Ex-offenders and employment – the way forward
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This Nacro briefing paper, part of a series of papers dealing with current debates and issues relating to crime and criminal justice, is based on our response to the Government’s 2005 green paper, Reducing Re-offending through Skills and Employment. The response is online at www.nacro.org.uk/data/resources/nacro-2006070400.pdf

The quotes throughout the text come from interviews with Nacro’s senior and experienced education and employment staff.

Acknowledgements

Thanks to David Walker and to colleagues across Nacro who contributed to the report, including: Craig Harris (Director, Education and Employment), Ellen Cuerva (Assistant Director, Education and Employment), Selina Corkery (Manager, Services Publications and Information Unit) and placement officers and others from our education and employment projects.

Nacro 2006

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ISBN 0 85069 218 0

Nacro is a registered charity no. 226171

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Nacro is very grateful to everyone who appears in the photos. Please note, it should not be assumed that any individuals depicted have any association with the stories or activities described in the text.
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More than 20,000 people came to Nacro for resettlement advice during the past year, accessing our Resettlement Plus Helpline or one of our many projects across England and Wales. Three-quarters of these enquiries concerned employment – for example, the skills needed to get back into work, the impact of a criminal record, and the attitude of employers to ex-offenders. This level and type of enquiry gives an idea of the problems involved in trying to establish a settled, law-abiding life after a prison sentence or a criminal conviction.

The poor education and employment records of many ex-offenders – both before and after their involvement in the criminal justice system – is now a widely recognised fact. Two-thirds of prisoners are not in work or training in the month before they start their sentence, and three-quarters do not have a paid job to go to on their release. As the Government’s recent green paper, Reducing Re-offending through Skills and Employment, points out: ‘These low rates of employment are damaging to the individuals concerned and the economy and community more widely... There is a good case for investing in programmes to get more offenders into jobs, and for raising their skill levels to improve their chances of becoming more productive and successful in employment.’

Nacro could not agree more. As a leading crime reduction charity we have four decades of expertise in developing constructive and effective solutions to crime. We provide education, training and employment opportunities to some 10,000 prisoners, ex-offenders and unemployed people in partnership with employers, government agencies and voluntary bodies. We have long campaigned for greater investment in programmes designed to steer people away from crime by providing good-quality and rewarding jobs. As we indicated in our response to the green paper, we hope that the Government will take this opportunity to change lives and reduce crime.

Notes

Learning to weld at Portland Young Offender Institution
Reduction of offending has become a top political priority in recent years. It is one of the main goals of the National Offender Management Service and a recurring theme in the debate about crime.

In particular, there is a growing recognition on the part of Government and criminal justice agencies that the education, training and employment of offenders can play an important role in reducing crime. In August 2005, the Offender Learning and Skills Unit (OLSU) of the Department for Education and Skills worked with the Learning and Skills Council to set up the Offenders’ Learning and Skills Service (OLASS), to help offenders ‘gain the skills and qualifications they need to hold down a job and have a positive role in society’. And at the end of the year, the Department for Education and Skills, the Home Office and the Department for Work and Pensions jointly published the green paper Reducing Re-offending through Skills and Employment, which set out proposals to ‘help offenders become more productive members of society’. And at the end of the year, the Department for Education and Skills, the Home Office and the Department for Work and Pensions jointly published the green paper Reducing Re-offending through Skills and Employment, which set out proposals to ‘help offenders become more productive members of society’.

The links between offending and unemployment are complex, but unemployment is significantly higher among offenders than among the population at large. A 1997 survey showed that the proportion of ex-offenders on probation in employment was 21% compared to around 60% of the general population. The green paper found that the employment prospects of ex-offenders are well below those of the community in general: some 67% of prisoners are not in work or training in the four weeks before going into prison, and 76% of prisoners do not have paid employment to go to after their release.

The link between unemployment and reoffending is much clearer, with research suggesting that those who commit further offences are far more likely to be unemployed than those who do not. If unemployment is linked to higher rates of reoffending, then it stands to reason that employment can play a significant role in reducing it. As Phil Hope, minister for skills, argued in Safer Society magazine last year, ‘It makes sense that good, early employer engagement, plus good training, linked to a real job has the highest chance of reducing recidivism.’

This approach is borne out by the evidence. Mark Lipsey’s analysis of 400 international research studies on young offenders found that employment is the single most important factor in reducing reoffending. The Social Exclusion Unit’s report, meanwhile, stated that employment reduced reoffending by between a third and a half. Yet research also suggests that jobs alone are not sufficient to prevent reoffending – other important factors include the quality and longevity of the employment on offer, and the offenders’ access to support in other areas such as accommodation and drug programmes. Furthermore, if employment and skills training are to be effective, they must be meaningfully linked to the prospect of employment.

Offenders need skills that will allow them to get jobs and stay in work. This presents a considerable challenge. In 2002, the Social Exclusion Unit found that half of all prisoners were at or below Level 1 in reading (the standard expected of an average 11-year-old); two-thirds were below it in numeracy; and four-fifths below it in writing. These levels fall short of the minimum requirements for almost all jobs. In July 2004, the Home Office’s Reducing Re-offending – National Action Plan acknowledged that it was necessary to improve standards of literacy and numeracy in order to enhance ex-offenders’ employment prospects.

The Government has begun to take action. It has transferred responsibility for offender learning and skills to the Department for Education and Skills, and subsequently to the Learning and Skills Council, as part of its strategy to ‘mainstream’ services – from now on, services should be provided by the same agencies inside prisons as outside them. It has invested more in some areas of provision, such as basic skills and engagement programmes for
those not in education and employment. And it has published the green paper to give shape to future strategies for reducing offending through education, training and employment.

Many of the proposals set out in the green paper have much to commend them. Nacro welcomes its acknowledgement of the need to provide seamless support for offenders as they make the transition from prison to the wider community – an approach we have long advocated. We also back the suggestion that a single professional should take responsibility for an offender throughout their sentence, the proposals for information-sharing between agencies in order to avoid duplication of effort, and the stress on the recognition of offenders’ prior achievements in order to improve CVs.¹²

If the Government honours the central role it has given the voluntary and community sector in its proposed reforms, we look forward to an exciting and constructive time ahead, working together to improve the lot of ex-offenders, enhance the labour market, and make society safer.

Notes
1 'OLASS' www.lsc.gov.uk/NR/exeres/21F0F27E-4430-4AB6-8F83-3EF37D87A3F7.htm
5 Op cit Reducing Re-offending through Skills and Employment
6 See, for example, May C (1999) Explaining Reconviction Following a Community Sentence: The role of social factors Home Office Research Study 192, London: Home Office
7 'Let’s get to work’ Safer Society 26 (Autumn 2005) London: Nacro
12 Nacro submission to the green paper, see note 2 on page 2
Working with prisoners and ex-offenders

Many ex-offenders find it hard to find work because, as well as having a criminal record, they lack workplace skills and experience. Over the years, Nacro has assisted many thousands of ex-offenders to gain qualifications and enter the world of work. We understand the situation faced by people trying to rebuild their lives and move on, and we have developed programmes and techniques to help them do it. Our experience is that, given a chance, many ex-offenders work hard to keep themselves in employment, and usually go on to lead productive, fulfilling and crime-free lives.

For this reason, we are very committed to the goals outlined in the green paper. At the same time, we would also caution against adopting a ‘broad brush’ approach to the education, training and employment needs of ex-offenders – after all, not all their needs are the same. For some, for whom prison is but a short interruption to an otherwise fairly stable life, the green paper’s approach to the provision of education and skills is entirely suitable. But for others, who are also the more marginalised in society, the route to employment is often much more complicated and fraught with difficulties than envisaged by the green paper.

We recognise this fact because many of the ex-offenders we work with lack simple life skills, never mind workplace skills. They are likely to have dropped out of school, and they often struggle to live independently. In many cases, they are simply not ready to engage in vocational training, let alone hold down a job. They also need support to address a range of other personal issues, such as housing, drug use or mental health problems; and these additional factors need to be embedded in future learning and skills programmes.

Specialist voluntary sector providers are well placed to work with these hard-to-help ex-offenders. This is because ex-offenders have almost always had negative experiences of education or other state-provided services. They are thus likely to regard voluntary sector organisations with less suspicion, and are more prepared to co-operate with them. Also, prisoners particularly benefit if the organisation providing their employment programme brings ‘the smell of the outside’ with them.

Meet actual needs

Employment is important, but it is not a magic bullet. Getting a person into a job, and helping them to stay there, is a process not a single intervention. Providers must thus be prepared to meet a range of different needs, and take a long view. For people with complex problems in their lives, a single intervention on a single issue will not make a significant difference. Relationships between prison establishments, supervising bodies, learning providers, specialist organisations and referral and endorsement agencies need to be carefully worked out, ensuring that the right practical and financial support is made available. The continuous learning experience needs to be placed at the centre of the provision, with specialist interventions brought in at the right time.

As well as evolving programmes to deal with people with different levels of need, policy-makers and funders must also recognise that different groups have needs specific to their gender, ethnic background, and age.

Take, for example, the different needs of younger and older ex-offenders.

‘There is an acceptance that 16 to 18-year-olds need to undertake a process of change if they have broken school histories and are unattractive to the generality of employers. This is less readily acknowledged of adults, who are, generally speaking, less motivated either to accept the fact that they need fundamental change, or to sign up to that kind of process. It threatens their sense of identity. After all, you’re not going to earn a lot of money on a dole scheme’
Young people are resistant to education and training because they have had a recent, unpleasant experience of the education system. Many have either truanted or been excluded from school, and would rebel at the idea of more learning. Nacro and other specialist agencies have thus developed techniques for enticing them to learn without alienating them. Nacro provides employment programmes with a strong vocational, hands-on element. We structure learning around areas of interest such as sport and music, and break it down into small manageable steps. We recognise their achievements – ideally with an accredited qualification but also recognising other progress1 – and help them through each stage of the process of finding and keeping work.

By contrast, many older people on Nacro projects have never been employed, or if they have, have had a very negative experience of intermittent, low-paid and sometimes dangerous work. They can be embittered and set in their ways, with very low expectations of what they can achieve, and no inclination to change or get a job. Nacro aims to remove the most obvious barriers to their employment, while, most importantly, linking learning with real work experience and job opportunities. Our job-seeker programmes give participants opportunities to try out different vocational areas and help them identify transferable skills that can help them prepare a convincing job application and CV. Staff can act in an advocate role for those lacking the confidence to address their criminal record directly with employers and aim to help learners develop skills – such as problem-solving – to help them keep a job once they have found employment.

Programmes for many offenders also need to be able to address their attitudes and expectations entrenched over years, or possibly generations, which make it harder to find and keep work. This means using, for instance, cognitive-behavioural approaches to challenge patterns of negative thinking and behaviour and help people find more positive ways of relating to others and dealing with problems. This theoretical framework underpins Nacro’s education and employment provision, along with three overarching principles: respect, inclusion and the positive expectation of change.

Leaving prison
What does the green paper offer to those being released from prison?

We welcome the Government’s recognition of the importance of support immediately upon release, although this support should start during the custodial sentence, and provide a bridge between prison and the community. Nacro and other voluntary organisations have established and run schemes offering integrated ‘through the gate’ services that could provide models to reproduce. Our experience, gained through running programmes like the Onside project in Portland Young Offender Institution, is that long-term support is essential to overcome the ‘one step forward, two steps back’ effect after release.

Previous programmes could provide both useful lessons and a replicable model. For example, the Learning and Skills Council funded a two-year pilot designed and delivered by the Learning Alliance (a consortium of specialist training providers, including Nacro) to bring Entry to Employment programmes into young offender institutions. Offenders started their training while in custody, and were matched with providers on release. Results were promising, especially in addressing the problem
of offenders falling through the net as they leave custody and move back into the community.

**Basic skills – means, not ends**

The Government has greatly increased investment in basic skills programmes to improve offenders’ literacy and numeracy, and more work needs to be done to embed these programmes in wider efforts to increase employability. As the Parliamentary Select Committee on Education and Skills on Prison Education concluded, ‘basic skills are vital, [but] they are not by themselves sufficient to ensure employment on release’. It added that ‘by concentrating on basic skills, the Government is failing to recognise the significance of the low skill/low pay equilibrium that will not help many prisoners to find a real alternative to crime’. Similar concerns were raised by the Parliamentary Home Affairs Committee on the Rehabilitation of Prisoners in their report, *Rehabilitation of Prisoners*. These concerns are now beginning to be addressed, for instance, within probation service ETE (education training and employment) targets.

Nacro acknowledges the importance of basic skills in improving employment prospects, and runs programmes in partnership with probation services in a number of areas. We also recognise that basic skills alone will not enable many ex-offenders to find and keep a job. The ‘offender learning journey’ proposed in the green paper could provide the flexibility needed to allow offenders to work at different levels as their circumstances change, including moving into and out of formal qualification streams. Funding and delivery mechanisms need to allow this to happen.

This is the approach taken by Nacro’s Getting into Work programme, based on cognitive-behavioural principles, which is replicated in Nacro training centres throughout England and Wales. Learners come from a wide range of referral agencies, ranging from Job Centre Plus to the probation service, and are assessed and their needs identified at the beginning of the programme. These needs are continually reviewed, and go beyond skills deficits or the lack of employment skills – for example, people often need help with benefits, accommodation or health issues. These must be addressed in conjunction with other agencies as part of leavers’ progress towards work.

Nacro has long believed that individually tailored support is the most effective means of ensuring successful resettlement. This flexibility is one of the voluntary sector’s great strengths. Any contract to provide employment programmes must include a guarantee of timely access to appropriate services, to enable individuals to fulfil their potential. Nacro is concerned that priority is not just given to the most able, who may already be ready for work, but also to those with a rockier road to travel to work.

**Notes**

1 Recognising and Recording Progress and Achievement (RARPA), which applies to all LSC-funded non-accredited training, could be applied more widely
3 *Op cit* House of Commons Home Affairs Committee
4 See, for instance, the ETE targets set out in the NPS briefing (May 2006) at www.probation.homeoffice.gov.uk/files/pdf/Briefing%2034.pdf
Employment programmes for prisoners and ex-offenders could not operate without the cooperation of employers. Indeed, the Government’s green paper indicates that an ‘employer-led, demand-driven system’ is essential to increase the number of job opportunities for offenders.

However, there is no doubt that many employers are reluctant to employ ex-offenders.¹ A 2005 survey by the Chartered Institute of Personnel and Development found, for example, that 36.6% of employers would exclude all ex-offenders from their recruitment process.² Nevertheless, Nacro has a proven record of finding people good-quality long-term employment. Given suitable support, proper risk-assessment, and carefully chosen placements, employers are prepared to give ex-offenders a chance. The challenge is to make the process as clear, straightforward and as worry-free as possible for employers. This means acknowledging their genuine concerns, and putting forward constructive and realistic proposals to address them.

Facing facts

The disclosure criminal record-checking system is a distinct additional barrier to ex-offenders finding work, unnecessarily compounding some employers’ reluctance to employ them. In a recent Nacro report, we showed that many illegal criminal record checks are run and many people with irrelevant offences excluded from jobs they are qualified to do. These barriers will be set even higher if basic disclosures available for all jobs, not just those working with vulnerable people – are introduced.³ Despite this unpromising situation, there are reasons to be more positive.

Employers that have taken a chance on employing ex-offenders have usually found them to be diligent and reliable employees who are highly unlikely to risk their employment by reoffending. The Confederation of British Industry recognises this, and its Director General, Sir Digby Jones, has called for more employers to engage with the National Offender Management Service to increase training and employment opportunities in prison and in the community.⁴

It is important to challenge the negative attitudes of employers and other recruiters such as training providers, colleges, and volunteering projects. To do so, it is important to understand their concerns and offer reassurance. Only then, through a combination of legislation, practical advice and support, will it be possible to create the circumstances in which they will take on ex-offenders.

Working together

The green paper’s vision for improving offenders’ employment prospects depends on employers being willing to take on ex-offenders – as trainees, on placement and as employees. Nacro’s experience working with employers shows that this is possible, if a challenge. Nacro works with about 700 local, regional and national employers each year to provide work-

‘If employers are given decent policies to work with, they are likely to respond positively to employing ex-offenders. They want to know how to deal with disclosures and they want effective practices because they are the ones who will be held responsible. They also want clear procedures to fall back on or refer to, which legitimise their decisions’
tasters and placements for a wide range of people, including those with convictions. This works well for employers, who might wish to offer people, including ex-offenders, work experience, and it works well for the person on placement, because they can try out real work in a safe environment, improve their skills, and receive documentary evidence of competence. Placement may on occasion lead to paid work with the employer.

The placement service must be sold to employers, however. While some respond well to arguments about community cohesion and social responsibility, many respond best to simple business arguments – namely, that a work placement will be good for the company. Of course, they must also be reassured that the person on placement is suitable for them, and that they will receive ongoing support and advice. More broadly, they need to be persuaded that the majority of ex-offenders in work are competent, reliable employees who pose no risk whatsoever to their colleagues, clients or employers. Finally, employers need specific advice about assessing risk, about the law and about good practice.

Finding appropriate placements involves a good knowledge of the local labour market and continued maintenance of relationships with employers. Careful matching of the person and the business contributes to the success of placements. Support services, such as Nacro’s Resettlement Plus Helpline, help employers to make safe and sensible recruitment decisions.

“We can make significant changes by continuing to try to inform and educate about the truth of offending and criminal records in the labour market. But you are on shaky ground when you ask employers to be altruistic rather than self-interested. But once risk to employers, colleagues and customers has been assessed, we – and the system – must promote as much anonymity and non-disclosure as possible’
The right message

Nacro has shown that employing ex-offenders can work, given the right approach. The next challenge is to get this message across to the people who matter. Nacro’s Going Straight to Work initiative in 2002-03 involved a number of major employers including Tesco, Asda, Granada plc and KPMG. It found that employers were willing to employ ex-offenders, but were reluctant to develop policies and procedures for their recruitment because of the critical response they might receive from the press and the public.

The Going Straight to Work employers group recommended that the Government work with major employers to develop policies for the recruitment of ex-offenders, so that these may be used as good practice case studies. It also suggested that it should educate employers about the value of improving recruitment policies for ex-offenders, and encourage them to engage with statutory and other agencies working with offenders. This is essential if employers are to play anything like the role envisaged in the green paper.

Nacro believes that the Government should also take the lead by breaking down the prejudices that exist against employing ex-offenders, in particular by implementing the recommendations from the Home Office’s review in 2002 of the Rehabilitation of Offenders Act 1974.

Notes

2 ‘Employers exclude “core jobless” groups’, People Management, 15 September 2005
4 Speech to Probation Boards Association, 30 June 2005
Delivering the best service

Our message to Government is that it must fundamentally change its approach to employment and education for prisoners and ex-offenders. It should fund employment programmes in the long term, and develop a positive ‘mixed economy’ contracting environment that would allow different agencies and organisations to play to their strengths and build partnerships, rather than just compete.

This would ensure that programmes have a significant impact on offenders with a range of different needs, instead of just providing for the most able. Most prisoners do not have previous work experience, connections with employers, or networks of employed family members and friends – and are thus the people who most need assistance to join the world of work.

Clear policy, guaranteed funding

At present, there are not enough programmes designed to help offenders. Those that exist are hampered by unrealistic targets, short-term funding and the oft-changing requirements of service commissioners. Funding is a particular problem, because many contracts for the delivery of offender learning and skills, particularly specialist programmes, are as brief as six months, which makes staff retention difficult, and disrupts relationships with offenders. Programmes that do not offer consistent, properly-funded support for sufficient periods of time are simply not effective, and may be counter-productive.

If the Government’s promised end-to-end approach to offender skills and employment is to succeed, it must do two things: first, set out clear policy objectives, and second, guarantee continuity of funding. The National Offender Management Service, OLASS and other commissioning bodies must ensure that the contracts they award to learning and skills programmes adhere to Compact guidelines, and are of at least three years’ duration.

We believe that the new contractual arrangements being developed by OLASS offer a good opportunity to design contracts that will encourage an holistic approach to offenders’ needs. These would involve brokered, voluntary partnerships, and would prohibit ‘cherry picking’. Such arrangements should include the requirement that skills and training providers establish links with employers, with regard to local conditions and the needs of the local labour market.

‘Nacro’s distinctiveness as a service provider is less to do with our technical specificity in delivering any individual programme, and more to do with links between and combinations of different interventions that we bring together. For instance, we run youth work outreach engagement activity as a precursor and antecedent to Learning and Skills Council programmes and more directly job-related schemes’

‘The Government should offer incentives to employers – particularly small and intermediate businesses – to engage with those most in need. Currently, much funding works in the opposite way, encouraging businesses to cream off the easiest to reach and allowing them to subsidise their training for people they would employ anyway’
Conclusion and recommendations

The establishment of the National Offender Management Service and OLASS offers an excellent opportunity to restructure offenders’ employment, training and education. Nacro believes that the creation of an end-to-end approach to offender management should include an end-to-end inclusive approach to offender learning skills and employment.

- More investment and resources should be channelled into employment and skills training for prisoners and ex-offenders.
- Policy should recognise that many offenders are starting from a low base, and should be offered flexible, tailored training.
- Statutory agencies – in particular the National Offender Management Service – should set targets and performance indicators specifically relating to increasing offenders’ employability – addressing both vocational skills development and other skills contributing to ‘job-readiness’.
- Employers should develop sensible and fair recruitment policies which do not unreasonably discriminate against ex-offenders.
- To encourage employer-involvement and change the ‘climate’ around ex-offenders’ employment, the Government should develop a public education programme and reform the Rehabilitation of Offenders Act 1974.
- The National Offender Management Service and OLASS, together with Jobcentre Plus, should do more to encourage links with employers.
- Funding streams should be tied to clear, consistent and sustainable policy goals.
- The voluntary sector should play an important role, along with public and private sector bodies, in providing education, training and employment to offenders.
About Nacro

Nacro, the crime reduction charity, is dedicated to making society safer. We have unrivalled expertise in developing constructive and effective solutions to crime, based on 40 years’ experience. Our practical resettlement services and pioneering campaigns aim to reduce offending and change lives.

Related publications

- **Recruiting ex-offenders: The employers’ perspective**
  This guide gives employers detailed information about recruiting from the widest pool of potential staff while avoiding employing inappropriate candidates. It sets out the findings of a Nacro’s ‘Going straight to work’ group of employers, that employers can employ ex-offenders without problems, but need more information about how to do this. Taking into account the points raised by the group, the guide goes on to set out detailed guidance on developing sound recruitment policies, including assessing risk, the Rehabilitation of Offenders Act 1974 and the new Disclosure Service. (2003)
  Out of print but on line at www.nacro.org.uk/data/resources/nacro-2006070300.pdf

- **Getting disclosures right**
  This report addresses the problems presented to ex-offenders and to employers by Standard and Enhanced Disclosures. It describes the use and misuse of Disclosures; recommends legislative reform; provides guidance on those aspects of the Code of Practice concerned with the fair use of information; and examines risk, both in terms of criminal records and the jobs that people are expected to undertake.
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Ex-offenders and employment – the way forward

This Nacro briefing considers the role of employment in helping ex-offenders go straight. Based around Nacro’s response to the Government’s green paper, Reducing Re-offending through Skills and Employment, the paper considers the evidence linking employment to reduced offending. Then, using Nacro’s experience of running employment programmes and advising ex-offenders and employers, it looks at ex-offenders’ needs, involving employers, and at what the Government should do to improve significantly ex-offenders’ chances of getting into work.

£2.50