family member in prison. Nor are crime prevention initiatives targeted on this basis.²⁷³
- 15.28** No procedures exist for passing information about the circumstances of a prisoners' child to the relevant services. Schools therefore are often unaware that a child's parent is in prison. Teachers do not receive any specific training on how to address the needs of prisoners' children and children often feel that they were treated differently by their teachers once they learned of their family member's imprisonment.²⁷⁴
- 15.29** Because most prisons schedule visits during the day on weekdays, children either cannot visit a relation or have to miss a day at school to do so. This situation is made worse because many parents/carers (out of embarrassment) do not inform the school that the absence was for a prison visit. The day is then marked as an unauthorised absence.
- 15.30** Imprisonment of a parent or sibling can be extremely traumatic, resulting in physical or mental health problems.²⁷⁵ Such problems are often compounded by having to cope with the changes required to meet their new situation, such as moving home, living with other relatives, changing school or even being taken into care. Older children who have had a parent taken into prison may find that the responsibility of taking care of younger siblings falls to them. This can place enormous pressure on children.
- 15.31** It is not known how many children are taken into care as a result of a parent's imprisonment. However, one survey found that **11 per cent** of imprisoned mothers had one or more of their children taken into care, fostered or adopted.²⁷⁶ For children who are taken into care, there is an increased likelihood of them becoming offenders themselves. Over a quarter of those in prison have been in care at some point. It is also more difficult for these children to maintain family links, due to difficulties with visiting processes or because of a local authority's inability to provide social workers to accompany them on visits.²⁷⁷

Good practice on family support

- 15.32** The lack of statutory support for prisoners' families has led to the establishment of a number of voluntary family support groups. These groups offer a range of practical and emotional support to the families of prisoners. However, there are only 20 such groups throughout the country, many of which are small, and have to rely on insecure short-term funding and the involvement of one or two individuals who may wish to move on once an imprisoned family member is released.
- 15.33** Support groups and projects provide prisoners' families with the opportunity to discuss their situation in a confidential non-judgemental manner. For instance, in addition to producing an advisory booklet for prisoners' families, ADFAM National, an organisation that supports the families and friends of drug users, runs the Road to Release project at HMP Holloway and HMP Brixton. The project offers families regular private support and advice sessions. And as well as supporting the partners and parents of prisoners some projects significantly benefit the children of prisoners.

St. Philip's Primary School, Cambridge²⁷⁸

Work at St Philip's School formed part of a project – initiated by the Federation of Prisoners' Families Support Groups – aimed at raising awareness in schools about the issues facing children with a family member in prison.

Staff at St Philip's identified that a significant proportion of the children in their school (9 per cent in 1997, rising to 14 per cent in 2001) had a family member in prison, or who had been in prison. They developed a strategy to deal with this situation, which included:

- encouraging parents to discuss the situation with teachers – this enables teachers to identify and explain unfamiliar patterns of behaviour that a child may be displaying;
- enabling parents/carers of the children to speak to someone else, in a supportive environment, without fear of being judged;
- ensuring confidentiality and sensitivity;
- arranging referrals for parents to support groups and other relevant agencies; and
- ensuring that authorised absences are granted for children attending prison visits.

Maintaining and re-establishing family links on release

15.34 As already stated, there is very little support available to families when a prisoner is released. And yet returning to a stable home environment is crucial in preventing re-offending.²⁷⁹ Adjusting can be extremely difficult for all involved, as the family may have adapted to life without the prisoner. Prisoners can experience difficulty in re-assuming a parental role (or, in some cases, taking it on for the first time). The Federation of Prisoners' Families Support Groups report that most relationships that founder do so not during imprisonment but when the prisoner is released.

15.35 For parents whose children have been taken into care, regaining custody can be particularly difficult if they are released without stable accommodation.

Families – issues for particular groups

Women prisoners

- Women prisoners are more likely to be held further away from home making visits difficult, particularly for dependent children;
- Few mothers are able to stay with infant children in specialist mother and baby units;
- Few children remain at the family home once their mother has been sentenced and some mothers do not expect to live with their children on release.

Remand prisoners

- They are less likely to have personal support, as they are more likely to be single and to have spent time in local authority care;
- Compared with sentenced prisoners young men on remand are twice as likely to have received no letters or phone calls in the previous three months.

Black and minority ethnic prisoners

- Black prisoners are less likely to receive visits than white or other minority ethnic prisoners. This may be due to the dispersal of prisoners away from metropolitan areas, but is also due to the high proportion of foreign nationals in the black and minority ethnic prison population;
- Evidence has suggested that black offenders receive longer sentences than white or Asian offenders which can impact upon their ability to maintain family links.

Young adult prisoners

- Young adult prisoners are at a time in their lives when they may be beginning to move away from home and family. A prison sentence can act to sever these links completely.

CHAPTER 16

WHY DOESN'T THE SYSTEM WORK BETTER?

There has been a great deal of change recently to ensure that a prison sentence is not only a punishment and a way of incapacitating offenders during their time in prison, but that it changes offenders and their circumstances to reduce re-offending sustainably over the longer term.

But as previous chapters have shown, in many areas, successes have been limited, and often achieved against the odds. This chapter looks at the underlying reasons for this:

- **use of prison** – too many of the people being sent to prison should not be there;
- **capacity** – there needs to be a shift in investment towards the key services that can reduce re-offending before, during and after prison;
- **accountability** – there is unclear accountability for reducing re-offending;
- **joint working** – services outside the criminal justice system need to have the right balance of resources, policies and targets to support reducing re-offending after release; and
- **innovation** – there has often been little encouragement or support of innovative practice which can break down boundaries and harness the input of all those, such as employers and communities, who can reduce re-offending.

- 16.1** **Chapter 5** explained the role prison sentences can have in reducing crime. The right prison and probation regime can provide an opportunity to address, often for the very first time, the drivers that can trigger crime or help offenders control their response to these drivers.
- 16.2** Too often a prison sentence does not cure the causes of crime, but aggravates them. Instead of helping prisoners to connect with jobs and become included in society again, it can take away the employment, housing and family links, and leave prisoners virtually destitute, on the road back to prison even as they leave it.
- 16.3** **Chapters 6 to 15** illustrated these positive and negative effects in action. They demonstrated graphically how a prison sentence can, and frequently does, make things worse. But they also showed how innovation and common sense approaches are being used to limit the social exclusion risks of imprisonment and make prison a productive place.
- 16.4** There has been a great deal of change in the last few years to put more resources into rehabilitation as **Annex F** demonstrates. Nonetheless, the overall picture is one of a system where the successes are small, and often achieved against the odds. It is impossible to escape the conclusion that, overall, the way that offenders are managed through prison and out again is poorly designed to achieve the goal of reducing re-offending.
- 16.5** This chapter looks at the underlying reasons for this, and identifies five key issues that need to be tackled if reconviction rates amongst ex-prisoners are to be reduced. The five issues are:
- **use of prison** – too many of the people being sent to prison should not be there and would be better punished in the community, or diverted to specialist drug or mental health care;

- **capacity** – the availability of key rehabilitative services before, during and after prison needs to be widened further;
- **accountability** – there is unclear accountability for reducing re-offending between services. There needs to be clear lead responsibility and joint working arrangements, backed up by proper IT and performance information;
- **joint working** – other public services need to focus resources, policies and targets on supporting the effort to rehabilitate prisoners, and need to be part of a national coalition to reduce re-offending, led by the Home Office, with full involvement of the private and voluntary sector; and
- **innovation** – there is a need to encourage and support innovation in rehabilitation to challenge ineffective working practices, break down boundaries, find new ways to motivate prisoners to change, and harness the input of all those who can help, whether businesses, charities, faith groups or communities, victims or prisoners' families.

Use of prison

16.6 Prison should only be used where absolutely necessary. In particular:

- *The overall value of short prison sentences is doubtful in many cases, as the disruption they cause to support networks and protective factors can outweigh the limited opportunity they present to do positive work. This is particularly the case for offenders whose behaviour is driven by drug misuse. A short sentence only offers a brief opportunity for detoxification and respite (if at all) before the prisoner is released to the same pattern of misuse;*
- *The negative effect of short sentences is heightened by the current lack of post-custody supervision for short-term prisoners. In most cases, custody cannot even be used as a preparation for work in the community. This issue has been examined in John Halliday's review of sentencing for the Home Office, which recommended that short sentences be reformed to include a period of community supervision. However, the risk of disruption to support networks and protective factors would remain, and the danger of the short sentence becoming more attractive to sentencers must be guarded against; and*
- *Too many people are in custody who ought to be in mental health treatment. Diversion schemes in courts are very patchy and places in secure mental health facilities severely limited. Also, the criminal justice system's ability to identify severe mental health problems is limited, as are the processes for diverting people from prison.*

Capacity

16.7 Prisoners only receive help where it happens to be available, rather than when it is needed. In particular:

- *Most beneficial programmes are only available in a minority of prisons. Recent initiatives to introduce accredited programmes on drugs and offending behaviour, for instance, still address only a fraction of need. The level of investment in education varies dramatically between equivalent prisons;*
- *Reception and release work is under-resourced. Many prisons have the capacity to do only the most rudimentary work on reception and release with prisoners. In particular, they are unable*

to cope with the rapid flow of short-term prisoners in and out of custody, so that crucial factors such as housing, employment and benefits are neglected;

- *Poor infrastructure* – for example workshops, education and health centres – limits what a prison is able to deliver, even when the staff are available;
- *Little provision is available for those with very short sentences.* Because many programmes are designed to be delivered over several weeks, short-term prisoners usually do not qualify. This is compounded by the lack of post-custody supervision for short-termers, meaning that the time in custody can't even be used as a preparation for the community end of the sentence. Some work always ought to be possible, but the system is currently insufficiently responsive, due to lack of sentence planning and waiting lists;
- *A growing prison population is stretching already limited resources.* Rapid increases and overcrowding makes it difficult to maintain decent conditions within prisons. The high numbers and high throughput of prisoners, especially those serving short sentences, reduces the quality and quantity of work that can be done with prisoners, including serious and potentially dangerous prisoners; and
- *There is limited capacity in the community to carry on some good work begun inside.* The most obvious example is drugs, but this is also true of other tailored support, in areas like housing, family guidance and benefits, where community workers do not receive the training to deal with specific issues affecting released prisoners.

Accountability

16.8 The Government has an objective, for which the Home Office has responsibility, to reduce the overall number of offenders sentenced to prison who are reconvicted by **5 per cent** by 2004. However, this is not clearly owned at the front line. No individual has responsibility for the individual prisoner, with the result that accountability is fragmented:

- *Over time.* As has been seen, prisoners pass through several different stages of a sentence. It is no one's job to ensure that the different stages join up in a logical manner, that information is passed on, or that progress is made at each stage. For example, details of progress on housing, which is not placed on a prisoner's file when they move to another prison. The recent report on resettlement by HM Inspectorates of Prisons and Probation highlights the perennial problem that a lot of information on a prisoner simply goes missing as they move around the system;²⁸⁰
- *At any one point.* Different people have responsibility for different outcomes, but no one is accountable for pulling these together. Hence the ultimate aim of reducing re-offending is often in danger of being lost; and
- *Between organisations and geographical areas.* All too often, accountability for action is determined by organisational boundaries, targets and geographic areas. This usually limits accountability to inputs and outputs, because most outcomes rely on the involvement of several different organisations, often in different areas.

16.9 This fragmentation can often mean that there is no accountability at all in crucial areas. For instance, no one has responsibility for getting ex-prisoners into stable accommodation on release, or for ensuring that drug work started in prison is followed up, or that the needs of prisoners' families are addressed.

16.10 Conversely, there also seems to be a duplication of roles. For instance, both Jobcentre Plus and the Prison Service's Custody to Work Unit are responsible for getting ex-prisoners into work post-release; the Prisoners' Learning and Skills Unit, the Probation Service, Jobcentre Plus and the Learning and Skills Council all have some responsibility for getting prisoners into education post-release.

Joint working

16.11 At a national, regional and local level, the services that impact on prisoners do not work together effectively. In many instances they do not talk to each other at all, and do not have the focused policies, resources or targets to play a full role in rehabilitation. This is because:

- *Joint rehabilitation strategies do not exist at any level, except in some outstanding areas, such as Yorkshire and Humberside. The lack of a strategy means that services have nothing to plug into, and so develop policy and practice in isolation. Where inter-agency issues are dealt with, it is usually on an ad hoc basis to address a particular, localised problem. It is rare for there to be a strategic forum, and where one exists, it usually mirrors the prison and probation divide, focusing on either prison or community issues;*
- *Most public services do not see people in custody as 'their business', assert that they are not resourced to work with them, and will only take responsibility for prisoners, if at all, once they are released. Even then, some services actively de-prioritise prisoners. Of the range of services that can have an impact on prisoners, only the prison and probation services have a target related to them. However, the social exclusion of many prisoners results from a lifetime of service failure, and it is entirely unrealistic to expect that this can be remedied by the correctional services alone;*
- *The engagement of different services with prisoners is not joined up as they pass through the system. This is problematic on entry to prison when the support of a range of agencies needs to be preserved or closed down, but is particularly so on release, when prisoners emerge to an often overwhelming range of demands and problems;*
- *Joint-working within a prison is often lacking. The Social Exclusion Unit (SEU) encountered many examples where different parts of the prison, for example education and drugs teams, had no forum for joint planning or discussion of a prisoner's case, despite the obvious mutual benefits of their work. Of even more concern, directly related services often did not appear to communicate, such as drugs and health, education and workshops. For prisoners, this can mean that good work done in one area, for example education, can be derailed by neglect in another, for example mental health;*
- *Information sharing is extremely poor. The SEU encountered this issue at every point. Information is not shared between different organisations, different parts of the Prison Service or Probation Service or even different parts of the same prison. In part, this is due to concerns about data protection issues, but the SEU was told repeatedly that often this was an excuse for inactivity. There are few information-sharing protocols set up to deal with the problem. This is compounded by very poor technology: for instance, there is virtually no access to the internet or email in the Prison Service, which heightens its isolation from other services; and*
- *At every level, there is a lack of co-ordination with the voluntary sector. The involvement of the voluntary sector in correctional work has been blighted by a lack of strategy, a lack of dedicated resource, a failure to capitalise on and continue innovative practice, a lack of a co-ordinating role at a local level, and funding which is short-term, ad hoc and fragile. The Prison Service has developed a range of recommendations that, if implemented, should*

address many of these issues.²⁸¹ However, it is notable that the strategy relates only to prisons, meaning that the voluntary sector will continue to have to deal with prison and probation separately.

Innovation

16.12 The movement towards delivering much rehabilitation work through accredited programmes is very welcome, but should not be at the expense of pulling much-needed resources and managerial support away from individuals and organisations who can try out different working methods:

- *The system is inevitably risk-averse and as a result is unwilling to adopt new practices.* Too much of the system is driven by process, inputs and outputs, rather than outcomes. The result is that rules and regulations tend to dictate practice rather than imagination and initiative;
- *There are insufficient rewards in the system for generating new ideas and practice.* Many people working in the prison system told the SEU that they were not encouraged to innovate or generate ideas to address the issues that they handled daily;
- *The potential contribution of the community is under-utilised.* The prison/probation system does not make the most of the resources and ideas that the business and voluntary sectors can bring. This is particularly counter-productive as these organisations can often work through the custody/community divide in a way that statutory workers cannot or will not. Too often community organisations have to struggle for the permission to set up fresh initiatives to cater for unmet needs. There are numerous examples of voluntary sector workers having to wait months for keys so that they can operate effectively in prison;
- *Innovative practice is usually subject to short-term fragile funding.* Although it can be appropriate that experimental schemes do not receive long-term funding, it is often the case that the funding does not last long enough for the outcomes to be established;
- *Innovation is usually contained within existing institutional boundaries.* This is often because those who want to institute innovative practice have to conform to rigid specifications set down by funding bodies, such as the correctional services. In particular, where genuine ‘through-the-walls’ initiatives have taken place, such as in the Prisoner Passport scheme [Chapter 14](#) or the employment worker at HMP Hull [Chapter 8](#), the original funding has had to come from outside of the correctional services;
- *Insufficient evaluation of innovative practice is undertaken, so that lessons are not learnt.* Understandably, innovative schemes often become preoccupied entirely with delivering support to prisoners, but lose the opportunity for establishing a body of good practice in that area. Where good practice is established, it is often not disseminated effectively, so that the insights and experience of one prison or probation area can be fed through to others; and
- *The skills of prisoners are under-utilised.* Too often prisoners are treated as passive recipients of regimes, rather than as a resource within them. This is despite proof that prisoners can make extremely valuable contributions, such as the Listeners scheme [Chapter 11](#) and the Buckley Hall Housing Advice Centre [Chapter 13](#).

CHAPTER 17

THE COSTS OF FAILURE – RE-OFFENDING AND SOCIAL EXCLUSION

A re-offending ex-prisoner is likely to be responsible for crime costing the criminal justice system an average of £65,000 to get to the point of re-imprisonment, and as much as £37,500 a year to re-incarcerate thereafter. Victims and communities face much of the burden.

The social exclusion of prisoners and their families imposes a range of additional costs to society, including the cost of homelessness, drug treatment, family poverty, taking children into care, and the benefit and lost tax costs of unemployment.

Most of the costs listed are the norm rather than the exception for ex-prisoners: this makes it all the more perverse that no one has the responsibility or the resources to prevent them arising.

17.1 This chapter looks at the costs of ex-prisoners' re-offending, and of their wider social exclusion.

Re-offending – global figure

17.2 It is possible to estimate the cost of re-offending by ex-prisoners from the overall costs of crime calculated by the Home Office:

- this analysis looked at 'notifiable offences' – a subset of crime that excludes some crimes such as drug trafficking and possession, handling stolen goods, public order offences, low level disorder, fare evasion, motoring offences, and other summary offences;
- it put the total costs of these crimes at around **£60 billion**, counting costs incurred in anticipation of crime (for example insurance), costs as a consequence of crime (for example health services, repairing damage) and the costs of the criminal justice system; and
- it is estimated that re-offending by recent ex-prisoners accounts for at least **18 per cent** of total crime – so at least **£10.8 billion**, and probably much more.

Individual offender costs

17.3 It is also possible to look at the particular processes individual ex-prisoners go through and what that costs.

Criminal justice costs

- 17.4** Home Office researchers estimate that each offence leading to reconviction costs the criminal justice system on average **£13,000**.²⁸² It is also estimated that **five** recorded offences are committed for each reconviction, meaning that, during their time at liberty, a re-offending ex-prisoner is likely to be responsible for crime costing the criminal justice system an average of **£65,000**.
- 17.5** If re-offending leads to a further prison sentence, and **36 per cent** of prisoners re-enter prison within two years, the costs soar. It is estimated that the average cost of a prison sentence imposed at a crown court is **£30,500**, made up of court and other legal costs.²⁸³ The costs of actually keeping prisoners within prison are detailed in **Chapter 3**. Though they can vary significantly, they average **£37,500** per year.²⁸⁴

Non-criminal justice costs

- 17.6** But these are just the criminal justice costs. The Government Spending Review in 2000 estimated that preventing an offender from re-offending in any one year produced a saving of around **£31,000** over and above any costs to the criminal justice system. Or, put another way, there is a non-criminal justice cost of around **£31,000** per year for each re-offender. This will include costs such as hospital treatment of victims and repairing damage to property.

Victims

- 17.7** The most immediate costs of crime are, of course, borne by the victims directly affected, in terms of their personal and emotional well-being. Research has shown that **a third** of those who reported crimes to the police said that they were 'very much affected' by the offence.²⁸⁵ Those particularly affected included some of the most vulnerable groups in the community, those on low incomes, those from black and minority ethnic groups, and those living in deprived areas. Effects such as fear and difficulty sleeping are strongly associated with burglary, violence and threats.
- 17.8** In addition to these emotional costs, a range of victim costs can be calculated and includes time away from work due to injury caused by crime and the costs of victim support services. Home Office research on the annual cost of these victim impacts put a value on the emotional and physical impact of crime. It arrived at a total annual figure of just under **£18 billion**.

Communities

- 17.9** The impact of crime on the local community is often overlooked. Deprived communities can suffer from particularly high crime rates.²⁸⁶ As a result these fragile communities suffer disproportionately from the negative impacts that crime can have on job opportunities, the physical environment and the provision of shops and services. Those who can move out and the downward spiral continues.
- 17.10** The box below gives some examples of the costs of crime to communities.²⁸⁷

Eight years ago homes built in one area of the North West sold for **£45,000**. Since then, anti-social behaviour and fear of crime have driven residents away – many properties have been abandoned. The same houses are now worth only **£15,000**. Local housing associations in the same area have found that many of their homes are virtually unlettable.

Bradford Metropolitan Borough Council has calculated that vandalism to local authority property in 1998/99 cost the authority just under **£900,000**. This was in addition to the **£114,000** spent repairing properties following burglary.

Costs of ex-prisoners' social exclusion

17.11 Even where they do not re-offend, ex-prisoners are a high cost to government. The cost of dealing with the consequences of their personal circumstances, which may have worsened in prison, can be considerable.

Housing

17.12 As **Chapter 13** shows, unless a prisoner's housing situation is dealt with effectively on reception, for example through closing down an existing tenancy quickly, then it is likely that the prisoner will accrue housing debts that may well lead to eviction. In turn this will make it more difficult to access housing on release. As a result they may end up as homeless and need to access emergency or hostel accommodation. As **Figure 10** overleaf shows the costs involved can then quickly accumulate. They can include around **£1,500** for administrating an eviction and over **£1,300** for a four-week period in emergency accommodation. The costs for those who become long-term rough sleepers are even higher.

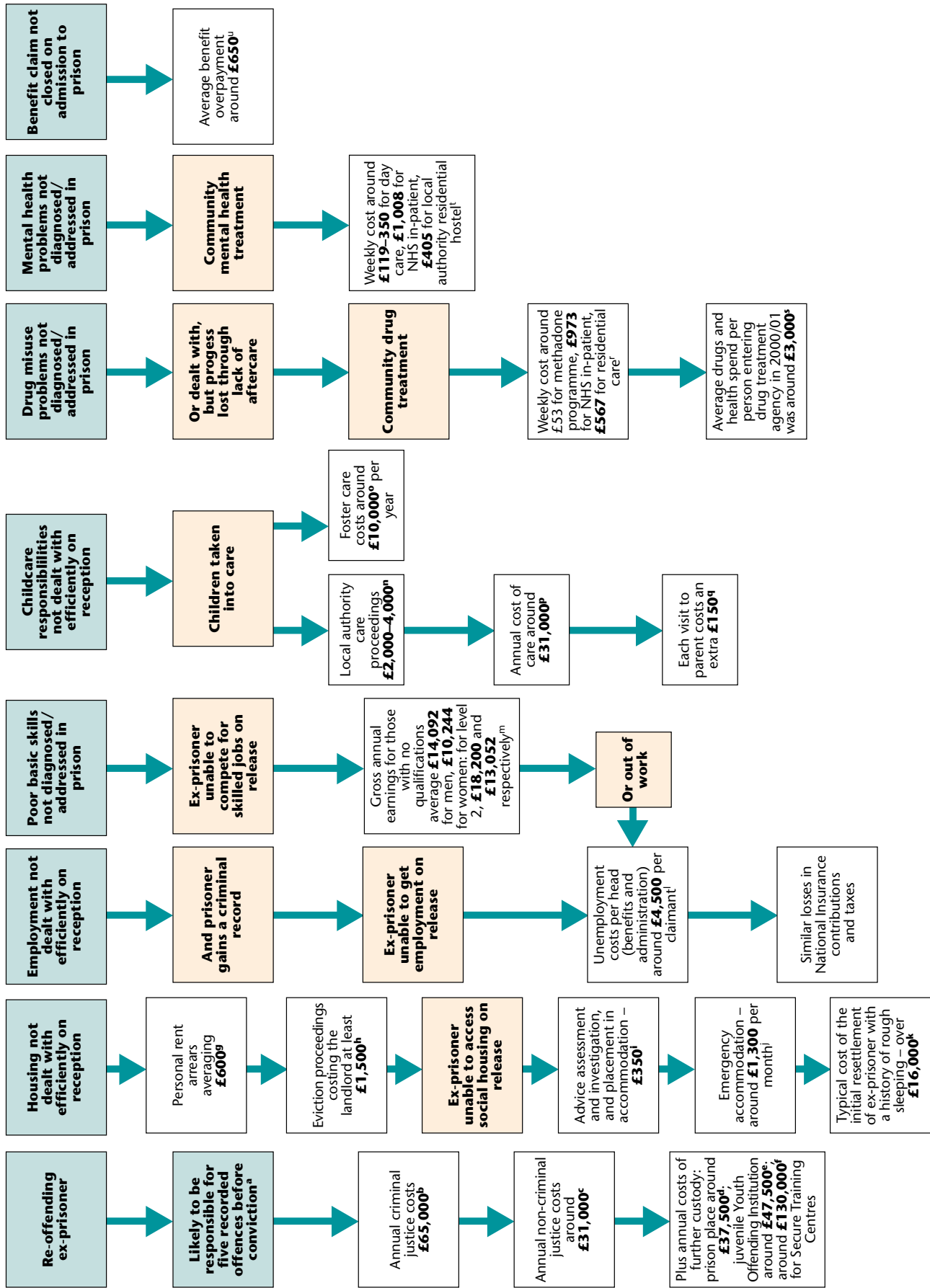
Drugs, alcohol and mental health

17.13 Drug, alcohol and mental health problems may, unless dealt with, be made worse by imprisonment. Prison should provide an opportunity to tackle these issues, which are often major causes of offending behaviour. But too often progress made during custody is lost due to poor throughcare on release. As **Figure 10** shows, the result is not only lost investment, but the additional costs of community treatment. An ex-prisoner who needs drug treatment because they did not get, or did not complete, a drug programme in prison will cost up to some **£1,000** a week in in-patient care.

Family support

17.14 Particularly where it leads to re-imprisonment, re-offending has its most direct effect upon the prisoners and their family. There are both emotional and financial costs. As **Chapter 15** shows, for many families, imprisonment of a family member may mean the loss of the main source of income into the household often at a time when outgoings, such as expenditure on prison visits, increase. In total, it has been estimated that the average cost of intervening with and caring for an offender's family is around **£25,000**.²⁸⁸

Figure 10: Costs around re-offending by ex-prisoners



Explanatory notes to Figure 10.

- a. Home Office, internal research.
- b. Home Office, internal research.
- c. Government Spending Review 2000.
- d. Hansard, Parliamentary Questions, Written Answers, col 343W, 19 July 2001.
- e. HM Prison Service, *Annual Report and Accounts, 2000–2001*, 2001.
- f. Youth Justice Board, 2002.
- g. Average figure provided by workers at the prisoner-run Housing Advice Centre, HMP Buckley Hall.
- h. Average figure provided by workers at the Anglia Care Trust.
- i. Average figure provided during the SEU's consultation.
- j. Approximate monthly cost of emergency accommodation, in London. Provided as part of a case study by St Giles Trust and Homelessness Directorate, ODPM.
- k. Case study by St Giles Trust Housing Advice Centre, HMP Wandsworth and Homelessness Directorate, ODPM.
- l. DWP, internal figures.
- m. C Godfrey, S Hutton, J Bradshaw, B Coles, G Craig and J Johnson, *Costs of social exclusion among young people aged 16–18: costing estimates*, Social Policy Research Unit, York, University of York, 2001.
- n. Audit Commission, Misspent Youth, 1996.
- o. NACRO, *Wasted Lives: Counting the Cost of Juvenile Offending*, 1998.
- p. Audit Commission, Misspent Youth, 1996.
- q. Audit Commission, Misspent Youth, 1996.
- r. A Netten and L Curtis, *Unit costs of health and social care 2000*, Personal Social Services Research Unit, 2000.
- s. Based on data from the National Treatment Outcome Research Study.
- t. A Netten and L Curtis, *Unit costs of health and social care 2000*, Personal Social Services Research Unit, 2000. Prison Health Policy Unit have estimated that the cost of an NHS mental health bed is perhaps 2–3 times the estimate here.
- u. A small scale study within a local prison, provided during the SEU's consultation.

Care

17.15 The imprisonment of a parent or carer can often lead to a child or children being taken into local authority or foster care. Residential care in a children's home costs an average of **£2,000** a week (less in foster care) but also has very poor outcomes for the child. Educational achievement by children in care is poor and as **Chapter 2** shows, children in care are disproportionately likely to go on to become prisoners themselves.

Employment and benefits

17.16 Imprisonment makes it more likely that a prisoner will lose any existing employment, making it difficult finding another job on release. As a result, they may end up depending on benefits, or drift into the illegal economy or directly into crime. If they do work, they are more likely to earn low wages, and will probably pay little tax or National Insurance contributions.

The overall picture

17.17 **Figure 10** is an attempt to put an annual cost on some of the various impacts of re-offending by ex-prisoners, and of *not* taking appropriate action on issues such as housing and employment as a prisoner moves through the criminal justice system. Given that most of the costs listed are the norm rather than the exception for ex-prisoners, it seems perverse that no one has the responsibility or the resources to prevent them arising.

CHAPTER 18

RECOMMENDATIONS

Re-offending by ex-prisoners is a major contributor to overall crime. Current work with prisoners during and after custody is not making the most of the potential to reduce their re-offending. Improvements over the last few years and changes in the pipeline will help, but there are still fundamental barriers to delivering effective rehabilitation work.

The Social Exclusion Unit (SEU) recommends that the Government should develop and implement a National Rehabilitation Strategy, based on this report, to reduce re-offending. This should involve all relevant departments and be led by the Home Office. At its core the strategy should include:

- *a Going Straight contract* – prisoners should participate in a range of programmes and activities to reduce assessed risks of re-offending. They should sign a Going Straight contract, which would involve rewards and sanctions and be delivered via a seamless case management approach from point of sentence through to release. Different models of delivery should be piloted, and tested out initially with 18–20-year-olds; based on experience of what works in these pilots, the approach should then be tested with other groups later on;
- *national measures* – there is a strong case for introducing measures to tackle financial and housing need among newly released prisoners; effective reception and resettlement procedures should be developed in all prisons; and the availability of a number of beneficial measures should be widened further; and
- *further development* – the Government should develop the National Rehabilitation Strategy, taking into account evidence of the effectiveness of any initial measures, ongoing policy development, and the range of other issues identified in this report (summarised at [Annex G](#)).

The integrated case managed pilots should be supervised by a national programme director, reporting to the new Correctional Services Board and a cross-government group of ministers.

These changes would require considerable further policy development, and the rate of implementation would depend on the speed at which resources could be identified and refocused across government.

Tackling re-offending by ex-prisoners

- 18.1** Re-offending by ex-prisoners is a major contributor to overall crime. Action in and after prison should be the single best way to tackle the persistent offenders who commit the bulk of recorded crime. But as this report shows, overall policies towards prisoners during and after custody do not do enough to reduce re-offending.
- 18.2** There has been progress in this area in recent years. For example, the Prison Service and Probation Service are implementing new offending behaviour programmes that tackle prisoners' attitudes and thinking skills. Early results from these are promising, with reductions in reconviction rates of up to 14 per cent.

- 18.3** Over the last four years there have also been initiatives to increase markedly the provision of drug treatment and help with basic skills in prisons, and to bring standards of healthcare in prisons up towards those in the community. More limited projects and initiatives round the country have dealt with a range of other needs such as housing, family connections and benefits advice.
- 18.4** Implementation of proposals in the recent sentencing review, which the Government is currently considering, would introduce statutory post-custody supervision for prisoners released from short-term sentences, removing one major barrier to more effective practice.
- 18.5** While work to tackle re-offending has improved over the last five years and other changes in the pipeline will improve the situation still further, there are still fundamental barriers to delivering effective rehabilitation work which would reduce the level of re-offending.

Need for a long-term strategy

- 18.6** In order to have a major impact on the rate of re-offending, the content and ethos of prison, probation and other policies towards prisoners should change, so that rehabilitation and reparation become central goals.
- 18.7** The SEU recommends that the Government should develop and implement a **National Rehabilitation Strategy**, based on this report. At its core this should include:
- **a Going Straight contract** – prisoners should participate in a range of programmes and activities to reduce assessed risks of re-offending. They should sign a Going Straight contract, which would involve rewards and sanctions and be delivered via a seamless case management approach, from point of sentence through to release. Different models of delivery should be piloted, and tested out initially with 18–20-year-olds; based on experience of what works in these pilots, the approach should be tested with other groups later on;
 - **national measures** – there is a strong case for introducing measures to tackle financial and housing need among newly released prisoners; effective reception and resettlement procedures should be developed in all prisons; and the availability of a number of beneficial measures should be widened further; and
 - **further development** – the Government should develop the National Rehabilitation Strategy, taking into account evidence of the effectiveness of any initial measures, ongoing policy development and the range of other issues identified in this report (summarised at **Annex G**).

A Going Straight Contract

- 18.8** The SEU recommends that, to achieve the maximum possible reduction in the risk of a prisoner re-offending, support through custody and afterwards should be tailored to the individual, that the prisoner should take responsibility and that the whole package should be closely managed.
- 18.9** This integrated approach should be in the form of a contract, combining enhanced provision of beneficial programmes, incentives to participate and close management of the prisoner's case, with new responsibilities on the prisoner.
- 18.10** The prisoner should sign up to a Going Straight contract, drawn up by a case manager in consultation with the prisoner, following a full assessment of their needs. This contract should last from the point of sentence to the end of the sentence in the community. The Going Straight

contract should address all of the areas set out in the rehabilitation framework (see [Annex H](#)) and should incorporate a wide range of activities including:

- education and training;
- work-based training;
- participation in offending behaviour programmes;
- participation in drug and alcohol programmes;
- addressing housing, income and family issues; and
- volunteering.

- 18.11** To fulfil their side of the Going Straight contract, prisoners should be required to participate in a range of programmes and activities. They should be rewarded for participation and sanctioned for non-participation. Prisoners should contribute towards a reparation fund, which should be used to redress the damage caused by their offences – either for individual victims or for wider community safety.
- 18.12** The programmes necessary to the delivery of the Going Straight contract should be achieved through a combination of better coverage and bringing the best existing programmes into a joined-up regime focused on learning and employment.
- 18.13** The active participation of mainstream agencies, such as Jobcentre Plus, and local authority housing departments, would also be essential to enable the Going Straight contract to be delivered. In addition to other public bodies, voluntary and private sector organisations should play an important role.
- 18.14** Different models of case management would need to be piloted, all of which should involve joint working between the Prison Service and Probation Service and other statutory and non-statutory organisations. In each pilot, there should be clear local leadership, but different lead agencies, including the voluntary sector, should be considered. The pilots should be supervised by a national programme director, reporting to the new Correctional Services Board and cross-government group of Ministers.
- 18.15** Whichever the individual lead agency, rehabilitation work should be fully integrated with the process of assessing and managing risk. Case managers should work closely with prison and probation staff to ensure that risk assessment is at the heart of key decisions on appropriate action. Interventions such as arranging accommodation, training, employment and contact with families and children should all be fully informed by an up-to-date assessment of risk. In turn, the assessment and management of risk would benefit from the enhanced information and case profile that the case manager would be able to provide from more regular contact with the prisoner and closer knowledge of his or her activity and progress throughout the entire sentence.

National measures

Financial and housing issues

18.16 The SEU recommends that financial and housing need among newly released prisoners should be addressed, with particular consideration being given by Government to:

- increasing the discharge grant to cover the period before the first benefit payment is made;
- giving resettlement departments within prisons the ability to secure emergency housing for prisoners who would otherwise be homeless on release; and
- the case for enabling more prisoners to retain their housing or pay unavoidable arrears. Future development of this proposal would need to ensure that any amendment to Housing Benefit rules was accompanied by measures to secure a meaningful and effective extension to the responsibility of the prisoner.

Good practice on reception and release

18.17 Ensuring effective action on reception and release is crucial in reducing the likelihood of re-offending. All prisons should be required to ensure that they have staff with the appropriate skills in place to close down housing, employment and benefit liabilities and take action to preserve support mechanisms, as well as assessing resettlement need and drawing up appropriate plans in liaison with agencies outside the prison.

18.18 On release, action should be taken to reconnect prisoners by ensuring, where possible, that benefit interviews are arranged, housing provision secured and links with employers or Jobcentre Plus established. This would involve developing links and good working relationships with external agencies.

18.19 The actions that would need to be undertaken are set out in columns B and D of the rehabilitation framework [Annex H](#). Implementation of these actions should be based on good practice.

18.20 Consideration should also be given to how the range of other beneficial measures could be increased outside the pilots and in the community, in areas such as offending behaviour programmes, education and training, mental health, drugs, and family support.

Further development

18.21 The SEU believes that the fully integrated approach proposed, the measures to tackle financial and housing need, and good practice on reception and release should deliver many of the key changes necessary to reduce the levels of re-offending among ex-prisoners.

18.22 The Government should continue to develop the National Rehabilitation Strategy, reflecting evidence of the effectiveness of any initial measures and the other issues identified in this report [Annex G](#). This strategy should take into account the detailed recommendations made by those such as HM Inspectorates of Prisons and Probation in their report on resettlement, the 2001 Sentencing Review, the National Audit Office report on reducing re-offending, the current Review of the Rehabilitation of Offenders Act and the forthcoming Criminal Justice White Paper and others.

- 18.23** The planning, development and implementation of the national strategy should include: correctional services (Prison Service and Probation Service) at national and regional level; other statutory agencies involved with health, education, employment, drugs, families and housing; the voluntary sector; businesses; and faith communities. The national strategy should make strong links with effective regional and local partnerships, including Crime and Disorder Partnerships.
- 18.24** As part of this further development work, a dedicated fund should be administered to encourage innovative rehabilitation schemes.

Timetable and delivery

- 18.25** The SEU recommends that the Going Straight contract proposed should be piloted over a number of years. The initial pilots should be focused on 18–20-year-olds, but then based on experience of what works, the approach should be tested with other groups later on. The pilots should be evaluated and the impact of the programme measured against a number of factors such as reconviction rates and levels of employment, education and training, drug use and stable accommodation on release.
- 18.26** Those establishments not included in the Going Straight pilots should appoint an individual at senior Governor level with exclusive responsibility for rehabilitation. This ‘Rehabilitation Governor’ should have overall responsibility for ratcheting up that prison’s performance in each of the areas identified in the rehabilitation framework [Annex H](#), developing links with outside agencies and overseeing the eventual move towards the Going Straight contract.
- 18.27** Existing good practice that has already emerged from previous investment should be maintained and in some cases ratcheted-up to prepare for the implementation of the Going Straight contract in all prisons. In particular, the progress made with mental health in-reach work, education and skills programmes, drugs work, offending behaviour programmes, and family support should continue.
- 18.28** The changes that the SEU recommends are significant and would require considerable additional development, both by criminal justice agencies and other mainstream agencies. The rate at which change could be implemented would be dependent on the speed of which the detail could be worked up and the rate at which resources could be identified and refocused across government. As soon as possible, the Government should publish full details of how it proposes to respond to the SEU’s report, together with a timetable for delivery.

Central co-ordination

- 18.29** The overall National Rehabilitation Strategy should involve all relevant departments and should be led by the Home Office. The integrated case-managed pilots should be supervised by a national programme director, reporting to the new Correctional Services Board and cross-government group of Ministers.

ANNEX A

WOMEN PRISONERS

A.1 This Annex sets out the key facts on the women’s prison population, the impact of imprisonment on women and the particular challenges that rehabilitating women prisoners presents.

Key facts

Key facts on women prisoners

Women prisoners make up over **5 per cent** of the prison population. The number of prisoners has almost doubled since 1996. During May 2002 there were **4,380** women prisoners.

Around **11,000** women are received into prison each year.

25 per cent are from black and minority ethnic backgrounds, **15 per cent** are foreign nationals.

Remand prisoners make up around **20 per cent** of the female prison population.

Around **three-quarters** of women prisoners serve sentences of less than 12 months.

Almost half of women released from prison in 1997 were reconvicted within two years.

Increases in the prison population

A.2 Women represent a small, but rapidly increasing, proportion of the overall prison population. They are more likely to be serving short sentences, but less likely to be reconvicted, than their male counterparts.

A.3 The number of women prisoners has more than doubled in less than ten years. This despite the fact that – as noted above – the rate of re-offending for women offenders is generally significantly lower than for their male counterparts.²⁸⁹ Home Office research suggests that the increase in women prisoners between 1992 and 1996 was caused by a combination of more women appearing in the courts, a greater proportion receiving custodial sentences and a trend towards sentencing women for longer periods.²⁹⁰ Drug offenders accounted for **50 per cent** of the increase in the female prison population between 1993 and 1997.²⁹¹

The impact of population increases

A.4 As noted in **Chapter 3**, the general increase in prison numbers over the last decade has put increasing pressure on the prison system, both in terms of its ability to house prisoners in appropriate conditions and its capacity to undertake rehabilitative work.

- A.5** There are far fewer prisons for women than there are for men – only 19 prisons. Consequently women are more likely to be held further from home and their families often have to travel further in order to visit. This can impact negatively on the ability to maintain family links which – as **Chapter 15** showed – is seen to be a key protective factor in reducing the likelihood of re-offending.
- A.6** This problem is exacerbated by the fact that women’s prisons are not evenly spread throughout the country. For instance, there are no women’s prisons in Wales and apart from Eastwood Park, near Bristol, there are no women’s prisons in the south west of England.

The characteristics of women prisoners

- A.7** **Chapter 2** showed that many prisoners come from a background of severe social exclusion. As the rest of this section shows, women prisoners have similar – and in some cases even worse – problems to their male counterparts.

Family relationships

- A.8** Women prisoners are much less likely than the general population to be able to call on the support of a stable relationship, but more likely to have childcare responsibilities:
- **almost two thirds** of female prisoners are single, compared to **17 per cent** in the general population;^{292,293}
 - **at least a fifth** were living as lone parents before imprisonment²⁹⁴ (compared to around **9 per cent** in the general population²⁹⁵);
 - **55 per cent** of women prisoners have at least one child under age 16;²⁹⁶ and
 - **over one-third** have a child under age 5.²⁹⁷

Educational underachievement

- A.9** The educational attainment of women in prison is significantly lower than for women in the general population and lower even than that for male prisoners. In one study, **74 per cent** said that they had left school when they were 15 or 16,²⁹⁸ compared to **32 per cent** in the general population.²⁹⁹ Only **39 per cent** had any qualifications at all, compared with **82 per cent** of the general population, and significantly less than the figure for male prisoners of **51 per cent**.

Limited employment history

- A.10** Many women prisoners have very limited experience of stable employment. One survey found that **41 per cent** of those asked had not worked in the previous five years.³⁰⁰ Of those who had worked in the previous year:
- **27 per cent** had worked on a temporary basis; and
 - **52 per cent** had worked in semi-skilled or unskilled manual jobs.

Poor physical and mental health

A.11 Women prisoners have been found to report much higher rates of physical and psychological problems than women in the general population. A survey of the health care needs of prisoners indicated that **60 per cent** of women rated their own health as fair, poor or very poor.³⁰¹

- **15 per cent** of sentenced women prisoners had previously been admitted to a mental hospital,³⁰²
- **37 per cent** of sentenced women prisoners had previously attempted suicide.³⁰³

Drug and alcohol misuse

A.12 Over **50 per cent** of sentenced women prisoners had used drugs in the year before imprisonment.³⁰⁴ A separate study found that over **40 per cent** could be diagnosed as harmful or dependent users of alcohol.³⁰⁵

Physical and sexual abuse

A.13 Research has established that women offenders are more likely to be victims of domestic violence than women in the general population – one survey suggested as many as **half** of women prisoners have experienced this.³⁰⁶ A significant number of women in prison, one survey has suggested **up to a third**, have been the victims of sexual abuse.³⁰⁷

The impact of imprisonment upon women

A.14 Earlier chapters have shown how the process of imprisonment can have unintended and harmful effects upon an individual's existing employment, housing and family links. A great many of those who the SEU met during the consultation said that the impact of imprisonment upon women can be particularly marked.

Loss of housing

A.15 Around **one-third** of women prisoners lose their homes, and often their possessions, whilst in prison.³⁰⁸ This has a particular impact for women with children that have been taken into care, highlighted below.

Disruption of family relationships

A.16 Many male prisoners rely upon partners to take care of home and family. Whilst women are likely to have dependent children, many will have no partner to rely upon. They may need to call on other family members to care for their children, or have their children taken into care.

Impact on mental health

A.17 Some of those that the SEU spoke to said that the psychological consequences of imprisonment for women are more serious than for men, particularly so for remand prisoners. Remand prisoners are more likely to suffer from psychosis and neurotic disorders than sentenced prisoners.³⁰⁹ They are also at higher risk of committing suicide.

A.18 The impact that imprisonment can have on women, and the risks that this poses in terms of self-harm and the damaging of any existing positive links, is recognised in the work of projects such as the First Night in Custody Project in HMP Holloway.

First night in custody, HMP Holloway

The First Night in Custody Project offers a range of practical help and advice to first-time prisoners on issues such as: families, employment, housing, substance misuse and particularly mental health.

The project aims to help prisoners begin to cope with the difficult adjustments needed on entry to prison. One of the key aims of the project is to reduce the danger of self-harm and suicide. Support, via a link worker, can include:

- contacting family members;
- contacting services in the community that are already providing support, such as drug work, in order to ensure continuity wherever possible;
- referring the prisoner to prison-based support, such as the housing officer, to ensure that housing is preserved or surrendered as quickly as possible; and
- providing detailed information on what a prisoner can expect whilst in prison.

The project supports approximately 1,000 women each year.

The challenges that rehabilitating women prisoners present to the system

A.19 Earlier chapters explained how prison sentences often struggle to meet the rehabilitation needs of many prisoners. For women, who often have differing resettlement needs to men, there are added problems. Because of the relatively small numbers of women in the prison system overall, their needs are often felt to be overlooked, or dealt with within a system designed primarily for male offenders. Some of the particular difficulties are outlined below.

Education, training and employment opportunities

A.20 As noted above women prisoners have low levels of educational attainment. Therefore the time spent in prison can provide a potential opportunity to encourage women to develop their educational potential. Although the lack of work experience of many women prisoners can present a problem in terms of transferable skills, it also offers a valuable opportunity to 'start from scratch' in terms of new skills and employment.

A.21 However, in terms of matching available work opportunities in prison to women's aspirations, it is clear the prison system has some way to go. Of women prisoners surveyed in 1999, although **90 per cent** had had at least one job during their sentence, only **30 per cent** believed that this would help them to find work post release. Furthermore only **24 per cent** of women with a prior skill had the chance to put their skills into practice through prison work.³¹⁰

Appropriate offending behaviour programmes

- A.22** Despite the fact that **one-third** of women prisoners said that they had undertaken courses which address offending behaviour, the extent to which current offending behaviour programmes effectively meet their needs is a source of debate.³¹¹ It is argued that, while the criminogenic needs of women offenders are likely to be broadly similar to those of their male counterparts, given the likely differences in background and motivational factors there are gaps in provision on appropriate programmes.
- A.23** The Prison Service have acknowledged this concern and are currently in the process of developing programmes for certain groups of women prisoners as well as other initiatives including Dangerous and Severe Personality Disorder pilots and a Therapeutic Community.³¹²

Preparing women prisoners for release and beyond

- A.24** Earlier chapters showed the lack of adequate preparation for release and support once an individual is out in the community. Many of the points made apply equally to women ex-prisoners as they do to men. However, women often also have additional difficulties, outlined below.

Housing and support

- A.25** There is evidence to suggest that some women prisoners do not receive help with housing and other issues relating to their effective resettlement in the community. Only **11 per cent** of women in one study indicated that they had received help with housing matters whilst in custody, compared to **14 per cent** of men.³¹³ And out of the **23 per cent** of prisoners who had wanted help and advice about benefits and debt only **a third** had received it.³¹⁴ Women are less likely than men to leave prison with accommodation arranged.

Rebuilding family relationships

- A.26** As mentioned earlier the loss of housing for women offenders can make the task of regaining care of their children particularly difficult. Many people told the SEU about the 'Catch 22' situations that can arise as a result. If they do not have children in their care they are unlikely to be given priority status by housing authorities. However, if they do not have secure accommodation then their children will not be placed back into their care.
- A.27** Many women prisoners who have had their children taken into care will receive little advice on the legal proceedings surrounding how to get their children back. They are often unaware of issues relating to social service mandates, care orders and the law. Around **one in ten** women prisoners who had lived with their children before going to prison did not expect to live with them after release.³¹⁵

The impact of imprisonment upon the children of women offenders

- A.28** The impact of imprisonment on women with dependent children has been noted a number of times in this annex, and the situation of prisoners' families in general is discussed in **Chapter 15**. This section looks at the particular problems faced by children whose mother is imprisoned.

Disruption to children's lives

A.29 As noted above, many women come into prison leaving behind dependent children. Comparatively few mothers are able to stay with infant children in specialist Mother and Baby Units (MBUs), which currently offer 68 places, with another 22 planned by 2003.³¹⁶ Further places will be available at the planned new prisons at Ashford and Peterborough when they open. However, it is estimated that each year the living arrangements of at least **8,000** children are affected by the imprisonment of their mother.³¹⁷

A.30 A 1997 Home Office study found that for **85 per cent** of women prisoners, the period in custody was the first time that they had been separated from their children for any significant length of time.³¹⁸ Making alternative arrangements for the care of their children was a constant cause of anxiety.

A.31 An HM Inspectorate of Prisons Thematic Review of Women in prison found that:

- **25 per cent** of women prisoners stated that their children's father or a spouse or partner was caring for their children (compared to **92 per cent** of fathers who said that their children were being cared for by the children's mother or a spouse or partner³¹⁹);
- **27 per cent** were cared for by their grandmothers;
- **29 per cent** were cared for by other family members or friends; and

A.32 **12 per cent** were in care, with foster parents or had been adopted compared to the children of **2 per cent** of male prisoners.³²⁰ Overall, only **5 per cent** of women prisoners' children remain in their own home once their mother has been sentenced.³²¹

Difficulties in visiting an imprisoned mother

A.33 The geography of the prison estate presents a particular issue for dependent children. One study found that **only half** the women who had lived with their children or been in contact prior to imprisonment had received a visit from them since going to prison.³²² As shown in **Chapter 15**, even where a visit is possible, the conditions and amenities available are also frequently insufficient despite the best efforts of some prisons.

A.34 The Government is making progress in addressing many of the specific problems faced by women offenders outlined in this annex.

Women's Offending Reduction Programme

Following the consultation document, *The Government's Strategy for Women Offenders*, published in October 2000, the Government announced plans for the Women's Offending Reduction Programme in September 2001.

Now underway, the Programme aims to strengthen existing links and to encourage cross-government work on reducing women's offending by the development of integrated policies, programmes and spending partnerships. The Programme's plan of action, to be formally launched later in 2002, will provide a framework for building on existing good practice to reduce women's offending. It will also enhance the growing recognition across the criminal justice system that there needs to be a distinct response to the particular needs of women.

The Programme's work is being managed by the Women's Policy Team at the Home Office and overseen by the Women's Offending Programme Board, comprised of senior representatives from the Probation Service, Youth Justice Board and Prison Service. The Programme Board reports to the Correctional Services Board.

ANNEX B

REMAND PRISONERS

When is someone on remand?

B.1 The remand population is made up of those defendants awaiting trial and those who have been convicted but are awaiting sentence.

Who is held in custody?

B.2 Current legislation presumes that an individual will be remanded on bail unless there are strong reasons to remand them into custody.³²³ Reasons for remanding someone into custody include the seriousness of the offence and previous convictions for similar offences, or where the defendant presents an unacceptable risk of flight or witness interference. Remand is also used where there is a belief that a defendant may commit an offence whilst on bail. The use of custodial remand can also reflect the failure to abide by the terms of previous community sentences.

Key facts

- In 2001, **11,241 people** were on remand in custody at any one time – around **one in six** of the overall prison population. In total, over **83,000 people** were remanded into custody during 2001.
- In 2000 the average age of the remand population was **27**. Around **a quarter** of remand prisoners were **under 21**. Around **5 per cent** of remand prisoners were aged between **15 and 17** years of age.
- In 2000 the average time on remand for male untried prisoners was **49 days** and female untried prisoners **36 days**.
- In 2000, **1,970 people** had spent over **6 months** in prison on remand, of whom **270** had spent over **12 months** in prison.
- A significant proportion of those held on remand have been in prison previously. A study carried out in 2000 found that **65 per cent** of respondents had been remanded into custody before.³²⁴
- The female population has grown disproportionately to the male – from **3.7 per cent** of the remand population in 1993 to **7 per cent** in 2001.

What is the outcome for remand prisoners?

B.3 The majority of remand prisoners are found guilty – nearly **80 per cent** in 2000. **48 per cent** of all men and **36 per cent** of all women who enter prison as remands subsequently receive a custodial sentence, although a proportion of these will be released from court, having already served their sentence whilst on remand.³²⁵

Issues facing remand prisoners

B.4 Many of those held on remand will have a complicated set of problems – a number of those who do not pose a problem for one reason or another would have already been released on bail. As a result many remand prisoners are likely to face even greater problems than the sentenced population. Drug misuse, poor educational attainment, mental illness and unstable accommodation are particularly prevalent amongst remand prisoners.

Housing	Remand prisoners are more likely than sentenced prisoners to have a history of living in unstable or unsuitable accommodation. Some research has suggested that they are five times more likely to have lived in a hostel prior to imprisonment. ³²⁶
Employment	Remand prisoners are less likely to have had a job before entry and those who did have a job are more likely to lose it having entered prison. ³²⁷
Drug use	Remand prisoners are much more likely to be drug misusers than their sentenced counterparts. This is particularly true of hard drugs such as crack cocaine and heroin. ³²⁸
Mental health	Remand prisoners are more likely than sentence prisoners to suffer from personality and neurotic disorders, and to have had contact with mental health services before entering custody. ³²⁹
Physical health	60 per cent of remand prisoners said that they had an existing health problem, compared to around a third of prisoners serving less than 12 months. ³³⁰
Family contact	Remand prisoners are less likely to have personal support than sentenced prisoners: remand prisoners are more likely to be single and to have spent time in local authority care. ^{331,332}

Differences in regime and entitlements

B.5 Unconvicted prisoners are presumed to be innocent. They are treated accordingly, subject to the duty to hold them and deliver them to court securely, and the need to maintain order in establishments. These prisoners are held separately from sentenced prisoners as far as is possible.³³³ There are a number of other differences in regime and entitlements, as set out below:

	Unconvicted prisoners	Convicted prisoners
Security	Unclassified, but usually held under Category B unless identified as needing high security conditions	Assessed on entry and held under security conditions appropriate to the risk of escape and the likely risk to the public.
Clothing	Allowed to wear own clothes	Must wear prison clothing, unless individual prison permits own clothes.
Voting	Entitled to vote	Not entitled to vote.
Income	Can retain extra private cash	Access to private cash strictly limited.
Business	Can undertake reasonable activity to maintain business interests	No provision for maintaining any business interests.
Health	Can be treated by own doctor and dentist (although this rarely happens in practice)	Treated by prison medical staff.
Education and work	Do not have to work or attend education	Must work and attend education as directed, or be penalised via the Incentives and Earned Privileges Scheme.
Visits	Entitled to a minimum of 90 minutes of visiting per week	Entitled to a minimum of 60 minutes of visiting per month.
Benefits	Retain entitlement to state benefits such as Incapacity Benefit and Retirement Pension, which are payable in arrears unless a defendant receives a custodial sentence	Not entitled to any state benefits, except Housing Benefit.
Housing	Retain entitlement to state assistance with help with mortgage interest. Entitled to claim Housing Benefit for up to 52 weeks	Entitled to claim Housing Benefit where time in prison expected to be less than 13 weeks.

Remand prisoners miss out

- B.6** While remand prisoners experience some benefits in terms of regime and entitlements, the differing regime can also lead to remand prisoners missing out. For example, there is no requirement to prepare or begin thinking about a sentence plan for a remand prisoner. This in turn means that their time in custody is not used to best effect and they receive little help to prepare for release.
- B.7** Remand prisoners are kept close to the court of trial, usually in a local prison. While this often has benefits in terms of closeness to home, such prisons are often not able to ensure suitable provision for those held for long periods on remand.³³⁴
- B.8** Even though remand prisoners are held closer to home they are more likely to lose contact with their family. **One in four** men and **half** of all women on remand said that they had no visits at all.³³⁵ Young men on remand seem to be particularly badly off. Compared with sentenced prisoners they are twice as likely to have received no letters or phone calls in the previous three months.³³⁶
- B.9** Compared to sentenced prisoners remand prisoners are **half** as likely to have participated in work whilst in prison³³⁷ and young people on remand are **20 per cent** less likely to have attended education classes during their current period in custody.³³⁸ Again, this may be an unintended outcome of the regime for those on remand as they are not required to work or take part in education, although it is clear that for those who want to work, there are insufficient places.
- B.10** Remand prisoners receive little help with resettlement and release. They are **half** as likely as sentenced prisoners to have obtained advice on resettlement, despite the fact that they are less likely to have somewhere to live on release.³³⁹ Those released following a court case, or who have proceedings against them dropped, are ineligible for a discharge grant, whatever their circumstances and whatever the length of time inside.

Making better use of time spent on remand

- B.11** For the **one in five** remand prisoners who are found innocent, the period in prison can be particularly difficult. Ensuring appropriate application of remand and timely court processes are very important. But it is also crucial that as much as possible is done to help them maintain their home, job and family links. Preparing them, and those who have served the term of the sentence at the point of sentencing, for release is crucial in preventing future offending behaviour. Although there are some positive projects, such as the JADE project in HMP Bristol highlighted below, such projects are far from common.
- B.12** For the significant proportion of remand prisoners who go on to serve a custodial sentence, education, employment and skills work could have begun much earlier. Even where positive activity cannot begin immediately, having plans in place and ready to be activated, should a custodial sentence be passed, would make a real difference. Some of the difficulties of working with short-sentenced prisoners could be avoided where the remand period is used more constructively.

B.13 Several large local prisons have developed work to address the needs of remand prisoners. At HMP Altcourse, in Liverpool, all remand and short-term prisoners are covered by a custody plan that sets out how they will spend their time in prison. As a result, all remand prisoners are able to undertake 15 hours of education a week, and in doing so, they can gain access to the highest level of the prison's Incentives and Earned Privileges scheme. The process also has other benefits for some prisoners – the plan, and a report on how willingly the prisoner has engaged in its development, are copied to the court when a decision is being made on sentence.

Jade Project, HMP Bristol

Based in HMP Bristol, the JADE Project is a Prison Service-Probation Service partnership, specifically aimed at assessing and meeting the needs of short-term and remand prisoners. Prisoners sign up voluntarily for sessions on various issues, run on either a one-to-one or group basis. These include:

- employment advice;
- debt counselling;
- further education;
- gambling;
- benefits advice;
- mental health advice;
- housing advice;
- alcohol advisory service; and
- home detention curfew.

Involvement in JADE leads to the establishment of a custody plan for those who do not receive statutory sentence plans. This identifies areas of support required on areas such as drugs, education, housing, employment. The project brings Jobcentre Plus staff to the prison to start working with prisoners before their release – either from court or from the prison itself. The JADE Project and the CARAT team work closely together, referring prisoners to the most appropriate support.

Over 750 prisoners have been through the project since March 2000. The project is developing a computer tracking system, which will allow outcomes across a range of fronts to be monitored. The system is intended to be a shared resource for all of the agencies involved.

ANNEX C

BLACK AND MINORITY ETHNIC PRISONERS

C.1 As **Chapter 2** noted, some black and minority ethnic groups are disproportionately represented in the prison population.³⁴⁰

- Black and minority ethnic men make up **19 per cent** of the male prison population – between **two and three times** the proportion in the general population.
- Black and minority ethnic women make up **25 per cent** of the female prison population – over **three times** the proportion in the general population.³⁴¹
- In 1998/99, arrest rates per 10,000 of the population were 117 for black people, 44 for Asian people and 27 for white people.³⁴²

C.2 The reasons behind this over-representation are complex. Several indicators can be found in the profile of the black and minority ethnic population generally that suggest why contact with the criminal justice system is so much higher. People from some black and minority ethnic backgrounds are disproportionately likely to suffer from a range of aspects of social exclusion,³⁴³ and as **Chapter 2** demonstrated, high levels of social exclusion are overwhelmingly to be found in the prison population. The table below summarises a few of these:

Social Exclusion Factor	Black and minority ethnic profile
Living in a deprived area	In 1998, 56 per cent lived in the 44 most deprived local authority areas. ³⁴⁴ These contained proportionately four times as many people from minority ethnic groups as other areas. ³⁴⁵
Poverty	In 1997, 28 per cent of people in England and Wales lived in households with incomes of less than half the national average. But this was the case for 34 per cent of Chinese people, over 40 per cent of African-Caribbean and Indian people, and over 80 per cent of Pakistani and Bangladeshi people. ³⁴⁶
Taken into care as a child	In 1991, 19 per cent of children in care were from a black or minority ethnic background, compared to only 9 per cent of the under-16-year-old population as a whole. ³⁴⁷
Excluded from school	In 1999/2000 black pupils were three times as likely to be permanently excluded than white pupils. ³⁴⁸

C.3 Other reasons could include:

- *Disproportionate contact with the police.* Policing is usually proportional to the level of crime in an area, and people from black and minority ethnic groups live disproportionately in high crime areas. Although there has been a substantial fall in the recorded numbers of stop and searches carried out by police, black people are still overall **five times** more likely than white people to be stopped and searched.³⁴⁹ And many black and minority ethnic young people strongly perceive that the police see them as potential criminals rather than the most likely victims;³⁵⁰ and

- *Age profile.* The peak ages for offending are in the late teens to early twenties and **48 per cent** of the black and minority ethnic population are under 24 years old, compared to **31 per cent** of the white population.³⁵¹

Subsequent impacts of the criminal justice system

- C.4** Having been arrested, African-Caribbean people (particularly young people) are more likely to be **remanded in custody** than other offenders charged with similar offences. A recent report found **28 per cent** of African/African-Caribbean offenders remanded in custody, compared to **16 per cent** of white offenders.³⁵²
- C.5** Results from five pilot police force areas on magistrates' court decisions indicated that black and Asian defendants were less likely to be found not guilty than white defendants (**56 per cent** compared to **65 per cent**).³⁵³
- C.6** Although previous evidence has suggested disparities in the rate of custodial sentences for different groups, a recent survey has suggested that the differences are less marked.³⁵⁴ Little difference was found between rates of custody for white, black or Asian offenders. This remained true for black and white offenders even when other differences, such as nature of offence, were allowed for. However, Asian men were found to be significantly more likely to be sentenced to prison. Differences between the rates of other sentences were in the main due to the different rates of those pleading not guilty³⁵⁵ and the different nature of offences tried.
- C.7** Research also suggests that black prisoners are likely to be given longer sentences than either white or Asian prisoners. In 1998, for young offenders, **75 per cent** of white, **77 per cent** of Asian and **89 per cent** of black males had sentences over 12 months. The figures for sentences over 4 years for adult prisoners **were 47, 58 and 63 per cent** respectively.³⁵⁶
- C.8** Length of sentence will have long-term consequences. However, as noted in the main section of this report, it will also have a more profound impact on existing positive housing, employment or family links. And length of sentence also affects the period before an offence is 'spent' under the Rehabilitation of Offenders Act 1974. Prison sentences in excess of 30 months never become 'spent', with knock-on effects on employment prospects.
- C.9** One key issue which sentencers may take into account in deciding length of sentence may be the Pre-Sentence Report (PSR), prepared by the Probation Service, should this be requested by the Court. There is some evidence that coming from a black and minority ethnic background may have a bearing here. In 2000, Her Majesty's Inspectorate of Probation found that:³⁵⁷
- a significantly poorer quality of PSRs overall were written on African-Caribbean offenders than on white and Asian offenders – **49 per cent, 60 per cent and 63 per cent** respectively of the PSRs were considered satisfactory or better;
 - there was a failure to comment on the management of risk (having identified that there was a risk) in the majority of PSRs prepared on African-Caribbean offenders;
 - there were significant variations in performance between Services visited. *'Most operated some form of quality assurance procedures, but the findings raised questions about the efficacy of these procedures.'*

Black and minority ethnic background and the prison experience

Race relations in prison

C.10 The Prison Service, through its RESPOND and RESPECT initiatives (see below), has sought to tackle racism and racist attitudes within the prison system, whether they arise from staff or prisoners. There is some limited evidence that this appears to be producing results – a survey of minority ethnic prisoners in 2000 found that almost **three-quarters** of those asked described relations with prison officers, and **85 per cent** relations between prisoners from different ethnic groups, as 'OK' or 'better than OK'.³⁵⁸

HM Prison Service RESPOND and RESPECT programmes

HM Prison Service is committed to promoting race equality and the RESPOND programme represents the first time that the Service has taken a strategic approach to both staff and prisoner race issues.

The RESPOND (Race Equality for Staff and Prisoners) programme aims to make the Prison Service more representative of the whole community and deliver a better service by ensuring equality of opportunity and just treatment for staff and prisoners of all ethnic groups, and by eliminating all forms of discrimination within the Service.

It contains five key strategies:

- i) confronting racial harassment and discrimination;
- ii) ensuring fairness in recruitment, appraisal, promotion and selection;
- iii) developing and supporting minority ethnic staff;
- iv) ensuring equal opportunities for minority ethnic prisoners; and
- v) recruiting minority ethnic staff.

The RESPECT (Prison Service National Minority Staff Support Network) programme, launched in 1999, is part of the RESPOND strategy to develop and support minority ethnic staff. It aims to eliminate racism in the workplace, and improve the working environment and career opportunities for minority ethnic staff within the Service. The Network provides a freephone support line for staff to speak to RESPECT Contact Advisers as an additional source of support.

Physical and verbal abuse

C.11 However, for a number of prisoners, their black or minority ethnic background results in physical and verbal abuse. **7 per cent** of prisoners asked in 2000 said they had been victims of physical abuse and **18 per cent** verbal abuse because of their minority ethnic background.³⁵⁹

Prison discipline

- C.12** The only element of regime that is routinely monitored and recorded on black and minority ethnic issues is that of offences and punishments within the prison. In 2000, on average black male prisoners were found guilty of around **40 per cent** more offences than white males, while black females had **32 per cent** less proven offences than white females. Prisoners from South Asian and Chinese/other minority ethnic groups all had relatively low adjudication rates.³⁶⁰
- C.13** While patterns of punishment varied between establishments and establishment types, overall in 2000 black male prisoners received a slightly higher number of punishments per offence (**1.8**) than white male prisoners (**1.7**).³⁶¹

Access to rehabilitative work during custody

- C.14** Definitive figures on many aspects of rehabilitation – such as a breakdown of participation in different aspects of the prison regime – are not currently systematically available. However, from the limited research that is available, it seems likely that coming from a black and ethnic minority background does have an impact. It should also be recognised that the Prison Service has to deal with large numbers – particularly in the women’s estate – of foreign national prisoners, for whom meaningful resettlement activity is extremely difficult, and who place particular pressures on the prison system.

Employment in prison

- C.15** A 1989 study found a significantly higher proportion of inmates of ‘West Indian’ origin allocated to workshops or left unemployed, and a significantly lower proportion allocated to on-wing jobs and off-wing work parties.³⁶² Inmates from other minority ethnic groups, while also significantly more likely to be allocated to workshops, were less likely to be unemployed.
- C.16** More recent research suggested that prisoners saw many ‘trustee’ type jobs as being allocated primarily through word of mouth recommendation – either by staff or other inmates. Being a member of a black and minority ethnic group may have an impact here.³⁶³ This may also have later consequences in limiting an individual’s ability to show that he or she is reliable and does not present a risk, when it comes to applications for Release on Temporary Licence, parole or discretionary release.

Education and training

- C.17** Research suggests that black and minority ethnic prisoners are more likely than white counterparts to have taken part in further education outside prison and have attended education classes in prison.³⁶⁴ Among younger prisoners, they are also significantly more likely to begin and complete some form of vocational training while inside than white or Asian inmates.

Community and family support

- C.18** There is some evidence that black prisoners in particular are less likely to receive visits than white or other minority ethnic prisoners. For example, **30 per cent** of white female prisoners surveyed in 2000 received regular visits from spouses and partners compared to **15 per cent** of black women, and **28 per cent** of white women were visited by children compared to **15 per cent** of black women.³⁶⁵

- C.19** There may be a number of reasons for this, including the high proportion of foreign national prisoners in the black and minority ethnic prison population (particularly for women prisoners where foreign nationals make up over half the black and minority ethnic population³⁶⁶) and the location of prisoners. While over half of the country's black population live in London, most prisons in this area are local prisons which move inmates out quickly to training prisons spread over a much wider geographical area. As a result black prisoners' families may find it more difficult to visit.

Housing Advice for Black and Asian Prisoners (HABAP)

The HABAP scheme has been running since 1998 and is part of the Prison Resettlement Team. HABAP provides housing advice, guidance, support, advocacy and information to enable black and Asian prisoners to retain their accommodation on entry to prison and to make positive housing choices on release.

On entry to prison, those with housing needs are referred to advice workers for a full housing needs assessment. Housing Advice workers then work with the local authority, Jobcentre Plus and Council Tax departments on their behalf. HABAP also:

- assists prisons with identifying and meeting prisoners' cultural needs and providing on-the-spot guidance on practical issues;
- organises training events and workshops for prisoners, staff and external organisations aiming to develop culturally sensitive services within prisons;
- facilitates family mediation; and
- works in partnership with community organisations providing ongoing support for black and Asian prisoners on release.

Since 1998, HABAP has dealt with over 2,500 enquiries from black and Asian prisoners at HMPs Leeds, Wealstun and New Hall, 600 of which were referred on to accommodation. Evaluation of the scheme is currently underway.

Offending behaviour work

- C.20** The extent to which the current accredited offending behaviour programmes are sensitive to differences in ethnic background and culture is the subject of debate, and an issue which the Prison Service and Probation Service are currently addressing. But there are concerns about operational aspects of the programmes. Recent research on black and minority ethnic prisoners' experience of offending behaviour programmes and more general offending behaviour work³⁶⁷ found a strong conviction among black prisoners that they had a greater difficulty accessing courses than their white counterparts. Many reported having to register for courses many times, or having to wait for longer periods.
- C.21** However, this concern is not borne out by recent research on access to accredited programmes undertaken by the Prison Service. This found that only in respect of access to the Sex Offender Treatment Programme is there any sign of appreciable under-representation by black and minority ethnic prisoners.³⁶⁸
- C.22** Many black prisoners the Social Exclusion Unit met also claimed they had been made to do courses which they saw as of little relevance and unrelated to their offences, or that they had been offered a limited choice compared to white prisoners. In some instances, they felt pushed onto stereotypical courses, such as anger management, regardless of their needs.

Access to support following release

C.23 Although there is comparatively little available evidence on the effect of black and minority ethnic background upon access to accommodation or broader resettlement support post-release, there is some evidence about the presumptions that some might make in this area. A 1989 study found that prison officers surveyed saw Asian prisoners as needing less after-care or welfare than black prisoners.³⁶⁹ However, this might have been based upon presumptions about the availability of family support to the respective groups – and probation officers surveyed did not report this view.

C.24 The report by Her Majesty's Inspectorate of Probation in 2000 found that:³⁷⁰

- of the (then) 52 probation services, only 20 had allocated any of their partnership budgets to projects specifically targeted at minority ethnic service users. And in only 3 services was this above **5 per cent** of that budget; and
- 'the level of supervision and oversight of minority ethnic offenders by the majority of services was poor' and that 'surprisingly little use was made of the expertise available through partnership organisations'.

ANNEX D

JUVENILES

"Breaking up families in order to heal them makes no sense at all."

Youth worker

"They can earn more in 25 minutes offending than in a week with a proper job."

Drugs worker, Young Offenders Institution

Introduction

D.1 Juvenile prisoners – those aged under 18 (typically 15–17) – present particular challenges. These include the different demands they make on the system as children and the fact that, in the community, they are dependants, in the care of either parents or a local authority. The support and rehabilitation that is provided for juveniles in custody, therefore, carries similar obligations to those that exist in the care system.

Key facts

Scale

In March 2002, **2,915** juveniles were held in secure accommodation: **2,713** boys and **202** girls.

Of these, **86 per cent** (2,379 boys and 118 girls) were kept in Young Offender Institutions (YOIs) and **14 per cent** (334 boys and 84 girls) in non-Prison Service accommodation such as local authority secure accommodation.

4,628 sentenced under-18s entered prison in 2001 – 382 more than in 2000. **29 per cent** were in custody for only two months.

A survey of prisoners in YOIs found that on average they admitted to **16** offences per year, with some respondents being especially prolific, admitting to **30–40** offences per year.³⁷¹

Trends

Between 1993 and 1998:

- the number of imprisoned 15–17-year-olds **almost doubled**; and
- the number of imprisoned 15–17-year-old boys as a proportion of the total prison population **more than doubled**, and for girls **almost trebled**.

Over the last year the number of 15–17-year-olds in prison increased by **6 per cent** (**5 per cent** for boys and **42 per cent** for girls). The entire estate is at **97 per cent** capacity. Although the remand population fell significantly between 2000 and 2001, over the last year the remand population has stayed level.

Reconviction

84 per cent of 14–17-year-olds discharged from prison in 1997 were reconvicted within two years.³⁷²

33 per cent of children released from Medway Secure Training Centre in 1998/99 committed criminal offences leading to arrest within one month of their release, and **67 per cent** had offended before their Secure Training Order (precursor to the Detention and Training Order) had expired at 20 weeks.³⁷³

Characteristics of juvenile prisoners

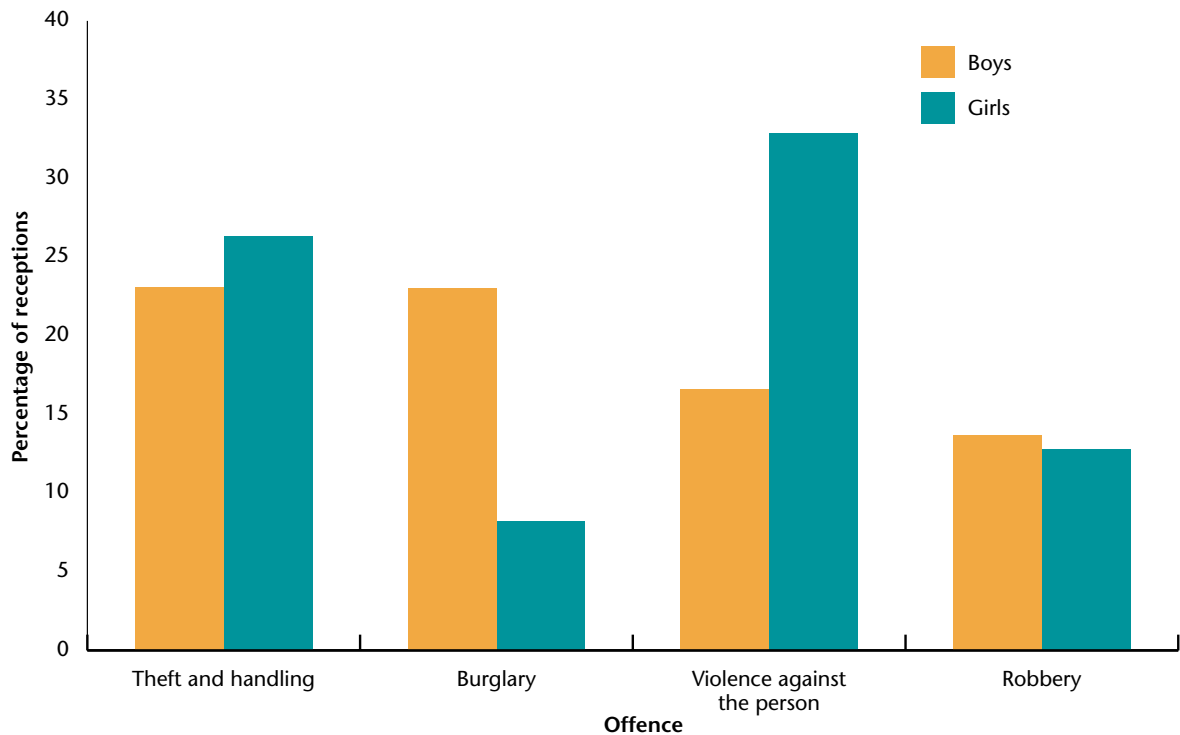
The onset of offending

- D.2** The peak age for offending is getting later. Between 1986 and 1994, it increased from 15 to 18 years.³⁷⁴ Hence, juvenile offenders are now likely to be at a stage where – unchecked – their offending behaviour will still be on the increase.
- D.3** Girls are usually younger when they first receive a custodial sentence – although boys are more likely to receive a longer sentence.

Types of offence

- D.4** **Figure 11** shows the main types of offence for which juvenile prisoners were received in prison under sentence in 2000.

Figure 11: Receptions of juvenile prisoners by main type of offence and gender



Source: Home Office, *Prison statistics England and Wales 2000*.

D.5 Worth noting is the predominance of acquisitive crimes, and the high proportion of violent offences among the juvenile female prison population. The rise in violence among juvenile females has been marked – one recent study suggested that the rise in the UK was highest among 11 European countries.³⁷⁵

A background of social exclusion

D.6 Most juvenile prisoners have experienced a range of social exclusion factors, which may have contributed to their offending behaviour. These include:

- low educational attainment;
- disrupted family backgrounds;
- coming from a black or minority ethnic background;
- behavioural and mental health problems; and
- problems of alcohol and/or drug misuse.³⁷⁶

D.7 As a snapshot of this, a survey of juveniles held at Rainsbrook Secure Training Centre found that:

- **87 per cent** had missed significant periods – often years – of education;
- **41 per cent** had been previously excluded from school, with **37 per cent** non-attendees. **None** was a regular attendee;
- **88 per cent** had a reading age below their chronological age and **90 per cent** had mathematical ability below their chronological age;
- **60 per cent** had previously been looked after by local authorities, of which **27 per cent** had been in a secure children home;
- **35 per cent** had had **three or more** previous care placements, **10 per cent** had had **five or more** previous care placements.

Low educational attainment

D.8 Recent research found that of those in custody of school age, **nearly half** had literacy and numeracy levels below those of the average 11-year-old and **over a quarter** equivalent to those of the average 7-year-old or younger.³⁷⁷

D.9 Subsequent research also showed that between **a quarter and a third** of juvenile prisoners had no education and training available to them before custody. And a month after release 58 per cent had no education or training.³⁷⁸ Yet being out of education is a major risk factor for juvenile offending: the research found an almost direct correlation between youth crime rates in an area and its 'out-of-school' population.³⁷⁹

Disrupted family backgrounds

D.10 Many juveniles enter custody from a background of family disruption and conflict. Her Majesty's Inspectorate of Prisons estimated in 1997 that **over half** of those under 18 in custody had a history of being in care or social services involvement.³⁸⁰ A survey of prisoners aged 16–20 found that **42 per cent** of male remand, **29 per cent** of male sentenced and **35 per cent** of female sentenced prisoners had been taken into local authority care as a child.³⁸¹

D.11 The same survey found that about **two out of five** females and about **one in four** male prisoners reported having suffered violence at home while **one in three** females and **one in twenty** males reported sexual abuse.

Coming from a black or minority ethnic background

D.12 The over-representation of people from some black and minority ethnic backgrounds in the adult prison population is also seen within the juvenile estate. The Youth Justice Board estimates that the proportion of black juveniles in custody is **10 per cent**, against **2 per cent** in the general population. The proportion of young Asians is slightly lower than in the general population.

Behavioural and mental health problems

D.13 Juvenile prisoners have high rates of mental illness. A survey of 16–20-year-olds³⁸² found that:

- **two-fifths** of sentenced males and **two-thirds** of sentenced females had symptoms of anxiety, depression, fatigue and/or concentration problems compared to **one-tenth** of young people in the general population;

- around **85 per cent** exhibited signs of a personality disorder (mainly anti-social); and
- **10 per cent** exhibited signs of psychotic illness (for example, schizophrenia).

D.14 Untreated, these levels of mental illness represent a risk not only to others, but very often to the young people themselves. Rates of attempted suicide are high among young people in custody with **10 per cent** of young men remanded in custody having considered suicide within the last week and **20 per cent** saying that they had attempted suicide some time in the past. Between 1995 and 2001 there were **18 juvenile suicides** in custody.

Drugs and alcohol

D.15 Use of drugs and alcohol are major problems, not only for young people's health, but also as a driver of offending. A survey of 16–20-year-olds found that:³⁸³

- **over half** reported dependence on a drug in the year prior to imprisonment, of which **one in four** sentenced females and **one in seven** males were dependent on opiates such as heroin; and
- **over half** the female and **two-thirds** of the male prisoners had a hazardous drinking habit prior to entering custody.

The system for juvenile prisoners

D.16 The Government has recognised the different needs of juvenile offenders through the establishment of a separate institutional and policy structure for offenders aged under 18. In terms of institutional structures, the key elements of this new approach are:

- the establishment of the **Youth Justice Board (YJB)** to drive through and monitor developments in the field of youth justice;
- the establishment of 155 multi-agency **Youth Offending Teams (YOTs)**, delivering youth justice programmes and processes at the local level;
- a radical overhaul of **the juvenile estate** both in terms of structure and provision; and
- the development of a range of **new measures and orders** aimed at targeting the causes of offending behaviour.

D.17 These are explained in more detail in the boxes below:

The Youth Justice Board

The YJB was established in 1998. It is responsible for:

- advising the Home Secretary on the operation of the youth justice system;
- monitoring the operation and performance of the youth justice system, including youth courts, YOTs and secure accommodation providers;
- commissioning and allocating secure places for juveniles either remanded or with a custodial sentence;
- advising the Home Secretary on standards for the work of YOTs and juvenile secure estate, setting and monitoring performance indicators; and
- identifying and disseminating good practice, including commissioning research and providing development grants.

Youth Offending Teams

Since 1998, each local authority must establish a YOT. Chief officers of police, probation committees and health authorities must also co-operate in this process. These services must fund a YOT directly and in kind. Each YOT is required to include at least one:

- probation officer;
- social worker;
- police officer;
- person nominated by a health authority;
- person nominated by the chief education officer; and
- nominated housing officer.

There is no formula for the funding contributions of different agencies. In 2001/02 the agency contributions were:

- Social Services (55 per cent);
- Police (13 per cent);
- Probation (10 per cent);
- Education (7 per cent);
- Health (6 per cent); and
- Local Authority Chief Executives (9 per cent).

In addition, YOTs receive direct funding from the YJB.

YOT workers are responsible for assessment of young offenders on initial contact with the Youth Justice System, as well for providing Pre-Sentence Reports to the courts. For offenders given community orders, they must ensure appropriate supervision and programmes are in place. They must place offenders on remand into appropriate accommodation, as well as ensuring that offenders on Detention and Training Orders and other custodial sentences receive appropriate programmes while in custody, and appropriate supervision on release.

The juvenile estate

The YJB has a remit to ensure that the most vulnerable young people are held away from prison in Secure Training Centres (STCs) or Local Authority Secure Units (LASUs).³⁸⁴

The YJB funds provision at: £104 per day in Young Offender Institutions; £370 in STCs; and £402 in LASUs.

As well as the YJB's own monitors, the juvenile estate is independently monitored by a new multi-agency inspectorate group, headed by the Social Services Inspectorate, OFSTED, HM Inspectorate of Prisons, and the Adult Learning Inspectorate.

The YJB is committed to an expansion in its use of STCs, to meet better the needs of young females and vulnerable 15- and 16-year-old males.

In addition:

- the YJB will provide up to 20 specialist places in 2002/03 for young mothers and mothers-to-be;
- as a temporary measure, the YJB ensured that in 2001/02, 17-year-old women who cannot be placed outside Prison Service establishments were accommodated in four discrete units;
- the YJB will seek to change the distribution of prison places across the country so that shortfalls in London, the South East, and North West and Wales are addressed;
- 80 per cent of juvenile prisoners will be accommodated within 50 miles of home; and
- the YJB has a target to ensure that all juveniles in custody will receive at least 30 hours a week education, training and personal development activity.

Orders and programmes

A range of measures is now available to youth courts to tackle offending behaviour and its causes among juvenile offenders. These include:

- **Detention and Training Orders (DTOs)**³⁸⁵ can be a term of 4, 6, 8, 10, 12, 18 or 24 months, half served in detention, the remainder in the community under the supervision of a YOT worker. They are available for juveniles convicted of an offence that would be punishable by imprisonment for someone aged 21 or over.
- **Intensive Supervision and Surveillance Programmes (ISSPs)** are targeted at the 3 per cent of young offenders who commit 25 per cent of all offences. These are appropriate for young offenders who have been charged with or warned for an imprisonable offence on four or more occasions within the last 12 months and have previously received at least one community or custodial penalty.

An ISSP can be a part of bail supervision, a community penalty, or it can be used during the second half of a DTO. There is a strong emphasis on education and training, restorative justice and changing offending behaviour. Surveillance is provided either by tagging, voice verification, intelligence-led policing or tracking.

- **Bail Supervision and Support programmes** are designed to minimise the need for remand. They are complemented by a Remand Review programme contracted to the Children's Society which urgently reviews the appropriateness of remand placements.
- **Parenting Orders** can have two elements, failure to comply with which is a criminal offence:
 - a requirement on parents or guardians to attend counselling or guidance sessions where they receive help in dealing with their children; and if felt necessary
 - a requirement to exercise control over their children's behaviour. The duration of this part of the order may last for up to 12 months.
- **Referral Orders** are used for all juvenile offenders without previous convictions who plead guilty unless the crime is serious enough to warrant custody. They are referred to a youth offender panel that investigates the causes of offending and draws up and monitors a contract with the offender, which includes a programme of activity aimed at tackling offending behaviour and making reparation. An offender who refuses to agree to a programme or fails to comply at any point, will be referred back to court and a new sentence given.
- **Reparation Orders** aim to take into account the wishes of the victims of crime, allow amends to be made, and to confront offenders with the consequences of their actions. The order requires the offender to make specific reparation either to the individual victim of the crime, where the victim desires this, or to the community that has been harmed.
- **Supervision Orders** can be given to any young offender, and last between three months and three years. The young offender is supervised by a YOT worker and may be required to undertake specified activities to address their offending behaviour.

Education

D.18 In recognition of the generally very low levels of educational attainment among juvenile prisoners, the YJB is investing £40 million over three years to 2004 into education and training provision in the secure estate. A National Specification for learning and skills has been developed for the secure estate setting standards in education requirements for the 15–17-year-old population in particular. As part of this National Specification, this year a National Strategy for Literacy and Numeracy is being piloted to provide a framework for teaching and learning in basic skills. To emphasise the central role of education within the DTO all juvenile secure establishments are moving towards the model of a Secure Learning and Skills Centre. The Prison Service and Department for Education and Skills (DfES) have been key partners in this work.

D.19 From April 2001, the YJB has a new target that secure accommodation providers should deliver **30 hours per week** of education, training and personal development to each young person. A further **£20 million a year** extra was provided in 2001/02 towards that goal.

D.20 In addition the YJB is:

- developing a new assessment tool to measure the literacy and numeracy of all young prisoners on entry to and departure from Youth Offenders Institutions (YOIs);
- agreeing a new Literacy and Numeracy Framework for young people in the youth justice system to link to national targets such as Key Stages and the standards set by the Adult Basic Skills Strategy Unit;
- commissioning learning materials suitable for teaching 15–17-year-olds literacy and numeracy particularly aimed at those with the lowest skills. Its target is to increase to 80 per cent the proportion of juveniles who improve their literacy and numeracy; and
- ensuring that all YOTs have effective protocols – agreed with their local education authority or local Learning and Skills Council – for improving literacy and numeracy and arranging education and training for all young people entering the Youth Justice System.

D.21 Following a recent audit of education standards in the juvenile estate,³⁸⁶ the YJB is moving to re-engineer provision by:

- prescribing through the National Specification the constituent parts of a relevant education and training programme to ensure that the regimes are consistently built around the delivery of education;
- extending the facilities available for education;
- increasing the numbers and skill mix of teachers and instructors; and
- specifying and monitoring the level and quality of education and training provided.

D.22 The YJB also hopes to develop new technology to allow electronic monitoring of young offenders, determining whether they are in education when they are supposed to be. It is planned that this technology will operate both in custody and the community. This will complement ICT systems already in development to monitor literacy and numeracy attainment and the tracking of progress.

Employment

D.23 YOTs are funded against a performance target of getting **90 per cent** of their cases back into full-time education, employment or training. This a joint target shared with the Connexions Service. Local Connexions partnerships have a responsibility to provide effective links with YOTs and secure units to support education, training and employment places and to work with the long-term needs of young people who come into contact with the youth justice system.

Offending behaviour

D.24 There is currently a lack of appropriate offending behaviour programmes for juvenile offenders. The YJB has moved to fill this gap, funding the evaluation of 40 cognitive-behavioural programmes. More emphasis was placed initially on preventive programmes, targeting at-risk individuals in high crime neighbourhoods. However, a good example of programmes which cross the community/custody divide are **parenting programmes**, four of which involve working with the secure facilities to provide support and guidance to parents while the young person is in the establishment, and work in the community to provide support once the young person is back in their home environment.

Housing

D.25 Housing is increasingly being recognised as a serious issue for juvenile prisoners leaving custody. From 2002, every YOT will have an identified housing officer. The YOT will also be required to make contact with local housing departments to ensure that its views on needs and priorities are represented in the local housing strategy.

D.26 In addition, housing guidance produced by the YJB makes clear that:

- each YOT should develop a local directory of accommodation providers in their area;
- each YOT should become involved in strategic partnerships concerning accommodation for children leaving care; and
- senior housing representatives should be invited to participate on the inter-agency steering group of each YOT.

Drugs and alcohol

D.27 Under a new £23 million project, every young offender who comes into contact with a YOT will be screened for drug misuse and assigned a specialist drug worker. They will also have access to commissioning and contracting monies to ensure that young people benefit appropriately from similar services.

D.28 All juvenile secure establishments are required to provide alcohol and drug assessments, care plans, education, and awareness and access to appropriate healthcare services. However, in practice, current arrangements are limited in comparison to those available in the adult estate. During 2002, the YJB will be working with secure facilities to specify alcohol and drug withdrawal protocols. They will also be looking at the level of need and existing provision within juvenile secure facilities, in order to decide on future provision.

Physical and mental health

- D.29** Young people in custody need a standard of healthcare that recognises they are not yet adults. Moreover, they are likely to have characteristics which make them even more vulnerable compared to others of the same age. This vulnerability can be exacerbated as a result of the stress and anxiety of going into and then leaving prison. They are at serious risk from self-harm, suicide and poor mental well-being.
- D.30** Where juveniles are held in Prison Service accommodation, their healthcare is the responsibility of the Prison Health Policy Unit **Chapter 10**. LASUs and STCs, however, rely on arrangements with individual health authorities. The YJB is working jointly with the Department of Health and the Prison Health Policy Unit to improve provision. It has established a Clinical Reference Group to help the YJB to specify and commission appropriate health services for young people in custody.
- D.31** The YJB has drafted Standards for Secure Accommodation, which include some basic principles to underpin the delivery of healthcare to all young people in secure accommodation. These have not yet been fully implemented. The YJB has, however, developed service specifications for the places it commissions which require providers to deliver healthcare and health education free at the point of delivery.
- D.32** As part of the YJB Safer Custody/Better Care initiative, safer and more humane arrangements are being made for young people on their first week in custody. The new arrangements will involve round-the-clock staffing and healthcare facilities enabling young people to be properly assessed and cared for during this most vulnerable time. The YJB are developing further protocols for the management of young people in custody and will incorporate these into contracts from 2002. A review of the movement of young prisoners has also been undertaken and it is hoped that transport in cellular vehicles with adult prisoners can be replaced by a service specifically for juveniles.

Issues

- D.33** Despite the undoubted progress that has been made in tackling juvenile offending and improving the conditions in the juvenile estate, there remain a number of issues yet to be resolved.

Youth Offending Teams

- D.34** The Social Exclusion Unit (SEU) encountered a great deal of enthusiasm among YOT workers for the multi-agency approach and the impact the work of the YJB and YOTs was making on the ground. However, it was clear that there were also a number of shared concerns. These included:
- the time spent travelling to visit young people (partly as a result of the dispersed nature of the juvenile estate);
 - the concern among some Team members that they had become cut off from their parent agencies and were unable to influence their policies;
 - the lack of commitment to the YOT of some parent organisations, such as a refusal to provide staff on a full-time basis;

- the inability or unwillingness of other local services to engage in dialogue with the YOTs. Although the Teams are meant to input into local strategies, it was felt that most local services are engaged full-time in crisis management; and
- the lack of authority of YOTs in dictating provision in prison or post-release.

D.35 Conversely, it was also clear that secure establishments experience variable levels of service from YOTs. While some have very close working links with the local Team, others reported rarely seeing some YOT workers, and then only at the beginning and/or the end of the sentence. The SEU heard from many establishments that YOT workers usually addressed housing and education issues only in the week before release. Some establishments even suggested that they should fund their own community liaison officer to undertake work not currently being done by YOTs.

D.36 The evaluation of the pilot stage of YOTs found that only **38 per cent** of YOTs' time was spent on activity directly related to the young people in their charge. Only **0.8 per cent** of time was spent visiting juveniles in custody and **1.2 per cent** working with juveniles on licence.³⁸⁷

D.37 It is already clear that in terms of engaging juvenile offenders with mainstream support, the interaction between the YOTs and the Connexions Service will be key. The Connexions Service National Unit and the YJB have recently published joint guidance on links between the Connexions Service and YOTs.³⁸⁸ This guidance has been informed by lessons learnt from pilot work underway at HMYOI Huntercombe:

Connexions pilot, HMYOI Huntercombe

Since 2000, the Connexions pilot project in HMYOI Huntercombe has been exploring the application of Connexions to a custodial environment. Three Connexions Personal Advisers work in the casework team and each has 15 prisoners, aged 15–17, for whom they manage the training plan process and co-ordinate the links with outside agencies to address their needs in preparation for release. The Advisers set and review the goals of the sentence with the young person and their YOT worker.

One Adviser works with prisoners from the local area to improve the resettlement process and make the transition back into the community as smooth as possible. Advisers build links with Connexions staff in the area to which prisoners will return. Particular attention is paid to ensuring information flows in and out of custody and ensuring that the process of connecting to post-release opportunities starts during custody. Two advisers have worked intensively with 147 young offenders, raising their skills and aspirations, over the course of the pilot. In total the Advisers have worked with 38 different local areas.

The pilot is exploring the skills necessary for Connexions Personal Advisers working with young offenders in custody, and the training, management and supervisory structures needed to support them.

The trainees' reaction to the support they receive from their Personal Advisers is being studied. Initial analysis of the research indicates a high level of satisfaction with the Personal Advisers' input.

- D.38** But such statutory agencies are not the only means of support. The NACRO Onside project, run at HMYOI Portland, provides further evidence that ongoing and tailored support can be effective in tackling re-offending:

NACRO Onside Project, HMYOI Portland

The Onside Project was set up by NACRO with funding from The Monument Trust in 1999. Pre-release key workers liaise with prison staff to identify the most vulnerable 16–17-year-olds and to ensure that they are able to access opportunities, information and support in the prison that will help them prepare for release. Post-release the key workers maintain contact with the young men and meet them in the community on a regular basis.

Programme participants include:

- those who have been in local authority care;
- those whose family relationships are weak and/or antagonistic; and
- those who will be leaving prison without anywhere to live.

Key workers work with prisoners to identify the difficulties they are likely to face on release, and to develop an appropriate action plan to address them. Typically these plans cover education, training and employment, accommodation, benefits and budgeting, health (including substance misuse) issues, and family relationships. Key workers also work with other support agencies to make sure that prisoners returning to the community can access relevant services. They aim to ensure that a strong network of practical support is in place before release. After release, they act as mentors, advisers and advocates, offering continued support and encouragement, as well as intervention should problems arise.

Feedback showed that prisoners valued the key worker relationship, and generally found it much more useful than the relationship with statutory agencies. Prison staff commented on the value of the project not just in terms of the support provided to the prisoners but also in offering them a role model, often the first positive role model that they would have known. To date the reconviction rate for those taking part is 38 per cent against an expected reconviction rate of around 90 per cent for this age group.

Moving between establishments and into the community

- D.39** The SEU found evidence that a number of barriers remain to the effective movement and support of juveniles through the system and back into the community. Among these are:

- records not following an offender (a recurrent complaint);
- sudden moves at short notice from establishment to establishment;
- the abrupt transition experienced when a young person has to move between establishments. In particular, movement from LASUs and STCs to YOIs can be traumatic, given the huge contrast in regime;
- the abrupt transition experienced by a young person moving from custody into the community. Typically, a juvenile will move from a lifestyle of intensive supervision and structured activity to a situation where there is next to nothing by way of close mentoring or incentives;

- the lack of feedback to secure facilities on the success or otherwise of their interventions, in order to shape provision;
- the lack of action to address the conditions the young person leaves behind when entering custody. A young person may make considerable headway while inside, only to return to the same chaotic environment, which undermines any chances of success; and
- concerns that, despite the joined up approach adopted by the YOTs, some agencies are still 'dumping' problematic young people. The SEU was told on several occasions of social services departments 'washing their hands' of particular cases once they had entered the youth justice system. For example, having completed a short DTO, the young person ceases to be part of the YOT caseload, but may not then return to the charge of social services.

Length and nature of sentence

D.40 The SEU heard a great deal of concern about the rise in short-term DTOs, which were felt to be of questionable value in terms of punishment or rehabilitation. For instance, at Rainsbrook STC the number of sentences for six months or less in March 2000 was 42 per cent. By December it was 63 per cent. Some at secure establishments felt that the short time in which a juvenile would be in custody was insufficient to do anything of value – an argument strikingly similar to that employed for short-term adult prisoners elsewhere in this report.

D.41 Many establishment staff also expressed frustration at their inability to add days to the custodial phase of a DTO. This, they felt, left them without a key method of maintaining discipline. Equally importantly, there was also evidence that for this reason some establishments had found problems in attempting to move on juveniles coming to the end of their DTO.

Education

"I don't want you in my school. You will do nothing for my league table results."
Headteacher to a 15-year-old leaving a YOI

"Young people are contacting secure units and asking whether they can come back in. They are talking about breaching because there is no provision for them outside."
Education manager

"There's no provision for these kids in the community. I end up teaching most of them myself."
Education YOT worker

D.42 Many juvenile prisoners will still be of compulsory school age, and even those who are older are likely to have had an interrupted or incomplete experience of school. Adequate provision of education is therefore paramount for this group.

D.43 A recent report, however, found that a broad, balanced curriculum is not on offer to juvenile prisoners in YOIs.³⁸⁹ In particular, it found that 'special educational needs are an area of major weakness, with insufficient support and an extremely low level of transmission of important evidence from and to the community. Literacy and numeracy do not permeate the curriculum sufficiently. Other areas needing improvement are accreditation, awards ceremonies, homework, lesson planning and National Records of Achievement (NRA).'

D.44 The report also criticised the current funding regime for education across the secure estate. Nearly as much is spent on education for the 300 bed spaces in LASUs as on the 2,900 bed spaces in YOIs. The cost of education per bed space on average is 8–10 times greater in LASUs and STCs than in YOIs. There is a marked variation in costs across LASUs, and for the larger ones education is significantly more expensive than in STCs. Others have also noted that the use of unqualified teachers is much higher in juvenile YOIs than STCs.³⁹⁰

D.45 As noted above, the YJB has set secure facilities a target of increasing by **15 per cent** the proportion of young people held for three months or more who achieve Level 2 in literacy and numeracy by 2004. However, recent research calls into question how realistic this target is. It makes clear that only a very few young people are in a position actually to reach this level with many below Level 1 in terms of academic attainment.³⁹¹

D.46 During its visits, the SEU heard of a range of other problems, including:

- *appropriateness of provision while in custody:* a YOT worker reported that a prisoner for whom she was responsible had spent three hours a day in art classes during the year he was in a YOI;
- *difficulties in making links back into the mainstream:* many of the more vulnerable children, for whom LASUs and STCs are felt to be the most appropriate environment, have to be placed far from home. As a result, effective work in reintegrating them back into mainstream education (as well as the broader community and their family upon release) is made more difficult; and
- *lack of access to suitable mainstream provision:* while children entering custody are routinely taken off their school's roll after 6–8 weeks' absence, the money paid to the school for the young person – withheld by the local education authority (LEA) once they are removed from the roll – does not follow them into custody nor, in many instances, does it seem available once the child returns to the community. And – particularly important for this group – stated funding does not follow young people into institutions. The SEU heard examples of LEAs refusing to accept responsibility for a young person returning to their area, often seeing them as likely to push down academic performance. On occasion, this reluctance to accept responsibility goes so far as refusing to provide small amounts of funding in order for someone to finish their course, or take an exam.

D.47 All of the above combine to produce a situation where reintroducing juvenile prisoners into mainstream provision post-release requires a great deal of effort. At Rainsbrook STC, **24 per cent** of juvenile offenders do not enter any education on release at all.

Physical and mental health

D.48 LASUs and STCs report frequent difficulties in accessing basic healthcare services, in particular GPs. Secure Units report that trips to accident and emergency departments are often the only way of ensuring that young people are treated by a qualified practitioner. In response to such difficulties in accessing NHS services, many custodial facilities have bought in private health services. The YJB estimates that it is paying in excess of **£12 million** per year to supplement provision of healthcare services that should be available from the NHS.

D.49 The level of mental health needs among the juvenile prison population is a constant theme. The previous Chief Inspector of Prisons – in an otherwise positive report on the improvements made in Feltham since the establishment of a separate juvenile facility – noted that it still contained 'the most seriously disturbed group of young men – the majority of whom should be in medical rather than custodial accommodation'. He also found that only 15 hours purposeful activity per week were being provided, as well as education for only 90 instead of the 200 with identified needs ('and the many more who could usefully benefit from an educational plan').³⁹²

- D.50** Although there are examples of where community mental health teams provide routine services to secure juvenile facilities, mental health care most commonly takes the form of a child psychiatrist contracted to provide weekly sessions. The SEU saw an example in one of the largest LASUs of where this amounted to half a day per week. This approach can mean that juveniles do not benefit from a multi-agency approach, and in turn reduces their chances of being connected back to community services in their area.
- D.51** Most of those the SEU met referred to an acute shortage of appropriate mental health provision for juvenile offenders, both inside and outside prison. The vast majority of those with diagnosable mental health problems, but who do not require mental health admission, do not receive adequate management and care from custodial or community-based services.
- D.52** Too many young people remain in custody when they need in-patient mental healthcare. In most areas, there appears to be no alternative/diversionary provision, and no system for identifying or dealing with mental health problems. The YJB estimates that there could be as many as 300 young people in juvenile establishments requiring transfer to specialist secure mental health facilities at any one time. A 2000 report to the Department for Health found that ‘psychiatrists are often trained in adult rather than adolescent psychiatry’ and that ‘there is no formalised route for the transfer of the seriously mentally ill out of YOIs.’³⁹³ Currently there are 23 beds nationally for this age group, with an additional 20 beds planned, awaiting funding. These beds have recently been redesignated to young people with long-term chronic mental health needs, potentially leaving no NHS provision for acute assessment and treatment in secure Child and Adolescent Mental Health Service (CAMHS) beds.
- D.53** This significant shortage in secure mental health beds for adolescents and limited community forensic CAMHS services means that young people are being inappropriately placed in custody and returning to the community without adequate assessment or treatment.
- D.54** While Regional Specialist Commissioning Groups should consider the needs of all age groups, there is widespread concern that the needs of 16–17-year-olds are neglected. A 1999 report into adolescent mental health highlighted ‘the compelling evidence of the lack of support and help for those children who are deemed to be most challenging ... particularly those children/young people who are in young offender institutions/prisons ... There is little, if any, provision of mental health services that target their needs.’³⁹⁴

Housing

- D.55** The general lack of appropriate housing for homeless young people has been highlighted by some studies.³⁹⁵ For juveniles leaving custody, who are likely to have high support needs, the situation seems to be even worse.
- D.56** The National Association for Youth Justice, an umbrella organisation for voluntary groups working with children, told the SEU that they were aware of several cases of 15- and 16-year-old children being released from custody to homelessness. This resulted in part from confusion at a local level as to who was responsible – social services or housing – with children falling between the gaps in local authority departments. The situation for looked-after children seems particularly problematic, with some local authorities automatically considering them homeless on release.

Benefits

“The rules about who can claim are complicated and harsh. Consequently, many young people may be wrongly denied benefit, and many others may not bother claiming at all.”³⁹⁶

- D.57** Discharge grants are not paid to juvenile offenders, so many are left to rely on family support or benefits. Yet the limited nature of benefit provision for 16–17-year-olds in particular has been widely discussed.³⁹⁷ 16–17-year-olds may be entitled to income-based Jobseeker’s Allowance or Income Support on the grounds of severe hardship. However, as the above quote from the authoritative *Benefits Guide* points out, the system is complex, and without support many young people will not have the necessary skills to navigate it effectively. The advent of the Connexions Service, and of specialist 16/17 advisers in Jobcentre Plus offices is intended to address these problems.
- D.58** The SEU found little evidence of relevant expertise either among secure unit staff or among YOT workers to advise on financial matters, nor of Jobcentre Plus liaising effectively with these services.

ANNEX E

YOUNG ADULT PRISONERS

Introduction

- E.1** Young adult prisoners – those aged 18–20 years – present particular challenges to the prison system. Although adults in the eyes of the law, many – while having been convicted of sometimes serious offences – will still be maturing. At the same time, 18–20 is the age at which a wide range of social exclusion and other factors that may have a bearing on offending are at or approaching their peak.
- E.2** The difficulties encountered in meeting the needs of this group have become increasingly evident, through both the media exposure given to high profile cases where the system has failed particular individuals, and the clear contrast between improvements in conditions in the juvenile estate compared to that for this older group.³⁹⁸ The difference in standards is all the more apparent where the two age groups are located at one site, and remains a potential source of resentment and conflict.
- E.3** This annex looks at particular issues around young adult prisoners, over and above those that apply to the general prison population. These include:
- key facts about young adult prisoners and their offending behaviour;
 - some of the particular characteristics of the young prisoner population;
 - how the prison system is adapted for young adult prisoners;
 - current support for this group amongst other mainstream services; and
 - some key issues.

Key facts

E.4 The box below sets out some key facts about young adult prisoners and their offending behaviour:³⁹⁹

Scale

8,139 male and **500** female prisoners aged 18–20 are held in Young Offender Institutions (YOIs) at any one time; approximately **12 per cent** of the prison population.

14,199 male and **972** female prisoners aged 18–20 were received into YOIs in 2001.

Type of offence

23 per cent of male prisoners aged 18–20 were sentenced for theft and handling offences, **17 per cent** for burglary and **16 per cent** for violence. **40 per cent** of females were sentenced for theft and handling and **15 per cent** for violence.

Young adult offenders make up **42 per cent** of first-time offenders.

Length of sentence

In 2000, short-term prisoners (those serving less than 12 months) made up around **30 per cent** of the young adult prisoner population, but around **70 per cent** of those received into prison in that year.

Reconviction

72 per cent of male young adult prisoners discharged in 1997 were reconvicted within two years. This means that they account for **one-fifth** of reconvictions.

Characteristics of the young adult prisoner population

The onset of offending

E.5 The peak age of general offending for males is around 18.⁴⁰⁰ However, for those in the core 100,000 most persistent and prolific offenders identified by the Home Office, research suggests that this peak age is later, at around 24 years.⁴⁰¹ **42 per cent** of first-time offenders are aged 18–20 years old. So the system for young adult prisoners is generally being required to deal with those who are at the peak of their offending, as well as a smaller group who it might be able to prevent progressing on to even more prolific activity.

A background of social exclusion

E.6 Many young adult prisoners exhibit the range of social exclusion problems outlined in **Chapter 2**. From a young age, therefore, they already broadly reflect the experience of the general prison population. However, in some respects their social exclusion is even worse. For example:

- **over 34 per cent** have basic skills deficits, compared to under **25 per cent** of those aged 25 and over;⁴⁰²
- **63 per cent** were unemployed at the time of arrest, compared to **46 per cent** of those in the older group;⁴⁰³ and
- **72 per cent** were excluded from school at some stage, compared to **47 per cent** of all prisoners.⁴⁰⁴

The prison system for young adult offenders

E.7 Concentration on regimes and conditions for the under-18s has brought into sharp focus the relative lack of provision for young adult offenders. This is particularly so where a young person on a longer sentence moves from a juvenile to a young adult institution. The abrupt change in treatment and conditions experienced (see below) can be damaging to any progress made in addressing offending behaviour. (This was felt to be particularly so where the move is from a Local Authority Secure Unit into a YOI.)

E.8 All 18–20-year-old prisoners leaving prison are currently supervised by the Probation Service for a minimum of three months post-release. However, although there is separate custodial provision for young male offenders, there is no separate Probation Service provision, with the exception of Young Adult Teams in Inner London.

Mainstream support for young adult prisoners

E.9 The situation regarding mainstream support for young adult prisoners reflects the position of all young people in this age group. Falling between juvenile and adult status, there are few specifically tailored programmes, and many find themselves corralled into provision aimed at either the older or younger group.

E.10 There are some support structures which link young adult prisoners to the community that are both robust and targeted at this age group. These include:

- the **New Deal for Young People**. Prisoners aged 18–24 are entitled to **early entry** to the New Deal for Young People at a Personal Adviser's discretion. An ex-prisoner can join the New Deal directly upon release from prison rather than waiting the six months which currently applies to most other people;
- the **Welfare to Work programme**, delivered by the Prison Service in 12 YOIs and intended as a preparation for early entry to the New Deal; and
- the **Connexions Service**, which provides advice and guidance for all young people up to their 20th birthday (see the description of the Connexions pilot at HMYOI Huntercombe in **Annex D**).

Prison Service Welfare to Work pilots

The Welfare to Work programme delivered by the Prison Service is intended as a preparation for early entry to the New Deal delivered by Jobcentre Plus.

The purpose of the programme is to:

- target prisoners aged 18–24 on release (and with at least three months to serve in the pilot establishment);
- improve their employability and increase their chances in the job market; and
- help them gain the maximum benefit from the New Deal Gateway on release.

Since April 1998, the Prison Service and, the now, Jobcentre Plus have been running **Welfare to Work pilots** in a number of prisons and YOIs, providing a structured gateway involving:

- assessment;
- certificated training in both basic and vocational skills;
- in some establishments a cognitive skills stage;
- employment advice and brokerage; and
- a bridge back into the community.

The latter might involve establishing contact with the 'home' Jobcentre Plus in order to broker early entry into the New Deal proper, or support into employment or training accessed while participating in the pilot.

E.11 However, those in this age group equally find themselves subject to a range of regulations and legislation that puts them at a disadvantage compared to older young people. While none of these apply specifically just to those coming out of prison, all could be thought particularly likely to lead to a sense of resentment and provide a further hindrance to resettlement amongst ex-prisoners. These include:

- the **Single Room Rent Allowance**, which applies specifically to claimants under 25 years of age, limiting the amount of Housing Benefit a young person in this age range is allowed to claim; and
- lower levels of **Income Support** and **Jobseeker's Allowance** for claimants aged under 25 years.

E.12 Many of these policies seem based on the presumption that young adults will have fewer financial demands made upon their income, and that where demands are made, they will be able to call upon the financial support of parents. Whether either assumption is true for all young adults is open to argument, but both are undeniably untrue for young adult ex-prisoners. All will encounter significant financial demands in the weeks following release from prison. And many will have come from broken homes or a care background (although the current implementation of the Children (Leaving Care) Act 2000, may address this issue for those leaving care in the future).

Issues

Prison conditions and regimes

E.13 There has been widespread criticism – not least by HM Inspectorate of Prisons⁴⁰⁵ – that successive reorganisations of the prison system have led to falling standards and under-investment in the YOIs for young adult prisoners.

E.14 Others have also unfavourably compared regimes not only between the juvenile and young adult prisoners, but even between young and adult prisoners. For example, although the average time spent in YOIs on **purposeful activity** rose between 1999 and 2000, it was still lower than in adult prisons at **23.1 hours per week** compared to 23.7 hours. Hours out of cell during the week, however, **fell** over the same period from **9.5** to **8.3** per day, compared to **9.6** in adult prisons. Weekend out of cell hours also fell from **6.9** to **6.2**, compared to **8.5** in adult prisons.⁴⁰⁶ At **23 per cent**, sentenced male young adult prisoners are **twice as likely** to spend 23 hours or more in their cell than their adult equivalents.⁴⁰⁷

E.15 Prison Service statistics also reveal that the assault rate – the number of staff and prisoners assaulted in one year – is considerably higher in YOIs than in adult prisons. In 2000/01, the highest reported assault rate in a male adult prison was 17.7 per cent, and most prisons were well below this figure. 14 out of the 20 YOIs, however, had assault rates above this, some of them considerably higher.⁴⁰⁸

E.16 The Government has recognised these concerns through its manifesto pledge to build on its youth justice reforms to improve the standard of custodial accommodation and offending programmes for 18–20-year-old offenders.

Higher proportion of short-termers

E.17 The difficulties the prison system experiences in dealing effectively with the needs of those serving short sentences are detailed in **Chapter 6**. As noted above, there is a significantly higher proportion of prisoners serving less than 12 months in the young prisoner population compared to the adult estate (around **30 per cent** compared to **15 per cent**). However, there is no evidence that YOIs are better able to manage and deliver effective short-term sentences than adult prisons. They are not helped by difficulties in tailoring and providing programmes in areas such as drugs and offending behaviour programmes for short-term prisoners.⁴⁰⁹

Mental health

E.18 Particular concern has been expressed about the ability of the prison system to deal with issues of mental health amongst young adult prisoners. A Thematic Report on suicide by Her Majesty's Inspectorate of Prisons in 1999 highlighted that this group suffered a disproportionate number of suicides compared to both younger and older prisoners.⁴¹⁰

Education and training opportunities

E.19 **26 per cent** of young adult prisoners have terminated their education by the age of 14. This suggests that considerable efforts would be required to turn around such a high level of disengagement. Yet in 2000/01 **a fifth** of YOIs failed to meet the target of 20 hours purposeful activity per week, of which education is only one element. Feltham YOI only managed **14.4 hours**.⁴¹¹ Although arrangements have now been put in place to avoid such actions, HM Chief Inspector of Prisons found, on an inspection of Deerbolt YOI conducted in 2001, that on top of the insufficient workshop provision, there were only education places for one-third of the prisoners. This was despite the needs of the prisoners, most of whom were 'functionally illiterate'.

Life skills

E.20 Many young adult prisoners will be released to an independent life for the first time. They will require skills as well as support to deal with housing needs, employment, benefits, as well as day-to-day living. Institutionalisation and the inability to develop key life skills in prison will make this process particularly difficult. In 2000, only 10,000 licences were granted for temporary release into the community. This compared with over 230,000 licences granted for adult prisoners.

E.21 Some of the most innovative work in developing life skills among young adult prisoners is delivered by statutory agencies working closely with the voluntary sector. The following initiatives, although quite different in approach, seek to develop a range of social skills among those taking part, and also to provide a package of continuous support to help individuals back into the mainstream and avoid re-offending.

The Prince's Trust Volunteers Programme – Young Offender Project

The Volunteers Programme is a 12-week personal development programme for 16–25-year-olds. A strong emphasis is placed on team working and leadership skills, confidence and motivation. The Programme has always dealt with young people with an offending background. The Young Offender Project aims to formalise this work, and to see whether with the addition of the appropriate support before, during and after the 12-week programme can help young offenders break out of the cycle of offending.

The teams of young people are mixed and there are no offender-only groups. Participation is by volunteers – there are no referrals linked to licence conditions.

There are four key parts to the initiative:

- **referral process:** getting the right people at the right time onto the programme. Referrals come from criminal justice agencies or appropriate agencies working alongside them;
- **retention:** increasing the retention of young offenders on the programme. So far this has been through staff training, and will be supported by the launch of mentoring in several pilot areas;
- developing structured **exit packages** from the programme to increase the likelihood of achieving a positive outcome; and
- **assessment and evaluation**, to identify the key processes contributing to the success or failure of the programme in reducing recidivism.

The Volunteers Programme has a strong track record in getting young people to the point where they can get a job or go into education and training. Of the 870 offenders referred onto teams during 2001/02, 75 per cent of serving prisoners completed the course (compared with 60 per cent for all other unemployed participants). Of these, 70 per cent achieved positive outcomes in employment, education and training. New initiatives this year include the introduction of mentoring in association with SOVA and the use of a specialised team to enable offenders to access all Prince's Trust programmes.

Thorn Cross YOI: High Intensity Training (HIT)

The HIT regime is delivered in a dedicated unit of Thorn Cross YOI. The HIT involves drill, physical exercise, education and completion of the Duke of Edinburgh Bronze Award and Offending Behaviour Programmes. There is minimal interaction between prisoners on the HIT regime and the other young offenders and juveniles at Thorn Cross.

There are five different phases on the HIT regime, each consisting of five weeks. After each phase inmates move landings and wear different coloured t-shirts, making them easily identifiable, and as an indication of their progression through the system. During the final phase, participants are released on licence into job placements in their home communities. This sense of progression has been shown to be a key motivating factor for participants.

Those entering the HIT unit sign an undertaking to be drug-free. They are tested weekly, and anyone testing positive may be returned to the standard regime. Because of the absence of drugs, it is felt that those who are on licence in the community are not under pressure to attempt to smuggle drugs back in on their return.

An evaluation of the Thorn Cross regime, compared with a standard regime, found that savings from the smaller number of offences committed by those who had gone through the programme meant that £5 was saved for every £1 spent.⁴¹²

ANNEX F

CHANGES ALREADY UNDERWAY

The table on the following page gives an overview of some of the targets, organisations, and policies and initiatives that already impact on the area of ex-prisoners and re-offending.

	Education and training	Employment	Benefits and debt	Housing
TARGETS	<p>In 2002/03: target to achieve 28,800 qualifications. This should include: 10,800 Level 2 12,000 Level 1 6,000 Entry Level (PLSU)</p> <p>Increase the number of prisoners getting jobs or education and training places after release (PS)</p>		<p>Benefit clearance targets: Income Support and Jobseeker's Allowance 12 days, Incapacity Benefit 20 days (JC+)</p>	<p>Reduce rough-sleeping by two-thirds by 2002 (ODPM)</p> <p>Reduce level of homelessness on release – target to be set (PS)</p>
ORGANISATIONS	<p>Prisoners' Learning and Skills Unit (PS & DfES)</p> <p>Adult Basic Skills Unit (DfES)</p> <p>Adult Learning Inspectorate</p> <p>OFSTED</p>	<p>Criminal Records Bureau (HO)</p> <p>Custody to Work Unit (PS)</p>	<p>Job Centre Plus (DWP)</p> <p>Voluntary agencies</p>	<p>Homelessness Directorate (ODPM)</p> <p>Housing providers – housing associations/ local authorities</p>
POLICIES & INITIATIVES	<p>Truancy and exclusion (DfES)</p> <p>Learndirect pilots (DfES, PS)</p>	<p>Progress2Work (JC+ & HO)</p> <p>Employment Pathfinders (PS, NPS & JC+)</p> <p>Freshstart (JC+)</p> <p>Welfare to Work pilot (JC+ & PS)</p> <p>Action Teams for Jobs (JC+)</p> <p>Phoenix Development Fund – promoting self-employment (DTI)</p> <p>Review of Rehabilitation of Offenders Act 1974 (HO)</p> <p>New Deal (DWP)</p> <p>Connexions (DfES)</p> <p>Supporting People (from 2003) (ODPM)</p> <p>Quality Protects (care leavers) (DH)</p> <p>Voluntary Sector Strategy (PS)</p> <p>Criminal Justice White Paper (proposed) 2002 (HO)</p>	<p>Benefits advice pilots (PS & JC+)</p> <p>Prisoner Passport scheme (JC+)</p> <p>ID review (DWP)</p> <p>Basic Bank Accounts (HMT)</p>	<p>Safer Communities Fund (ODPM)</p> <p>Housing advice centres (ODPM & PS)</p> <p>Post-prison hostels development (NPS)</p> <p>Homelessness Act 2002 (ODPM)</p> <p>New housing allocation guidance (ODPM)</p>

INDEX: PLSU (Prisoners' Learning and Skills Unit), PS (Prison Service), JC+ (Jobcentre Plus), DWP (Department for Work and Pensions), NPS (National Probation Service), HO (Home Office), DfES (Department for Education and Skills), HMT (Her Majesty's Treasury), OBP (Offending Behaviour Programme), DTI (Department of Trade and Industry).

Drugs and alcohol	Health	Families	Attitudes to crime and victims, and life skills	Sentence planning and general
27,000 detox. and 5,700 into rehab. by 2004 (PS)	5,000 receiving comprehensive mental health care by 2004 (PHPU)	Double number of mother and baby unit places by 2005 (PS)	9,000 prisoners to complete OBPs in 2003/04 (PS)	Reduce reconviction rate by 5 per cent by 2004 (PS & NPS)
28,000 on voluntary drug testing and positive random tests down to 10 per cent by 2004 (PS)	20 per cent reduction in suicide and self-harm by 2010 (PHPU)		60,000 OBPs to be delivered in the community by 2004 (NPS)	No high security escapes. Overall escapes less than 0.17 per cent of population (PS)
25 per cent reduction in number of repeat offences by drug misusers by 2004 (PS & NPS)	300 additional mental health staff by 2004 (PHPU)			
Each prison to have CCTV by 2002 and access to a drugs dog by 2004	Review Mental Health needs assessments in all prisons by September 2002.			
National Treatment Agency	Prison Health Policy Unit and Taskforce (PS & DH)	Assisted prison visits unit		HM Inspectorates of Prison and Probation
Health providers – primary care trusts and health authorities		Jobcentre Plus (DWP) Social Services (local authorities)		
		Voluntary agencies		
CARAT team in every prison (PS)	Mental health screening – pilots (PHPU) Suicide prevention pilots and safer cells (PS & PHPU)	Assisted prison visits (PS) Incentives and Earned Privileges Scheme – entitlement to additional visits (PS).	OBP and ‘What Works’ agenda OBP National Framework (PS)	Resettlement pathfinders (PS & NPS) Sentencing Review
Drugs strategy (HO)	Mental health strategy (PHPU)		Restorative Justice	OASys (PS & NPS)
Alcohol strategy (PS & NPS from 2002)	NHS National Service frameworks (DH & PHPU)		Home Detention Curfew and Release on Temporary Licence	
		Connexions (DfES) Supporting People (from 2003) (ODPM) Quality Protects (care leavers) (DH) Voluntary Sector Strategy (PS) Criminal Justice White Paper (proposed) 2002 (HO)		

ODPM (Office of the Deputy Prime Minister), PHPU (Prison Health Policy Unit), DH (Department of Health), CARAT (Counselling, Assessment, Referral, Advice and Throughcare), OASys (Offender Assessment System),

ANNEX G

KEY ISSUES

This annex lists the key issues identified in each of the analysis chapters.

Chapter 6 – Sentence Planning

1. No sentence planning for those serving under 12 months, apart from young offenders.
2. Sentence planning of variable quality; no one in charge of monitoring the quality of plans or developing and auditing standards.
3. Sentence planning relies on referral; no individual working with the prisoner or programme deliverers to ensure that the plan actually happens.
4. Little evidence of sequencing/prioritising of programmes to meet prisoners' needs.
5. Poor continuity of planning pre-, during- and post-sentence in identifying and addressing offence-related needs with potential wasted resources and opportunities to address re-offending.
6. Programmes not always available or in the right mix – so plans unite prisoner with what is available rather than what they need; little evidence that sentence planning influences quantity of mix of provision.
7. Agencies who should be involved do not always contribute, and those who could add value are frequently excluded, for example families, voluntary organisations, and prisoners.

Chapter 7 – Education and training

1. Lack of appropriate provision, accommodation, materials, IT, libraries and staff limits the numbers able to engage in learning.
2. Vocational training limited in range, has no dedicated funding, nor specific targets and is too often based solely on the interests of Prison Instructors.
3. Significant variations in funding of education and training between prisons.
4. Financial disincentives exist in many prisons to participation in learning.
5. Insufficient connections made between education and training and other programmes, such as drugs treatment and mental health care.
6. Lack of clarity over who is in charge of provision: the prison or the further education college.
7. Education departments often isolated from the management of the prison.
8. Learning hours frequently disrupted by the demands of security.
9. Poor links between education and vocational training and work experience.
10. Prison basic skills education is too often classroom-bound and the drive to deliver basic skills has squeezed out more imaginative forms of learning.
11. Assessment process can fail to provide a rounded picture of a prisoner's skills and their learning needs and is usually conducted within 24 hours of reception when prisoners are disorientated and/or detoxing.
12. Prisoner transfers lead to duplication of assessment and unfinished courses.
13. Difficulty getting students who are prisoners on to community further education courses.
14. Basic skills targets insufficiently tailored to individual establishments' circumstances.
15. Very low of take up of education post-release, attributable to: lack of post-release support and advice; incompatibility between education provision in prison and in the community; start dates for community-based courses often incompatible with release dates; many further education colleges adopt classroom-based approaches, inappropriate for this group; some prisoners are even refused by some further education colleges.

Chapter 8 – Employment

1. Poor in-prison wages can re-inforce prisoners views about the low value of legal work.
2. In-prison vocational training and employment do not always match current labour market needs.
3. Prison Service target on 'purposeful activity' may result in too much activity being aimed at occupying large numbers of prisoners rather than preparing them for work.
4. Prisoner transfers and prisoners returning to areas at a distance from the prison lead to difficulties in identifying most relevant employment skills.
5. Few prisons use Release on Temporary Licence to improve post-release employment opportunities, either through attending interviews or day-release work.
6. Jobcentre Plus cannot record ex-prisoner status, so cannot track outcomes or exchange information with other agencies.
7. Ex-prisoners choosing not to enter New Deal are given the low priority of 'short-term jobseekers', even though many will have been long-term unemployed before entering prison.
8. No systematic preparation for release into mainstream employment initiatives, such as New Deal or even the Gateway into New Deal.
9. Too many prisoners miss out on, or delay, accessing existing job-seeking support (for example early entry to New Deal) on release.
10. Most in-job support for ex-prisoners provided by small scale, ad hoc, voluntary sector organisations.
11. New requirements to disclose criminal records seen by many as introducing a significant extra barrier to employment; very few prisoners receive advice on how to deal with the effects of their ex-prisoner status when negotiating with potential employers; and few employers know how to handle offence disclosure and/or risk assessment.
12. Lack of private sector engagement with prisons, either to understand prisoners as a potential workforce, or to provide training in prisons.

Chapter 9 – Drugs and alcohol

1. Not all prisoners receive the drugs advice, support and treatment that they need, even though their crimes might be drug-related.
2. There is a lack of tailored support for short-term prisoners, who are excluded from intensive drug treatment programmes through not being in prison long enough.
3. Prisoners with both mental health problems and a drug/alcohol addiction often fall between different types of treatment due to lack of co-ordination and collaboration.
4. Transfers and movements due to overcrowding can disrupt drug treatment and result in prisoners having to join the back of another treatment queue in the next prison.
5. There is little evidence of any planned progression or joining up between drug treatment and other positive work while in prison.
6. Structured help to address alcohol or other addictions is not available in the same way as work on drugs, although many prisoners have alcohol problems.
7. Few prisoners are able to continue in drugs support and treatment post-release, or have to join long waiting lists, because there is a lack of provision in the community and because released prisoners are treated as 'new cases'. This in part reflects the fact that no one is in charge of the process across the prison/community divide.

Chapter 10 – Mental and physical health

1. Health records often do not follow prisoners in and out of custody.
2. Reception screening is inadequate for picking up mental health problems, particularly the less severe but enduring types.
3. Many people who ought to be diverted to secure psychiatric services are being sent to prison instead, and the processes for moving prisoners to more appropriate provision can be slow and cumbersome.
4. Widespread lack of understanding and experience of mental illness and its effects among staff working with prisoners, including medical staff, and prisoners themselves receive no health education.
5. The current emphasis on enhancing treatment of severe mental disorders, in and out of prison, will not address the significant challenges posed by less severe but enduring disorders to the majority of prisoners.
6. No mechanisms for recording and reporting information about worrying behaviour.
7. A joined-up approach to mental health is needed in prisons, and greater recognition of the influence that prison regimes can have on prisoners' mental well-being.
8. Prisoners with mental health problems are more likely to spend excessive hours in their cells.
9. Prisoners with dual diagnosis have greater difficulty accessing services, and typically fall between drug and mental health services.
10. Insufficient connection is made between mental health problems and other areas of concern, such as housing and employment.
11. No robust mechanisms for following up treatment on release, and most prisoners are immediately lost to the system.
12. Older prisoners are increasing in number. Yet currently little focus on their specific mental and physical health needs.

Chapter 11 – Attitudes and self-control

1. Concern over whether there are enough suitably skilled people within the current system to deliver programmes to increasing numbers of prisoners.
2. Accredited offending behaviour programmes (OBPs) not available to all prisoners, and there is currently a lack of tailored programmes for particularly groups, such as short-term prisoners, women and juveniles.
3. Those with mental health problems or very poor basic skills are unable to access some of the accredited OBPs. And there is no co-ordinated drive through sentence planning to ensure prisoners' other needs are addressed so as to allow them access.
4. Few links are made between OBPs and the potentially adverse effects that prison can have on offenders' attitudes.
5. Prisoners can spend long periods in prison without giving anything back to the community or to individual victims.
6. Principles of restorative justice are gaining ground in the community, yet there is little progress within prisons themselves.

Chapter 12 – Institutionalisation and life skills

1. Little is done specifically to combat institutionalisation, even though many prisoners will have experienced damaging institutionalisation previously.
2. The failure to join-up the compound issues faced by many prisoners means that they are viewed as a series of institutional problems/episodes, rather than as a real individual.
3. Many prisoners spend too little time outside their cell, engaged in purposeful activity.
4. Use of Release on Temporary Licence (ROTL) and Home Detention Curfew (HDC) varies widely between apparently similar prisons.
5. There is little contact between home probation officers and prisoners during a prison sentence.
6. Short-term prisoners are very unlikely to receive practical support from probation officers, either during time in prison, or on release.
7. Many ex-prisoners rely on support from voluntary agencies after release – agencies that can be subject to short-term funding. Few mainstream agencies are geared up to helping ex-prisoners with the skills they need to sustain support factors, such as housing and employment.

Chapter 13 – Housing

1. Quantity and quality of housing advice differs greatly from prison to prison.
2. Housing advice work can be highly technical and time-consuming (legislation, guidance, procedure) – in reality, limited number of people able to perform this role within a prison.
3. Full housing needs' assessments rarely carried out on reception.
4. Temporary absence Housing Benefit rules – the '13 week rule' for sentenced prisoner's – limits ability to preserve accommodation. Ineligible charges can add to arrears even where prisoners claim Housing Benefit.
5. Variety of approach to implementation of temporary absence rules – particularly over whether HDC period included or not.
6. Each local authority has its own Housing Benefit claim form – significant issue in large local prisons.
7. Lack of communication between Income Support, Housing Benefit office and rent officers can lead either to arrears or overpayments.
8. Even where prisoner terminates tenancy immediately, still very likely to be an automatic notice period of at least four weeks, during which rent arrears will accrue.
9. Property, personal possessions and ID can be destroyed if accommodation is repossessed following eviction.
10. No state assistance to help convicted homeowners.
11. Little connection between bulk of sentence and improving housing prospects – for example using wages to repay a proportion of rent arrears.
12. Re-housing protocols very rare, despite positive results.
13. Lack of temporary and move-on accommodation post-release, particularly critical in London and South East.
14. Difficult to access specialist provision – drug-free/treatment, work-focused hostels.
15. Difficult to hold bed spaces in temporary accommodation prior to release.
16. Delays in local authority Housing Benefit departments can result in significant payment delays – creates particular difficulties in accessing private sector accommodation.
17. Single Room Rent restrictions may discourage private sector landlords from letting accommodation to under-25s in some areas of the country.
18. Inconsistency over willingness of local authorities to identify prisoners as homeless prior to release.
19. Little use of ROTL for viewing accommodation or being interviewed by potential housing providers.

Housing *(continued)*

20. Scepticism of the ability of local authorities to assess properly whether prisoners are 'vulnerable' due to their time in prison, and so qualify for priority needs status.
21. Local opposition to development of new residential schemes for ex-prisoners can hinder availability.
22. Lack of information exchange between prisons and housing providers – often only find out about an ex-prisoner's needs on arrival.
23. Little floating support for re-housed ex-prisoners in areas such as maintaining accommodation.
24. Supporting People – concern that ex-prisoners may not receive sufficient priority in some areas, that accountability will be difficult to establish and that cross-boundary difficulties will be a particular problem in supporting ex-prisoners.
25. Concern that ex-prisoners are still not sufficiently visible in planning services – for example in local authorities' Homelessness Strategies.

Chapter 14 – Benefits and debt

1. Advice on benefits in prison is inconsistent; rarely provided by Jobcentre Plus.
2. Claims not closed upon entry to prison, leading to overpayments and difficulties transferring claims to partners.
3. Prisoners often don't receive payment of benefit owed to them prior to imprisonment.
4. Successful benefit outcomes usually depend on having someone to advocate on prisoners' behalf.
5. Prisoners can experience prolonged delays while waiting for claims to be assessed.
6. Facility to claim in advance, or to pre-arrange an interview, is often not used.
7. Difficulties experienced when trying to claim from prison not in home Jobcentre Plus area.
8. Particular difficulties for those trying to re-claim Child Benefit – in turn impacts negatively on payments of dependant's allowances on other benefits.
9. ID sometimes lost/destroyed while in prison – preventing payment of benefits.
10. Jobcentre Plus identification form B79 is not used universally and not accepted as a sufficient form of ID.
11. Inconsistent application of benefit rules – success too often depends upon advocacy.
12. No lead person in Jobcentre Plus offices takes responsibility for ex-prisoners and their families.
13. Difficulties in relation to the administration of the Social Fund.
14. Appeals/Reviews often have to be in writing – a particular problem for ex-prisoners given their low literacy levels.
15. Discharge Grant: basic rate less than one week's benefit; paid at different levels for those claiming to be of no fixed abode; higher rate often only paid to those who can prove they have secured accommodation – some prisons now only pay lower rate.
16. Provision of debt advice varies across the prison estate.
17. Ex-prisoners experience difficulties securing home/car insurance. Many experience difficulties opening bank accounts, often because of lack of ID.

Chapter 15 – Families

1. Lack of information and advice available to families, especially about visiting times.
2. No one in prisons, Jobcentre Plus, or local authorities responsible for dealing with prisoners' families.
3. Training of staff in mainstream agencies is not tailored to cover issues facing ex-prisoners or their families.
4. Difficulty in accessing financial support for the carers of prisoners' children.
5. Difficulties experienced by partners of prisoners when trying to transfer tenancies or continue payments of mortgage interest.
6. Prisoners' families can find it difficult to get insurance or face very high premiums.
7. Families often experience difficulties visiting, because of the distance prisoners are held from home, because prisons are not served by public transport and because of inconvenient visiting times and booking arrangements, and inconsistent procedures.
8. No Prison Service Standard governing visits conditions/facilities.
9. Lack of input from families at different stages in criminal justice system – not given the chance to contribute to Pre-Sentence Reports or sentence plans.
10. Families not given post-release support.
11. Lack of support for children despite evidence showing inter-generational effects.
12. Local authorities often unable to provide social worker to accompany looked-after children on visits.
13. Lack of procedures for passing information between relevant services regarding children's circumstances – particularly in relation to schools.
14. Children often taken out of school to attend visits due to inconvenient visiting times.

Annex A – Women prisoners

1. Women likely to be held further from home, with adverse implications for resettlement and family links.
2. Lack of specialist training for working with prisoners coping with the effects of physical or sexual abuse.
3. Many women prisoners lose their homes while in prison – particular impact on women with children.
4. Lack of adequate provision for the high numbers of women in prison who suffer from mental health problems.
5. Lack of relevant employment opportunities within prison.
6. Current lack of accredited OBPs designed specifically for women.
7. Lack of legal advice for women with children who have been taken into care about how to regain custody.
8. Many children affected by the imprisonment of their mother every year, and very few women prisoners' children remain in their own home once their mother has been sentenced.
9. Insufficient attention given to visiting conditions and amenities.

Annex B – Remand prisoners

1. Despite the higher incidence of chaotic factors, such as housing, drugs and mental health problems, remand prisoners are often held in those prisons least equipped to provide appropriate services.
2. Lack of specific drugs support.
3. Remand prisoners are just as likely to lose contact with families while in custody but are less likely to have support.
4. Remand prisoners who are not convicted or who are released from court are ineligible for a discharge grant.
5. Remand prisoners are much less likely than sentenced prisoners to receive information regarding resettlement.
6. No requirement to prepare a sentence plan for a remand prisoner, a wasted opportunity should a custodial sentence be passed.
7. No systematic pre-release work for those who will be released from court or who will be sentenced to a period that they have already served on remand.
8. No system for ensuring that any positive work undertaken in prison is continued on release.

Annex C – Black and minority ethnic prisoners

1. Evidence that the Probation Service produces poorer quality reports overall on African-Caribbean offenders than on white and Asian offenders.
2. Black and minority ethnic prisoners continue to be the victims of racial abuse.
3. Black and minority ethnic prisoners are more likely to be found guilty of offences against prison discipline.
4. Black and minority ethnic prisoners disproportionately allocated to workshops or left unemployed.
5. Black prisoners may be less likely to receive visits from family members.
6. Black and minority ethnic prisoners generally more highly qualified, and therefore don't benefit from the emphasis on basic skills.
7. Concerns about the sensitivity of OBPs to black or minority ethnic background and under-representation of black and minority ethnic prisoners on some courses.
8. There is evidence that the level of supervision and oversight of black and minority ethnic prisoners by the Probation Service has been poor, with little use made of partnership organisations.
9. Monitoring of access to services and post-release outcomes is very rarely broken down in terms of ethnicity.

Annex D – Juveniles

1. There is no systematic action to address the conditions which the young person leaves behind when entering secure accommodation.
2. Young Offender Team (YOT) workers spend a lot of their time simply travelling to visit young people.
3. Some YOT workers feel they have become 'cut off' from their parent agencies and are unable to influence their policies.
4. Some parent organisations lack commitment to the YOT, for example refusing to provide staff on a full-time basis.
5. Some local services fail to engage in dialogue with the YOTs, even though YOTs are meant to input into local strategies.
6. YOTs lack the authority to dictate provision in prison or post-release.
7. Secure establishments experience variable levels of service from YOTs.
8. Only a minority of YOTs' time is spent on activity directly related to the young people in their charge, and a tiny proportion on visiting custody and working with juveniles on licence.
9. Records often fail to follow the young offender around the system.
10. Sudden moves at short notice from establishment to establishment or from custody to the community can disrupt provision and planning and can be traumatic for the young person if the move is from Local Authority Secure Units (LASUs) or Secure Training Centres (STCs) to Young Offender Institutions (YOIs).
11. Hardly any ROTL is used to prepare an individual for release.
12. Typically, a juvenile will move from a lifestyle of intensive supervision and activity in prison to a situation where there is next to nothing by way of close mentoring or incentives in the community.
13. There is no feedback to secure facilities on the success or otherwise of their interventions, in order to shape provision.
14. Some agencies, such as Social Services and local education authorities (LEAs), are still 'dumping' problematic young people.
15. The rise in short-term DTOs is felt to be of questionable value in terms of punishment or rehabilitation.
16. Special educational needs are a major area of weakness, with insufficient support and very poor transmission of important evidence from and to the community.
17. Literacy and numeracy do not permeate the education curriculum sufficiently.

Juveniles *(continued)*

18. Other areas of education needing improvement are accreditation, awards ceremonies, homework, lesson planning and National Records of Achievement.
19. YOIs do not provide all the young people with an acceptable education: funding differs considerably between LASUs, STCs and YOIs and there is evidence that some prisoners are receiving entirely inappropriate provision.
20. The Youth Justice Board (YJB) target on Level 2 in literacy and numeracy does not apply to enough young people.
21. The dispersed nature of the secure accommodation for young and vulnerable children means that they are often kept far from home, limiting the effectiveness of resettlement measures.
22. LEA money (including statemented funding) does not follow children into custody nor does it seem available once they return to the community.
23. LASUs and STCs report frequent difficulties in accessing basic healthcare services, in particular GPs.
24. Mental health care most commonly takes the form of a child psychiatrist contracted to provide weekly sessions, which can mean that juveniles do not benefit from a multi-agency approach, and in turn reduces their chances of being connected back to community services in their area.
25. Too many young people remain in custody when they need in-patient mental health care and the vast majority of those with diagnosable mental health problems but who do not require mental health admission do not receive adequate management and care from custodial or community-based services. In most areas, there is no alternative/diversionary provision, and no system for identifying or dealing with mental health problems. Psychiatrists are often not trained in adolescent psychiatry and there is no formalised route for the transfer of the seriously mentally ill out of YOIs. While Regional Specialist Commissioning Groups should consider the needs of all age groups, there is widespread concern that the needs of 15–17-year-olds are neglected.
26. Acute lack of appropriate housing for homeless juveniles leaving custody. Cases of homelessness have resulted in part from confusion at a local level as to whom is responsible – social services or housing – with children falling between the gaps in local authority departments. Situation for looked-after children particularly problematic, with some local authorities automatically considering them homeless on release.
27. Discharge grants not paid to juvenile offenders, so many are left to rely on family support or benefits. Yet benefits provision for 16–17-year-olds is limited and the system is complex.
28. There is little evidence of relevant expertise either among secure unit staff or among YOT workers to advise on financial matters, nor of Jobcentre Plus liaising effectively with these services.

Young adult prisoners

1. All female and many male 18–20-year-old prisoners are held with other adult prisoners.
2. Conditions and investment in young adult estate are poor in comparison with provision now made for juveniles and others; with lower rates of purposeful activity and hours out of cell than other adult prisoners; some establishments in the 18–20 estate receive the worst Prison Inspectorate reports of any in the estate.
3. A lack of focus despite the fact that 18–20-year-olds are: a prolific offending group; with high re-offending rates; are at the gateway to adult offending; have much higher incidences of poor basic skills, unemployment and mental health problems; and are more likely to be short-term prisoners.
4. Dramatically higher assault rates – for both prisoners and staff – than other adult prisoners.
5. Disproportionate number of suicides, compared to both juveniles and adults.
6. Many young adult prisoners released to an independent life for the first time without adequate skills.
7. 18–20-year-olds subject to regulations that do not apply to older adults – Single Room Rent Allowance and lower levels of Income Support and Jobseeker's Allowance than claimants over 25.

ANNEX H REHABILITATION FRAMEWORK

This framework identifies activity that the SEU has identified is required at each stage of the sentence and on release, against each of the different strands that have an impact on a prisoner's likelihood of re-offending. This is a working document, that should form the beginnings of a blueprint for a cross-government rehabilitation strategy. This strategy would require much more development to establish the ownership of and the connection between the different activities identified. As an initial step, the SEU is recommending that the Going Straight Contract it is proposing should put in place as much of this activity as possible as a case-managed package. As a matter of priority across the prison estate, the SEU is also recommending that activity at the key transition points B (on reception) and D (in preparation for release) should be developed and made standard and universal.

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Housing	<p>1. Housing situation should be identified, urgent action taken, and information passed on to prison.</p>	<p>1. Prisoner's landlord or mortgage provider should be contacted, to preserve housing if possible/appropriate or close down arrears or without arrears or eviction.</p> <p>2. Housing needs assessment should be made and an action plan set out aiming to secure suitable post-release accommodation.</p>	<p>1. Prisoners whose housing status has changed due to changes in personal circumstances to be able to access advice.</p>	<p>1. Prisoner should be reconnected with previous housing if preserved.</p> <p>Or</p> <p>2. Suitable housing providers should be contacted, to secure direct referral from prison, even if only to temporary accommodation.</p> <p>3. Where necessary, viewing of accommodation and housing interviews should be arranged.</p>	<p>1. Where necessary, support should be provided to help sustain permanent tenancy.</p> <p>2. An action plan should be developed to move those in temporary accommodation to more permanent housing. This should be supported and followed through.</p>

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Employment	<p>2. Employment situation should be identified, urgent action taken and information passed on to prison.</p>	<p>3. If prisoner had employer, they should be contacted to discuss whether job can be held open, or at least closed down efficiently, and establish if possibility of re-employment on release.</p> <p>4. Employment needs assessment should be made, and an action plan drawn up.</p>	<p>2. Employer should be kept informed of any relevant changes (for example move of prison, possibility of early release).</p> <p>3. Employment/ training plans should be followed through, with boosted employment-related and job search skills.</p>	<p>4. Previous employer should be contacted in order to establish if employment kept open.</p> <p>5. Job-matching services should be provided in order to secure employment on release, either through Jobcentre Plus or employment intermediaries.</p> <p>6. Where necessary, visits should be arranged to potential employers or for job interviews.</p> <p>7. Where prisoner is being released unemployed, employment needs assessment should be undertaken and necessary arrangements made, such as entry into training programmes or New Deal.</p> <p>8. Post release mentoring support should be provided where needed.</p>	<p>3. Any arrangements, such as entry into training programmes or New Deal, should be supported and followed through.</p>

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Education		5. Skills needs should be identified and an action plan drawn up.	4. Action plan should be followed through with wider range of programmes to deliver basic skills, employment-related skills.	9. Links to outside providers should be made to continue courses post-release or work undertaken through intermediaries where this is not successful.	4. Action plan should be developed, supported and followed through.
Benefits/financial support/debt	3. Benefits situation should be identified.	6. Existing benefits claims should be closed down or transferred efficiently (especially family and Child Benefit) and benefits owed should be obtained. ID should be established.	5. Ongoing benefits advice should be provided where needed. 6. Any arrangement made should be continued. Debt counselling/money management needs should be considered.	10. Benefits staff should be made aware of relevant rules on ID and entitlements. 12. Appropriate benefit claims should be made and cleared in time for release. 13. Each released prisoner should be provided with sufficient money to bridge the gap until the first benefit payment.	5. Any arrangements should be supported and followed through. 6. Community debt counsellor should follow through.
		7. Debt problems should be identified and action taken to freeze/renegotiate.		14. Arrangements should be followed through and, where necessary, prisoners should be referred to a community debt counsellor.	

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Family issues	<p>4. Family situation should be identified, immediate action taken on childcare and other care arrangements, and information passed on to prison.</p>	<p>8. Family and/or dependants should be contacted so they know where prisoner is, understand visiting arrangements, as well as supported visitors scheme. Where necessary, relevant authorities should be contacted to ensure that immediate childcare needs are met.</p> <p>9. Role of family in rehabilitation should be assessed.</p>	<p>7. Family should be informed if prisoner is moved and told of new visiting arrangements.</p> <p>8. Sufficient opportunities should be made available for positive family access and contact.</p>	<p>15. Prisoner's family should be informed of prisoner's return date.</p>	<p>7. Where necessary, continuing support should be provided, and other agencies involved, for example social services.</p>

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Drugs and alcohol	<p>5. Drugs needs should be identified and information passed on to prison.</p> <p>6. Those more appropriately dealt with in drug/alcohol treatment should be identified and diversionary arrangements made, where possible and appropriate.</p>	<p>10. Drug needs should be identified, treatment records chased and an action plan drawn up.</p> <p>11. Alcohol needs should be identified, treatment records chased and an action plan drawn up.</p>	<p>9. Drugs action plan should be followed through.</p> <p>10. Alcohol action plan should be followed through.</p> <p>11 Access to drugs and alcohol should be minimised.</p> <p>12. Drugs and alcohol education should be available.</p> <p>13 Mechanisms should exist to spot and tackle any new problems.</p>	<p>16 Follow-up treatment should be arranged if necessary.</p>	<p>8. Any arrangements should be supported and followed through by community drug and alcohol workers.</p>

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Mental and physical health	<p>7. Mental health needs should be identified and information passed to prison.</p> <p>8. Those more appropriately dealt with in mental health facilities should be identified and diversionary arrangements made, where possible and appropriate.</p>	<p>12. Medical records should be chased, needs identified and an action plan drawn up.</p>	<p>14. Any arrangements should be followed through.</p> <p>15. Mechanisms should be in place to spot and tackle any new problems.</p> <p>16. All staff <i>and</i> prisoners should have mental health awareness training.</p>	<p>17. Where prisoner has an address, prisoner should be registered with a GP, and health records passed on.</p> <p>18. Where appropriate, case should be transferred to a community mental health team.</p>	<p>9. GP registration should be followed up, if address has not been established in prison.</p> <p>10. Community mental health team or GP should follow through.</p>
Attitudes and self-control		<p>13. Offending behaviour needs should be assessed and an action plan put in place to address them.</p> <p>14. Prisoners should make financial reparation to victim fund from their pay.</p> <p>15. Restorative justice approaches should be considered.</p>	<p>17. Action plan should be followed through.</p>	<p>19. Action plan should be followed through.</p> <p>20. Case for continued participation on offending behaviour programmes should be considered and where necessary an action plan should be put in place.</p> <p>21. Victim involvement in release preparation should be considered.</p>	<p>11. Action plan should be put in place, supported and followed through.</p>

REHABILITATION FRAMEWORK

A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
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**Institutionalisation
and life skills**

16. Living skills should be assessed and an action plan drawn up.

18. Action plan should be followed through.

19. Opportunity should be provided for prisoners to earn sufficient pay to meet immediate needs and save money for a rehabilitation fund.

22. All prisoners should have a purposeful period of Release on Temporary Licence, unless debarred by risk assessment.

23. Prisoners should receive advice on how to deal with the effects of their ex-prisoner status, including issues of disclosure.

20. Prisoner should be given optimum responsibility, and optimum constructive time out of cell.

REHABILITATION FRAMEWORK

	A. Pre-Sentence	B. During reception/ induction	C. During custody	D. In preparation for release	E. After release
Overall sentence delivery	<p>9. Immediate needs should be identified, urgent action taken, and information passed on to prison.</p>	<p>17. A comprehensive assessment of need should be undertaken.</p> <p>18. Protective factors should be preserved and liabilities closed down.</p> <p>19. All the above actions should be pulled together as rehabilitation contract, which <i>drives the actions taken</i> and deals with issues <i>in the right order</i>.</p> <p>20. Prison Service and Probation Service to operate in close partnership with each other and with other services.</p> <p>21. A rehabilitation board at prison <i>and</i> area level should combine Prison Service, Probation Service and other services, to steer rehabilitation work.</p>	<p>21. Rehabilitation plan should be delivered, and appropriateness ensured through on-going assessment.</p> <p>22. Prison pay and privileges schemes should incentivise prisoners to participate and sanction non-participation.</p>	<p>24. Rehabilitation plan should be delivered, and appropriateness ensured through on-going assessment.</p> <p>25. Prisoners should be connected with appropriate services in good time for release.</p> <p>26. Prisoners should be offered a voluntary mentor.</p> <p>27. Rehabilitation plan should be fully integrated with risk assessment and management.</p>	<p>13. The responsibilities of community agencies should be pulled together, and the rehabilitation plan delivered.</p> <p>14. Voluntary mentor should meet with prisoner.</p> <p>15. Delivery of rehabilitation plan should be fully integrated with risk assessment and management.</p>

ANNEX I

ACKNOWLEDGEMENTS AND CONTACT DETAILS

In addition to a wide-ranging consultation exercise, members of the SEU visited a large number of prisons, Young Offender Institutions and other custodial establishments to talk with Governors and staff, prisoners, and others working with prisoners, ex-prisoners and their families.

The SEU also held a number of consultation seminars, as well as visiting a wide range of those working in organisations and initiatives involved with prisoners.

The SEU would like to thank all those it met for their openness and honesty in helping to explore problems and potential solutions.

Adult male prisons

HMP Altcourse
HMP Bedford
HMP Belmarsh
HMP Birmingham
HMP Blantyre House
HMP Bristol
HMP Buckley Hall (prior to re-role)
HMP Canterbury
HMP Coldingley
HMP Downview (prior to re-role)
HMP Durham
HMP Hull
HMP Kirklevington Grange
HMP Latchmere House
HMP Leeds
HMP & YOI Lewes
HMP Lindholme
HMP Manchester
HMP & YOI Moorland
HMP & YOI Norwich
HMP Nottingham
HMP & YOI Parc
HMP Pentonville
HMP Shotts (Scotland)
HMP Wandsworth
HMP Woodhill
HMP Wormwood Scrubs

Female prisons

HMP & YOI Askham Grange
HMP Brockhill
HMP & YOI Bullwood Hall
HMP & YOI Drake Hall
HMP Foston Hall
HMP & YOI Holloway
HMP & YOI Low Newton
HMP & YOI Styal

Young Offender Institutions (over 18)

HMYOI Aylesbury
HMP & YOI Castington
HMYOI Onley
HMYOI & Remand Centre Reading
HMYOI Stoke Heath
HMYOI Swinfen Hall

Young Offender Institutions (under 18)

HMP & YOI Castington
HMYOI & Remand Centre Feltham
HMP & YOI Hollesley Bay
HMYOI Huntercombe
HMYOI Onley
HMYOI Thorn Cross

Secure Training Centres

Rainsbrook, Warwickshire

Local Authority Secure Units

St Johns, Northamptonshire
Orchard Lodge, London
Stamford House, London
Sutton Place, Hull

Prisons outside the UK

La casa circondariale Mario Gozzini
(Solliccianino, Italy)
PI Norgerhaven (Netherlands)
PI Toorenburgh (Netherlands)
Bath Institution (Canada)
Rideau Correctional Treatment Centre (Canada)
William Hay Centre (Canada)
Millhaven Institution (Canada)

Consultation seminars

Government Office NE seminar, Middlesbrough
Government Office NW seminar, Bolton
Government Office SW seminar, Exeter
Government Office WM seminar, Birmingham
Government Office London seminar,
Prison Service seminar, Telford
Probation Service seminar, London
Youth Justice seminar, London
Black and Minority Ethnic prisoners, London
Voluntary organisations, London
Housing seminar, London

Projects and initiatives

Anglia Care Trust, HMP & YOI Norwich
C-FAR (Life Change Programme), Exeter
Citizens' Advice Bureau, HMP Wormwood Scrubs
Connexions Pilot, HMYOI Huntercombe
CRI (Crime Reduction Initiative), HMP & YOI Lewes
First Night in Custody, HMP & YOI Holloway
Foundation Training Company, HMP & YOI Hollesley Bay
High Intensity Training, HMYOI Thorn Cross
Housing Advice for Black and Asian Prisoners, HMP Leeds
Housing Advice Centre, HMP & YOI Drake Hall
Housing Advice Centre, HMP Buckley Hall
Jade Project, HMP Bristol
Lattice Foundation, HMYOI & RC Reading
LEAP, Harlesden
Mental Health Liaison Team, HMP Belmarsh
Mulhare benefit advice service, Nottingham
Newbridge Trust, London
North Lawndale Adult Transition Centre (US)
Ormiston Children and Families Trust, HMP & YOI Norwich
Parents for the 21st Century, HMP Wandsworth
Prisoner Passport, HMP Kirklevington Grange
Reed Restart, HMP & YOI Holloway
Rehabilitation of Addicted Prisoners Trust, HMP Downview
Resettlement Pathfinder (SOVA), HMP Wandsworth
Revolving Doors Agency Link Worker Scheme, HMPs Woodhill & Pentonville
Safer Foundation (US)
St Giles' Trust, HMP Wandsworth
St Mungo's, HMP Pentonville
Stockwell Road Young Adult Team, London Probation Service
STOP, Staffordshire Probation Service
Team First, Dorset
Thames Valley Police
THOMAS, Blackburn
Unit for Arts and Offenders, HMP Wormwood Scrubs

Organisations and individuals

Apex Trust
 Association of Black Probation Officers
 Brighton Housing Trust
 Churches Criminal Justice Forum
 City College, Manchester
 Commission for Racial Equality
 Cranstoun Drug Service
 Criminal Policy Research Unit, South Bank University
 District Judges, Bow Street
 Dr Frank Porporino, Joint Prison Probation Accreditation Panel
 Drugscope
 Federation of Prisoner's Families Support Groups
 HM Chief Inspector of Prisons and colleagues
 HM Chief Inspector of Probation and colleagues
 Institute of Public Policy Research
 International Centre for Prison Studies
 Lambeth Adult Resettlement, London Probation Service
 Lewisham Youth Offending Team
 Local Government Association
 Manchester Housing Department
 Meridian Trust Association, Portsmouth
 NACRO
 National Association of Probation Officers
 National Audit Office
 Option2
 Prison Officers' Association
 Prison Reform Trust
 Prisoner Education Trust
 Prisoners Abroad
 Prof. Joe Sim, Liverpool John Moores University
 Revolving Doors Agency
 Salford YOT
 Salvation Army
 Shelter
 Society of Voluntary Associates (SOVA)
 Stephen Shaw, The Prison Ombudsman
 Stonham Housing Association
 The Children's Society
 The Prince's Trust
 Victim Support
 West Midlands Police Authority
 West Yorkshire Probation Service
 Women in Prison
 Youth Justice Board

Contact details

Chapter	Title	Name	Phone	E-mail
7	HMP Leeds	Martin Woodrow	0113 203 2650	
8	Lattice Foundation, HMYOI Reading	Dr Mary Harris	020 7389 3241	mary.harris@lattice-group.com
8	HMP Hull	Ian Sykes	01482 320673 x320	
8	Apex Trust	Stuart McMillan	020 7638 5931	
9	RAPt	Adam Sampson	020 7582 4677	info@rapt.org.uk
10	HMP Belmarsh – Mental Health Liaison Team	Julia Telfer	020 8317 2436 x238	
10	Revolving Doors – Link Worker Scheme	Crispin Truman	020 7242 9222	admin@revolving-doors.co.uk
10	Deaf Prison Project	Joy Harris	0121 246 6100 voice 0121 246 6101 minicom	
12	SOVA	David Reich	020 7436 0827	david.reich@london.probation.gsx.gov.uk
13	HMP Norwich – Anglia Care Trust	Caroline Kobielus	01473 213140	caroline.k@angliacaretrust.org.uk
13	Manchester Housing	Susan Triggs	0161 234 4994	s.triggs@notes.manchester.gov.uk
13	Those On the Margins of A Society (THOMAS)	Reverend Jim McCartney	01254 59240	edges@globalnet.co.uk
13	HMP Drake Hall – Housing Advice Centre	Mel Harris	01785 858186	
14	Citizens Advice Bureau, HMP Wormwood Scrubs	Maxine Cole	020 8743 0311 x560	wormwoodscrubscab@dial.pipex.com
14	Prisoner Passport Project	Trish Thompson Sue Holman	0191 233 0700 01642 398 632	Trish.Thompson@nacab.org.uk
15	Ormiston Children and Families Trust, HMP Norwich	Debbie Winteringham	01603 702301	info@norwichvc.fsnet.co.uk
15	St Philip's Primary School, Cambridge	Jill Pauling	01223 508 707	head@stphilips.cambs-schools.net
Annexes				
A – Women	First Night in Custody, HMP Holloway	Sarah Hughes	020 7607 6747 x2656	firstnight@pact.uk.net
B – Remand	Jade Project, HMP Bristol	Sheila Edwards	0117 980 8215	Sheila.Edwards@avon-somerset.probation.gsx.gov.uk
C – BME Prisoners	Housing Advice for Black and Asian Prisoners (HABAP)	Derek Armstrong	0113 368 8891	
D – Juvenile	Connexions Pilot, HMYOI Huntercombe	Mark Kaczmarek	0114 259 3399	mark.kaczmarek@dfes.gsi.gov.uk
D – Juvenile	NACRO Onside Project, HMYOI Portland	Jackie Worrall	01926 335576	jackie.worrall@nacro074.easynet.co.uk
E – Young Adults	The Prince's Trust Volunteers Programme – Young Offender Project	Mike Ainsworth	020 7543 1288	mikeains@princes-trust.org.uk
E – Young Adults	Thorn Cross YOI: High Intensity Training	Colin Midwinter	01925 605050	

ANNEX J

REFERENCES

- ¹ Hansard, Commons Written Answer, col 343W 19 July 2001.
- ² Home Office, *Prison statistics England and Wales 2000*, 2001.
- ³ Home Office, *Criminality Survey: drugs follow-up, 2001* (unpublished). A sample of prisoners, who had served sentences of six months or less and had taken drugs in the year before prison in the months following release, confirms this. 34 per cent of those questioned said that they had been charged with a criminal offence since being released from prison, but 41 per cent admitted committing an offence for which they had not been caught during this period. 17 per cent of this group claimed to have committed 50 or more offences without being caught.
- ⁴ Home Office, *Prison statistics England and Wales 2000*, 2001.
- ⁵ Home Office, *Prison statistics England and Wales 2000*, 2001.
- ⁶ Home Office, internal research.
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- ⁸ Home Office, *Prison statistics England and Wales 2000*, 2001. Figures relate to release from prison in 1997 and include adult, young and juvenile prisoners.
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- ¹⁰ Home Office internal research commissioned by the SEU (unpublished). Takes into account convictions and cautions for indictable offences. 18 per cent is an approximate figure – ex-prisoners are predominantly prolific offenders and may well be responsible for an even greater proportion of recorded crime.
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- ²²¹ Home Office, *Resettlement Survey 2001* (forthcoming publication).
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- ²²³ Home Office, *Resettlement Survey 2001* (forthcoming publication). Those serving the longest sentences were the most likely to have an address on release – 79 per cent. It should be noted that figures on homelessness and rough sleeping should be treated with some caution. A higher rate of discharge grant is payable to those declaring themselves of ‘no fixed abode’ (NFA) on release. While the advent of Home Detention Curfew (HDC) or ‘tagging’ has offered an incentive for prisoners to name a place of residence, there remains a suspicion about the accuracy of the reported level of homelessness and in particular, rough sleeping.
- ²²⁴ Those questioned were back in prison having served a sentence of 12 months or less in the previous 18-month period. Finding based on interviews with a small sample of short-term, repeat prisoners in: Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001. The Home Office, *Resettlement Survey 2001* (forthcoming publication) has shown that less than 1 in 1,000 prisoners expects to sleep rough on release.
- ²²⁵ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison.
- ²²⁶ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison. Includes local authority, housing association and private rented sectors.
- ²²⁷ Remand prisoners are eligible to claim up to 52 weeks Housing Benefit.
- ²²⁸ Although this clearly relied on being able to convince Housing Benefit staff that an individual would be highly likely to be released on HDC.
- ²²⁹ NACRO, *Prisoner Resettlement Surveys, 2000* (unpublished).
- ²³⁰ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison.
- ²³¹ *Revolving Doors, Where do they go? Housing, Mental Health and Leaving Prison*, 2002.
- ²³² Home Office, *Resettlement Survey 2001* (forthcoming publication).
- ²³³ DTLR, *Blocking the Fast Track from Prison to Rough Sleeping*, 2000.
- ²³⁴ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001 (Prisoner questionnaire results).
- ²³⁵ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison.
- ²³⁶ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001 (Prisoner questionnaire results).
- ²³⁷ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison.
- ²³⁸ Except Housing Benefit – as outlined in the Housing chapter prisoners in some circumstances can receive up to 13 weeks Housing Benefit while those on remand can receive up to 52 weeks.
- ²³⁹ Benefit overpayments will usually have to be repaid and will be deducted from any benefit post-release.
- ²⁴⁰ Housing Benefit, Income Support, Council Tax Benefit and Jobseeker’s Allowance.
- ²⁴¹ Although claims for Income Support can be made by prisoners expecting to be released with no fixed abode.
- ²⁴² As a result, figures on the number of prisoners being released homeless from prison must generally be treated with some caution. While the advent of Home Detention Curfew (HDC) or ‘tagging’ has offered an incentive for prisoners to name a place of residence, there remains a suspicion that the level of homelessness reported may not be representative.
- ²⁴³ 37 per cent of all Crisis Loans are awarded to people to help them cover their living expenses whilst they are waiting for their benefit claim to be assessed.
- ²⁴⁴ In 1999/2000 over a third of all initial claims for Community Care Grants were awarded. A further 18 per cent went on to appeal, of which 39 per cent were then revised. Over 10 per cent of Community Care Grants’ expenditure went to people moving out of institutional care, including ex-prisoners.
- ²⁴⁵ J Ditchfield, *Family ties and recidivism*, Home Office Research Bulletin 36, 1994.

- ²⁴⁶ K Haines, *After-care services for released prisoners: a review of the literature*, Home Office, 1990.
- ²⁴⁷ H Codd, *Prisoners' families: the forgotten victims*, *Probation Journal*, 1998.
- ²⁴⁸ Home Office, *Criminality Survey: drugs follow-up*, 2001 (unpublished). Short-sentenced prisoners using drugs prior to prison.
- ²⁴⁹ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ²⁵⁰ S Ramsden, *Working with the Children of Prisoners – A Resource for Teachers*, 1998.
- ²⁵¹ HM Inspectorate of Prisons, *Young Prisoners: a thematic review*, Home Office, 1997.
- ²⁵² NACRO, *The Forgotten Majority: The Resettlement of Short Term Prisoners*, 2000.
- ²⁵³ T Dodd and P Hunter, *The National Prison Survey 1991*, HMSO, 1992.
- ²⁵⁴ Prison Service latest figures, 2001.
- ²⁵⁵ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001.
- ²⁵⁶ Lord Justice Woolf, *Prison Disturbances April 1990: report of an inquiry*, HMSO, 1991.
- ²⁵⁷ From 93,940 applications in 1999/2000 to 82,189 in 2000/01. The total cost of awards decreased from £2.4 million to £2 million over the same period.
- ²⁵⁸ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001.
- ²⁵⁹ In 2001 prisoners were held 53 miles from home on average Prison Service, 2001.
- ²⁶⁰ In gauging 'travelling time', the Prison Service presumes all visitors will have access to private transport.
- ²⁶¹ T Dodd and P Hunter, *The National Prison Survey 1991*, HMSO, 1992.
- ²⁶² See R Light (ed.), *Prisoners' families*, Bristol and Bath Centre for Criminal Justice, Bristol, 1989; Federation of Prisoners' Families Support Groups, *No-one's ever asked me – young people with a prisoner in the family*, 2001.
- ²⁶³ H Codd, Age, Role Changes and Gender Power in Family Relationships: The Experiences of Older Female Partners of Male Prisoners, *Women and Criminal Justice*, 12(2/3), 2000.
- ²⁶⁴ Ormiston Children and Families Trust, 1995.
- ²⁶⁵ This can have a disproportionate impact as receipt of Child Benefit also acts as a passport to other forms of financial support.
- ²⁶⁶ Partners often have difficulty continuing mortgage interest payments through the Benefits Agency where a prisoner is the sole name on the mortgage.
- ²⁶⁷ Federation of Prisoners' Families Support Groups, *Living in the Shadows*, 1996.
- ²⁶⁸ Ormiston Children and Families Trust, 1995.
- ²⁶⁹ Federation of Prisoners' Families Support Groups, *Living in the Shadows*, 1996.
- ²⁷⁰ This problem is made worse because some women prisoners do not declare that they have children for fear that they will be taken into care.
- ²⁷¹ S Ramsden, *Working with the Children of Prisoners: A Resource for Teachers*, 1998.
- ²⁷² D Farrington, The development of offending and anti-social behaviour from childhood: key findings from the Cambridge study in delinquent development, *Journal of Child Psychiatry*, vol. 360 no.6, 1995. The 1991 National Prison Survey found that 43 per cent of convicted prisoners had a family member who had also been convicted of a criminal offence, compared to 16 per cent of the general population. 35 per cent had a family member who had been imprisoned. For 32 per cent of these, it was a parent.
- ²⁷³ The Department of Health is the only statutory body (other than the Prison Service) that has made any special provision in its guidance for prisoners' children.
- ²⁷⁴ Federation of Prisoners' Families Support Groups, *No-one's ever asked me – young people with a prisoner in the family*, 2001.
- ²⁷⁵ G Boswell and P Wedge, *The Parenting Role of Imprisoned Fathers*, 1999; Federation of Prisoners' Families Support Groups, *No-one's ever asked me – young people with a prisoner in the family*, 2001.
- ²⁷⁶ HM Inspectorate of Prisons, *Women Prisoners: a thematic review*, Home Office, 1997.
- ²⁷⁷ Children in care tend to visit their parent less frequently than other children. Some family support groups argue that the failure to ensure that children can visit their parent contravenes the Children's Act (1989).
- ²⁷⁸ Federation of Prisoners' Families Support Groups, *I didn't think anyone would understand*, Miss, 2001.
- ²⁷⁹ Conversely, the Home Detention Curfews (or 'tagging') requirement, that prisoners have a home address to be released to, has led to complaints that families are being pressurised into accepting prisoners back unwillingly.
- ²⁸⁰ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001.
- ²⁸¹ HM Prison Service, *Getting it right together: Working with the Voluntary and Community Sector*, 2001.
- ²⁸² Home Office, internal research.
- ²⁸³ NAO, *Reducing Prisoner Reoffending*, 2002.
- ²⁸⁴ Hansard, Commons Written Answer col 343W, 19 July 2001.
- ²⁸⁵ M Macquire and J Kynch, *Victim Support: Findings from the 1998 British Crime Survey*, Home Office Research Findings 117, 2000.
- ²⁸⁶ C Kershaw, T Budd, G Kinshott, J Mattinson, P Mayhew and A Myhill, *The 2000 British Crime Survey, England and Wales*, Home Office Statistical Bulletin 18/00, 2000.
- ²⁸⁷ Figures provided by Bradford Metropolitan Authority for work of Policy Action Team 8, Anti-Social Behaviour, 2000.
- ²⁸⁸ NACRO, *Wasted Lives: Counting the Cost of Juvenile Offending*, 1998.
- ²⁸⁹ Many of the reasons for this difference are centred around the fact that female offenders desist from offending at an earlier age – many 'grow out' of offending. The effects of a stable relationship or children upon offending behaviour are also greater for female offenders than for their male counterparts. See for example J Graham and B Bowling, *Young People and Crime*, Home Office Research Study 145, 1995.

- ²⁹⁰ Home Office, *Recent Changes in the Female Prison Population*, 1998. Despite this, the offences committed by women (including violent offences) tend to be less serious than those committed by men. Of prisoners convicted in 1999, women were: twice as likely to be convicted of theft and fraud; around two-and-a-half times as likely to be convicted of drugs offences; around a third as likely to be convicted of burglary; and half as likely to be convicted of violent or sexual offences.
- ²⁹¹ HM Prison Service Women's Policy Group, *Working With Women Prisoners*, 2000.
- ²⁹² ONS, *Living in Britain: results from the 1998 General Household Survey*, 2000.
- ²⁹³ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ²⁹⁴ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ²⁹⁵ ONS, *Living in Britain – Results from the 2000/1 General Household Survey*, 2001. Around eight out of nine lone parent households are headed by women.
- ²⁹⁶ HM Inspectorate of Prisons, *Women Prisoners: a thematic review*, 1997.
- ²⁹⁷ HM Inspectorate of Prisons, *Women Prisoners: a thematic review*, 1997.
- ²⁹⁸ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ²⁹⁹ DfES, *Labour Force Survey 2000/01*, 2001.
- ³⁰⁰ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ³⁰¹ T Marshall, S Simpson and A Stevens, *Health care in prisons: a health care needs assessment*, University of Birmingham, 2000.
- ³⁰² N Singleton, H Meltzer, R Gatward, J Coid and D Deasy, *Psychiatric Morbidity among Prisoners in England and Wales*, ONS, 1998.
- ³⁰³ N Singleton, H Meltzer, R Gatward, J Coid and D Deasy, *Psychiatric Morbidity among Prisoners in England and Wales*, ONS, 1998.
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- ³⁰⁷ A Maden, M Swinton and J Gunn, *A Criminological and Psychiatric Survey of Women Serving a Prison Sentence*, British Journal of Criminology 34 (2), 1994.
- ³⁰⁸ Prison Reform Trust, *Justice for women: the need for reform*, 2000.
- ³⁰⁹ N Singleton, H Meltzer, R Gatward, J Coid and D Deasy, *Psychiatric Morbidity among Prisoners in England and Wales*, ONS, 1998.
- ³¹⁰ B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ³¹¹ This includes both accredited and non-accredited courses. B Hamlyn and D Lewis, *Women prisoners: a survey of their work and training experiences in custody and on release*, Home Office Research Study 208, 2000.
- ³¹² Home Office, *The Government's strategy for women offenders*, 2000.
- ³¹³ Home Office, *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, 2001 (Prisoner Questionnaire results). It should be noted that the sample of female prisoners was heavily biased towards short-term prisoners – the figures for those with Probation Service support might be significantly higher.
- ³¹⁴ This figure relates to all prisoners (not just women) as there was no significant difference in the groups requiring advice.
- ³¹⁵ Prison Reform Trust, *Justice for women: the need for reform*, 2000.
- ³¹⁶ MBUs are currently situated at HMP Styal, HMP New Hall, HMP Holloway and HMP Askham Grange. Further places by 2003 are planned through extension of the MBU at HMP Askham Grange and establishment of a new MBU at HMP Eastwood Park.
- ³¹⁷ Prison Reform Trust, *Justice for women: the need for reform*, 2000. The true figure may be even greater – some women do not declare that they have children for fear that they will be taken into care.
- ³¹⁸ Home Office, *Imprisoned Women and Mothers*, 1997.
- ³¹⁹ T Dodd and P Hunter, *The National Prison Survey 1991*, HMSO, 1992.
- ³²⁰ T Dodd and P Hunter, *The National Prison Survey 1991*, HMSO, 1992.
- ³²¹ Prison Reform Trust, *Justice for women: the need for reform*, 2000. This figure is of particular concern given the over-representation of people who have been in care in the prison population (Chapter 3).
- ³²² Home Office, *Imprisoned Women and Mothers*, 1997. It should be acknowledged that some mothers choose not to have their children visit to protect them from the prison experience.
- ³²³ The Bail Act 1976 and subsequent amendments.
- ³²⁴ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished).
- ³²⁵ Home Office, *Prison Statistics England and Wales 2000/01*, 2001.
- ³²⁶ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished). The prevalence of unstable accommodation amongst remand prisoners is likely to reflect the fact that courts view a stable address as a prerequisite for granting bail.
- ³²⁷ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished).

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- ³³⁰ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished).
- ³³¹ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished).
- ³³² D Lader, N Singleton and H Meltzer, *Psychiatric Morbidity among Young Offenders in England and Wales*, ONS, 2000.
- ³³³ Prison Rule 7(2) and IG 48/1995 require that unconvicted prisoners be kept out of contact with convicted prisoners as far as it can reasonably be done. No unconvicted prisoner can be required to share a cell with a convicted prisoner against their will. In practice due to resource and staffing constraints, mixing does take place especially for regime activities – the alternative would be that remand prisoners would spend longer in their cells.
- ³³⁴ Unsentenced adult male prisoners were kept on average 21 miles away from home in 2000/01, the lowest distance of any prisoner group.
- ³³⁵ Home Office, *Unjust Deserts: A thematic review by HM Chief Inspector of Prisons for England and Wales*, 2000.
- ³³⁶ D Lader, N Singleton and H Meltzer, *Psychiatric Morbidity among Young Offenders in England and Wales*, ONS, 2000.
- ³³⁷ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished).
- ³³⁸ D Lader, N Singleton and H Meltzer, *Psychiatric Morbidity among Young Offenders in England and Wales*, ONS, 2000.
- ³³⁹ NACRO, *Prisoner Resettlement Surveys*, 2000 (unpublished), showed that 69 per cent of all prisoners, but only 63 per cent of remand prisoners thought they would have somewhere to live on release.
- ³⁴⁰ Throughout this annex the term 'black and minority ethnic' is used as a general term. Where particular groups are identified, this is on the basis of the typology used in the original research quoted. As a result terminology (for example, the use of 'black' and African-Caribbean) is not consistent throughout the annex.
- ³⁴¹ Home Office, *Prison statistics England and Wales 2000*, 2001. Figures relate to British nationals.
- ³⁴² Section 95 statistics, released under 1991 Criminal Justice Act, 1998/99.
- ³⁴³ Much of this is summarised in: SEU, *Minority Ethnic Issues in Social Exclusion and Neighbourhood Renewal*, TSO, 2000.
- ³⁴⁴ DETR, 1998 Index of Local Deprivation and 1991 Census data.
- ³⁴⁵ SEU, *Report of Policy Action Team 12: Young People*, TSO, 2000.
- ³⁴⁶ R Berthoud in T Modood, R Berthoud, J Lakey, J Nazroo, P Smith, S Virdee and S Beishon, *Ethnic Minorities in Britain: Diversity and Disadvantage*. The Fourth National Survey of Ethnic Minorities, Policy Studies Institute, London, 1997.
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- ³⁴⁸ DfES, *Permanent Exclusions from Schools, England, 1999–2000*; ONS Statistical First Release 32, 2001.
- ³⁴⁹ Section 95 of the Criminal Justice Act 1991, 1999/2000 figures.
- ³⁵⁰ R Hood, *Home Office Research Study No.180*, 1992; SEU, *Report of Policy Action Team 12: Young People*, TSO, 2000.
- ³⁵¹ T Modood, R Berthoud, J Lakey, J Nazroo, P Smith, S Virdee and S Beishon, *Ethnic Minorities in Britain: Diversity and Disadvantage*. The Fourth National Survey of Ethnic Minorities, Policy Studies Institute, London, 1997.
- ³⁵² Home Office, HM Inspectorate of Probation, *Towards Race Equality: thematic inspection report*, Home Office, 2000.
- ³⁵³ Section 95 statistics, released under 1991 Criminal Justice Act, 1999/2000.
- ³⁵⁴ C Flood-Page and A Mackie, *Sentencing Practice: an examination of decisions in magistrates' courts and the Crown Court in the mid-1990s*, Home Office Research Study 180.
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- ³⁵⁶ Home Office, *Statistics on Race and the Criminal Justice System*, 1999.
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- ³⁵⁸ NACRO, *Race and Prisons: a snapshot survey*, 2000.
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- ³⁶³ E Hassan and R Thiara, *Locked out? Black prisoners' experiences of rehabilitative programmes*, Warwick University, 2000.
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- ³⁶⁸ Prison Service Offending Behaviour Programmes Unit, internal research.
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- ³⁷⁶ Youth Justice Board information. Some Youth Offending Teams suggest that almost two-thirds of juvenile offenders 'on their books' have a history of drug misuse.
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- ³⁸³ D Lader, N Singleton and H Meltzer, *Psychiatric Morbidity among Young Offenders in England and Wales*, ONS, 2000.
- ³⁸⁴ The YJB plans that by the end of 2005 over 15 per cent of the population will be accommodated within STCs.
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- ³⁹⁸ See for example, NACRO, *Young Adult Offenders: a period of transition*, 2001.
- ³⁹⁹ Home Office, *Prison statistics England and Wales 2000*, 2001 and latest figures.
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- ⁴⁰⁵ See for example HM Inspectorate of Prisons, *Young Prisoners: a thematic review*, 1997.
- ⁴⁰⁶ Home Office, *Prison statistics England Wales, 2000*, 2001.
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- ⁴¹² D Farrington, J Ditchfield, P Howard and D Jolliffe, *Two intensive regimes for young offenders: a follow-up evaluation*, Home Office Research Findings 163, 2002.

Social Exclusion Unit
35 Great Smith Street
London SW1P 3BQ
Telephone: 020 7276 2055
Fax: 020 7276 2124
Web address: www.socialexclusionunit.gov.uk

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