

Nacro submission: Prisons Strategy White Paper

About Nacro:

Nacro is a national charity with over 50 years' experience of changing lives, building stronger communities, and reducing crime.

We deliver services across each part of the criminal justice system (CJS) – from liaison and diversion services at police custody and court; education in prisons; and prison resettlement services.

We deliver the national Bail and Accommodation Support Service (BASS) on behalf of the Ministry of Justice (MoJ), housing prison leavers on Home Detention Curfew and those bailed from court in need of an address.

We also run a criminal record support service, offering help and advice for individuals, employers, and practitioners around criminal records.

<https://www.nacro.org.uk/>

Overview – key points:

The Prisons Strategy White Paper comes at a critical time for prisons as they start to emerge from the Covid crisis. This context is important as is the continued shocking reports of conditions within the prison estate; increased rates of self-harm and suicide; and ongoing overcrowding and understaffing.

Covid prison regimes have led to people being locked up for over 23 hours a day for extended periods of time with little face to face interaction. However, even before the pandemic, the challenges in prisons were significant. The pandemic has simply shone a light on pre-existing issues within the prison estate. Prison just isn't working. Reoffending rates remain stubbornly high at a huge societal and financial cost, mental health problems and substance misuse issues are high, and recruitment and retention of sufficient, high-quality staff remains a concern. Moreover, the Government predicts that its reforms, including changes to sentencing and the hiring of additional police officers, will lead to a significant increase in the prison population in an already overcrowded estate.

The White Paper contains a range of ambitious goals. We welcome the scale of many of these ambitions, but we are concerned about how they will be delivered in the context outlined above. We are also concerned that there is no detailed analysis of future prison demographics. It is impossible to plan effectively for the future of the estate if there is no evidence as to who this planning is being done for.

The White Paper also lacks detail on delivery and the funding needed in many areas and we are concerned that without this, these will be undeliverable and simply remain as ideals.

Below is a summary of our key points in response to the White Paper:

- We are extremely disappointed that the White Paper fails to set out how prisons will tackle racial disproportionality
- We do not agree with the Government's position on increasing the prison population and we believe this jeopardises the success of many of the positive reforms the Government state they want to achieve
- Tackling overcrowding in the prison estate must be a priority. We are concerned that the focus on building new prison places is in response to the Government's policies which will increase the prison population, rather than as a mechanism to reduce overcrowding
- We welcome the increased focus on resettlement including the commitments on accommodation, ID, bank accounts and other areas
- For the temporary accommodation scheme to be effective, urgent action needs to be taken to ensure that there is sufficient support for people housed, as well as guaranteeing longer-term housing options
- We urge the Government to take legislative action to allow Governors the discretion to release people, due for release on a Friday, earlier in the week to mitigate the negative impact of Friday prison releases

Chapter One – A Roadmap to Building the Future Prison Estate:

1. Do you agree that these are the right long-term ambitions for the prison estate?

Below we set out our general concerns as well as comments on these ambitions.

Concerns over increasing the size of the prison population:

We do not believe that increasing the size of the prison population to 100,000 people by September 2026 will help the Government to achieve its long-term ambitions. This includes the creation of an additional 500 prison places in the Women's Estate.

The size of the prison population has increased over the last three decades due to a number of factors including sentence inflation, and there has been a 27% decrease in the number of people being released from prison between 2012 and 2019.¹ This has contributed to overstretched and overcrowded prisons, which creates significant barriers to the carrying out of meaningful rehabilitative activities across the estate.

Provisions within the Police, Crime, Sentencing and Courts Bill 2021 will further increase the length of sentences handed down and increase the proportion of the sentence that will be spent in prison. This is despite there being little evidence that prison sentences either deter crime or prevent re-offending – which costs the Government approximately £18bn every year – as well as disproportionately impacting upon specific, marginalised communities.

¹ Ministry of Justice and HM Prison Service, 2012. [Offender Management Statistics Quarterly: October to December 2012](#); Ministry of Justice and HM Prison Service, 2019. [Offender Management Statistics Quarterly: October to December 2019](#).

In addition, the Government is also failing to consider the widespread evidence available regarding ineffective short sentences. Rates of proven re-offending are lower for those sentenced to community orders or suspended sentences than those on short-term custodial sentences of less than 12 months.² Yet every year, approximately 30,000 people go to prison on short sentences of six months or less.³

It is often during this period that those on short sentences lose the essentials – such as housing, employment, personal possessions (including identity documents) and close relationships – necessary to lead a more stable life. We therefore urge the Government to restrict the use of ineffective short sentences, focusing instead on tackling the root causes of these offences in the community.

By increasing the size of the prison population, further pressure is placed on an already overstretched system, meaning that the goal of rehabilitating those who are held in prison is pushed even further out of reach.

There needs to be a focus on reducing overcrowding in prisons. We believe that any new places built should be for that purpose, not to support an expansion in the prison population.

Upgrading the prison estate:

There is an urgent need to upgrade dilapidated buildings across the prison estate. Government measures to focus on modernisation are therefore welcome.

With the Government's plans set to increase the number of prison places – and measures within the Police, Crime, Sentencing and Courts Bill set to increase the number of people filling these places – there will still be a large proportion of the prison population left behind in old, dilapidated prisons, with a lack of access to technology and all the other associated challenges. We still do not have an estate where every person in prison has access to an in-cell phone.

The Government needs to focus on creating a decent living environment for all of those in prison to prevent the development of a two-tier prison system, so as to ensure that people in prison have the same opportunities. There needs to be a standard of provision that has to be met across the estate, no matter which prison a person is based in.

The current environment that many people are living in does not meet basic living standards and is counter-productive to rehabilitation. There has been significant under-investment in the infrastructure of prisons for many years so that even basic essentials such as decent sanitation facilities, which afford privacy, are not available for many. The scale of this task

² Ministry of Justice, 2019. [The Impact of Short Custodial Sentences, Community Orders and Suspended Sentence Orders on Reoffending](#).

³ Ministry of Justice and HM Prison Service, 2020. [Offender Management Statistics Quarterly: October to December 2020](#).

should not be underestimated, and we encourage the Government to give greater clarity to the programme of improvements and funding.

We urge the Government to reconsider policies that will increase the numbers of people in prison, and to instead re-allocate this funding to significantly improve the conditions for those already being held and increase funding into community alternatives.

Efforts should also be focused on improving in-cell technology as a primary objective of the Government – ensuring there is an urgency to achieving consistency across the estate – and the general digitisation of prisons. In the initial stages of this process, access to a virtual campus style computer suite for people in prison would be effective and viable across the existing estate, before any broader upgrades are made.

Tackling the supply of illicit contraband, rebuilding drug-free lives:

Tackling the impact of drugs in prison is an important long-term ambition, but cracking down on supply will not solve the problem by itself. It is critical that focus is geared towards addressing the reasons why so many people in prison turn to drugs or alcohol. Many have suffered past trauma, are living with mental health conditions or simply do not feel as if they have a future to care about. Prisons must be a place of rehabilitation, prioritising the provision of a high standard of education, training and employment opportunities, mental health and substance misuse support, and other purposeful activities in prison.

The Government's recent announcement of its new [ten-year drugs strategy](#), combined with the White Paper's focus on both tackling the illicit supply of contraband into prisons and helping those in prison "rebuild drug-free lives", are welcome developments. This area of focus is vital and will benefit not just those impacted by drug addiction, but also their families and wider communities.

Furthermore, it is important to acknowledge that recovery is not a linear journey, with up to 60% of people relapsing at least once as they work on their recovery.⁴

Prisons designed for literacy and numeracy, skills, and employment:

We acknowledge the Government's ambition in this area through its commitment to creating a new Prison Education Service focused on improving basic literacy and numeracy, as well as the focus on ensuring that people in prison can gain further vocational qualifications. We support a focus on education and learning as a key pathway to rehabilitation. Education must be a fundamental part of prison life for a greater proportion of people in prison than it is at present.

Given the specialist expertise required to ensure the delivery of high-quality education and skills which is relevant to the labour market outside of prison, we welcome the Government's commitment to support prison governors in this area, by ensuring that they have "the tools they need to deliver high-quality learning, training and skills".

⁴ National Institute on Drug Abuse, 2007. [Drugs, Brains and Behaviour: The Science of Addiction](#).

At Nacro, we deliver education in community and secure settings, with our recommendations, below, drawn from the work of our education staff, in prisons and in the community. This work includes the delivery of prison education contracts on behalf of the Ministry of Justice (MoJ), comprising both adult prisons and Young Offender Institutions (YOIs) in the West Midlands. Last year, we submitted to the Education Select Committee's inquiry into prison education, which can found, [here](#).

Education and training in prisons is often considered to be primarily focused on improving the employability of people in prison, and therefore contributes to a reduction in reoffending. Having a job makes re-offending less likely, and the right education, training, and work experience can help prison leavers to gain secure employment on release. We know that employment reduces the risk of re-offending by between a third and a half, and that prisoners who do not take part in education are three times more likely to be reconvicted than those that do.

However, the benefits of prison education should also be understood in broader terms. When a classroom is set in a secure facility, teaching and education become part of the rehabilitative process. As such, the curriculum should include clear intent for personal success and progression beyond formal accreditation and be focused on individual need that supports positive behaviour and attitudes to education and employment.

For people serving long sentences and those serving life sentences, education provides support for personal progression, employment or roles within prisons, and opportunities for high level skills and learning.

Supporting engagement in education through constructing a safe environment for learning: people will only attend and fully engage with education in prison if the environment is safe. Further, unstable regimes and staff shortages can lead to people in prison not being able to get to education.

Commitments made in this White Paper must therefore be backed by sufficient resources and staff to ensure that this entitlement to education is not compromised due to issues relating to security or the regime.

Provision of a variety of high-quality pathways: there needs to be made available a variety of high-quality pathways and progression routes, to ensure that everyone can access the right pathway for them.

This must include provision at different qualification levels which help people to progress and match the requirements of employers in the community.

Linking prison education to industry standards: all education must also be linked to industry standards, with a range of meaningful progression pathways from prison to the community. Additionally, prisons should forge a wide range of partnerships with local employers to ensure that there is an acknowledgement of the skills gaps that need to be filled. Prisons should also be required to actively research job market trends in their

respective release areas to ensure that prison education is directly linked to local demand. People in prison can then focus on industry-specific skills, which will significantly increase their employability on release.

Removing barriers to education in prison: barriers to offering secure apprenticeships, and the full range of technical industry relevant qualifications, need to be overcome by the Government. We recognise that the Skills Minister, Alex Burghart MP, has stated there is no primary legislative barrier to people becoming apprentices in prison, but that there are operational barriers that must be addressed to allow this to happen.

Reward aspiration: there are a significant proportion of people in prison without basic level qualifications and therefore the ambition to focus on literacy and numeracy is the right one. It is vital however that this does not take away from the aspiration of those able to progress towards higher level skills. There must therefore be available a high quality and broad-based academic and technical education for all people in prison, supported by high quality careers, education, information, advice, and guidance (CEIAG) at each stage, including induction.

This will ensure that each individual person can leverage the skills and qualifications achieved while in prison and become competitive prospects in the jobs market, with qualifications gained while in prison easily transferable to employers in the community.

Please refer to our answer to question 6 of the consultation for further details on how to improve education provision in prisons.

Passports to resettlement:

We welcome the focus in this White Paper on resettlement: all aspects of the prison journey should be geared towards someone's successful resettlement into the community after prison. Planning for resettlement must start at the point of sentencing, right through that person's sentence, and then ensure the necessary support is available upon release, dependent on need.

We believe that the long-term ambition should be 'effective resettlement' rather than a 'resettlement passport'. The proposed resettlement passport is one part of how this could be delivered.

Please see our answer to Question 9-11 for more information.

Tackling racial disparity:

We are very disappointed with the lack of focus on tackling racial disproportionality within the White Paper. The over incarceration of, and disparity in outcomes for, racially minoritised people in the criminal justice system are counterproductive to the goal of improving public safety. Addressing race disparity must form a clear priority in the Prisons Strategy including a focus on monitoring and improving outcomes for racially minoritised people at a local and national level, as outlined in the Lammy Review recommendation 30:

“HMPPS should develop performance indicators for prisons that aim for equality of outcome for BAME and White Prisoners.”

Chapter 2 – Tackling Violence and Reducing Harm

2. Do you agree that these are the guiding principles around which the future regime should be designed?

There has been positive work in the last few years on rehabilitative culture, which is not mentioned in the White Paper. Safety, decency and fairness sitting at the base of this pyramid, building through to resettlement at the top, was clear and evidence-based. We recommend that this system is used as a basis for future regime design.

It is also vital that future regime design is based on the views of a wide range of stakeholders, including with those with lived experiences and their families.

We do of course agree with the Government that safety is an important component of the future regime. We also note that people serving custodial sentences will be less motivated to engage with rehabilitative programmes if they are living in an unsafe environment.

Investment in additional security interventions can contribute to a safe estate, but we urge a complementary focus on constructing a future regime marked by a culture of respect and transparency between the people living and working across the estate. The relationships between people in prison and those working in prison are crucial for creating the trust needed for the smooth running of a regime.

We also recognise the Government’s focus on pursuing a tailored approach to meet diverse needs across the estate. The needs of the population in any particular prison will vary, and therefore each individual regime must reflect this. Though there are mechanisms in place to identify people with learning difficulties, mental health issues, or other needs, it is clear that people still fall through the gaps and that more extensive work on identification of need is needed, with better support for when issues are identified.

The White Paper’s commitment to “embedding technology to support a reformed regime” is a further welcome guiding principle around which the future regime should be designed. People in prison need to be able to engage effectively with the world that they are coming out to, and digital skills are critical to this. We welcome the focus on utilising technology across the prison estate but urge the Government to speed up implementation. We also urge the Government to ensure that the use of technology complements human contact and relationships in its wider use, such as education or family video calls, and doesn’t replace human contact or time out of cell. In-cell technology will also allow people in prison to make better use of the time that they do spend in their cells, such as through undertaking short courses.

The impact of COVID-19: the regime under COVID put immense strain on people in prison. This cannot be a blueprint for future regimes. Any revised regimes need to ensure that

people have significant time out of their cell during the day, which includes work, education, rehabilitation programmes and other purposeful activities including social time.

Our recommendations:

Beyond these guiding principles, we would also recommend focusing on the following areas:

Focusing the prison journey on resettlement: every aspect of the prison journey should be geared towards someone's successful resettlement into the community. All parts of the regime need to be coordinated to work towards this outcome. Currently, there is too often a lack of coordination between agencies working within prisons with services often provided in silos.

Clear service delivery structure: many in prison are unsure as to why they are being told to access various services and lack clarity as to the purpose of individual services. There must be clarity between services on how they are meant to interact with one another, to ensure that they are working towards the same outcome. For example, there needs to be better coordination of qualifications between education services in prison and the local labour market. Further, the allocation of people in prison to activities does not always prioritise or sequence someone's needs in the way that would be most beneficial to them – i.e. an individual may need to detox first, then undertake a course and then get into work, but this is not always coordinated effectively.

Building strong relationships between prison staff and people in prison: building strong relationships between prison staff and the people that they are responsible for must also be part of any strategy to tackle violence across the prison estate. There are many outstanding and committed prison staff who have the ability to develop strong and respectful relationships with the people that they work with. It is vital that this is behaviour that is modelled across the estate. With large numbers of inexperienced officers, some of whom will not have worked in a prison before the pandemic, it is important that they are able to learn from best practice.

3. How should we develop outcomes frameworks to ensure our Future Regime Design ambition is released?

Overview:

The most impactful measures of outcomes must be strongly informed by people in prison and their families, as well as by people working in prison and wider stakeholders across the criminal justice system.

We believe consideration should be given to measures such as connectedness and look at distance travelled not just end points.

An "end goal" approach: it is important for any outcomes framework to begin with the end goal/s and then work backwards. This would require the implementation of a full-system approach setting out what the prison system outcomes framework should look like.

4. Do you agree with our long-term priorities for making prisons safer?

We would like to see, at the centre of discussions around safety and stability, measures that contribute towards a more positive prison environment, giving people in prison a greater sense of purpose and drive to progress their rehabilitation.

The proposed priorities predominantly focus on the negative rather than on how to build an environment that is conducive to the wellbeing of people in prison and, as a result, their safety.

We therefore urge the Government to ensure that issues of safety and stability are considered holistically, as opposed to a narrow focus on punishment.

5. Where can we go further?

We believe the Government can go further in the following areas:

Reducing overcrowding and the size of the prison population: overcrowding and poor conditions in overstretched prisons are significant barriers to creating a safe and secure environment, which can restrict the carrying out of meaningful rehabilitative activities across the estate.

The instability in prisons created by the churn of people on short sentences has a significant impact. We encourage the Government to introduce a presumption against short sentences and make better use of more effective community alternatives.

Similarly, a large remand population creates instability particularly in local prisons. We know that there are high rates of suicide and self-harm among the remand population, which has recently got worse. We urge the Government to ensure that remand is used only as a last resort, and that those held on remand are able to get the support needed in prison and have their cases heard swiftly.

Training of prison officers: as we reference in our answer to question 16, reviewing the training processes of prison staff is another area in which the Government can implement new processes in order to make prisons safer. Prisons run on the goodwill of those serving sentences, and if the relationship between staff and those in custody is strained, the resulting difficulties can create increased violence across the estate.

Chapter 3 – The Role of Prisons and Probation in Cutting Crime and Protecting the Public:

- 6. Where can we go further to give prisoners the skills to secure stable employment on release? Specifically, we would like to hear from charities, employers and training providers working with prison leavers or who would like to support our mission of getting more prisoners into jobs. We would also be interested to hear about how schemes that delay the disclosure of convictions during job applications, such “Ban the Box”, could be enhanced and embedded with employers.***

As one of the country's largest not-for-profit training providers, we provide further education and skills training to around 3,500 young people and adults each year. We also deliver vocational education in secure settings through prison education contracts delivered on behalf of the Ministry of Justice (MoJ) in men's prisons and in Youth Offender Institutions (YOI's).

Further, our Criminal Record Support Service helps individuals and employers to navigate what is an overly complex, difficult to navigate and often arbitrary criminal record disclosure system.

The following response draws on the experiences of our staff working in prisons and in the community, along with input from our services users themselves, detailing how the Government can go further to give people leaving prison the skills needed to secure stable employment.

Supporting prison leavers to obtain employment on release:

Equipping prison leavers with the skills necessary to positively reintegrate into society is fundamental to an effective resettlement process.

Prison leavers who obtain paid employment within a year of release, and who have served custodial sentences of a year or less, are approximately 10% less likely to re-offend compared to those who cannot find employment. For sentences of over a year, this figure is around 5%.⁵

Clearly therefore, by ensuring that there are employment opportunities for people leaving prison, the Government can make significant progress in cutting reoffending rates.

Currently only one in seven prison leavers find a job within six months of release. Given that there are 45,000 working-age prison leavers searching for employment every year, this is a substantial pool of labour that is currently being under-utilised.⁶ A secure job on release is vital to give people leaving a prison a purpose, a daily routine, as well as a sense that they are making a positive contribution to society.

There are many issues faced by those released from prison that affect their ability to find and sustain employment, and these must also be addressed alongside securing employment in itself. These include having somewhere safe and secure to live; receiving the necessary support for mental health and/or substance misuse problems; and ensuring that family relationships and support networks are intact. All of these factors impact on each other and often need to be addressed together.

We welcome the Government's commitment to mitigating the issue of unemployment among prison leavers and believe that the following recommendations can contribute to getting more prison leavers into work:

⁵ Ministry of Justice, 2013. [Analysis of the impact of employment on re-offending following release from custody, using Propensity Score Matching.](#)

⁶ The Times, 2021. ['Ex-Convicts could ease labour shortages, says Dominic Raab'.](#)

Practical support:

- Ensuring that every person in prison is supported with putting together a CV in both a physical and digital form
- Training individuals in how to effectively disclose convictions
- Providing opportunities for mock interviews with employers, with constructive feedback to build confidence in this area
- Supporting individuals to understand the requirements and expectations within the workplace, particularly for those with little or no work experience
- Supporting this process by providing references for prison leavers from staff that have worked with them while in prison. This would help reinforce their skills and employability and avoid just focusing on their offences, instead highlighting what they have done to rehabilitate themselves
- Commencement of application and interview processes during the custodial sentence in preparation for release

Career-focused education and training:

- Aligning work hours in prison with a working day outside of prison to reflect the reality of employment in the community
- A register of employers through regular engagement (including through visits to prisons), linked to each prison, with job and training vacancies, and alignment of training and workshop activities, to ensure a detailed picture of the local labour market and greater clarity on skills gaps

Improving digital skills and access:

- There are several digital solutions that are also required:
 - A focus on digital skills training in prison so that prison leavers have the skills required for employment and access to services
 - People in prison should be able to do job interviews remotely from prison
 - Given that job applications can now require applying through online portals, people in prison need to have the skills to navigate this and be able to access these online services, pre-release
- Qualifications obtained while in prison need to be digitally accessible (with scanned examples of work, where necessary) by services in the community, as well as by recent prisoner leavers who many need help from the prison in accessing qualifications they have achieved while serving their sentence

Incentivising employers to hire prison leavers:

- Ongoing government engagement with existing employers employing prison leavers so that best practice can be shared, and government-backed incentives developed for employers to hire prison leavers and people with criminal records
- This engagement should also address the following:

- The structure and extent of government-backed incentives for employers, setting out options based on engagement with existing employers of people with criminal records
- How partnerships can be forged most effectively, not just with national employers, but with SMEs, to help inform proposed employer incentives
- One option is the adaptation of the Kickstart Scheme to include a specific scheme for prison leavers, which would support employers to hire people coming out of prison
- More extensive use of Release on Temporary Licence (ROTL) to increase opportunities and experience and ensure a smoother transition to employment after prison. We welcome the Government's commitment to this, but urge the provision of significantly more information about how this will be achieved
- A fundamental review of the criminal record disclosure system aimed at reducing barriers to employment for those with criminal records, and helping employers to navigate the system more effectively
- This should incorporate measures developed to end the illegal practice of some recruitment agencies asking for DBS checks in all cases, when the role does not require checks to take place

Promoting access to employment and education while in custody:

Every stage of a person in prison's journey should be geared towards the day of release and ensuring that each prison leaver is in the best possible position to move forward with their lives. This starts with making sure that everyone in prison can obtain the skills and qualifications that they need, while serving their sentences, so that they can find a job or access further training on release.

It is also important to acknowledge that service user journeys are personal and that their engagement with education and employability-oriented programmes should be able to reflect this. Some will have significant personal barriers – such as substance misuse issues – and must be given adequate support to address these rather than being pushed through education or training. These complex barriers must be addressed before the individuals concerned can move towards employment.

For the new service to be successful, it must improve employability before release and help people in prison to develop basic life skills such as numeracy, literacy and communication – which are all essential for accessing services such as housing, financial and health support.

In January 2021, we provided [evidence](#) to the Education Select Committee's inquiry – "are prisoners being left behind?", in which we set out how prison education should be structured to improve the employability of people in prison. We have also covered how to improve the literacy, numeracy, and overall skillset of people in prison in our response to question one of this consultation.

The key elements of successful education in prison include:

- 1) **A safe and secure prison environment** – in order for people to be able to attend and be fully engaged with education, the environment must be safe

- 2) **High quality induction and an initial diagnostic assessment** – this must be conducted at the beginning of a sentence and reviewed again following the initial period of imprisonment. Any induction should include discussion around careers education, information, advice, and guidance (CEIAG)
- 3) **A broad-based and inclusive curriculum offer** – to ensure all can build the necessary skills, knowledge, and behaviours to progress into meaningful employment
- 4) **Learning to be supported by practical and engaging activities** – qualifications can be enriched through practical and engaging activities such as competitions, with the vocational and enrichment aspects of the curriculum adapted according to students' needs
- 5) **The provision of a variety of high- quality pathways and progression routes** – to ensure that everyone has the option to access the right pathway for them. This includes removing existing barriers to, for example, undertaking apprenticeships while in prison

There are practical means of support, through education provision – during a custodial sentence - that will increase the employability of people leaving prison. We therefore suggest the following:

- A detailed assessment of planning of education and training, both at the prison level and across prison regions, to ensure that prison leavers are equipped with the skills and qualifications required in the local job market. This would be bolstered by forging links with local training providers
- Education data should be shared at a local level to support the planning of education provision
- Education provision should be linked to industry standards, with a range of meaningful progression pathways from prison to the community available
- Investment in traineeships and apprenticeships in prison
- The greater use of ROTL to facilitate opportunities for people in prison to obtain employment and training opportunities and to undertake purposeful activities, outside of the prison environment

Constructing the Government's proposed Prison Education Service within this proposed framework would play a significant role in ensuring that people in prison can obtain the skills and qualifications that they need to obtain employment or further training on release.

Reforming the criminal records disclosure system:

As part of the Government's efforts to boost employment among prison leavers, we welcome the Government's direction of travel – as contained within the Police, Crime, Sentencing and Courts Bill – in reducing the disclosure periods for criminal records for a number of disposals.

This is a positive step but must only form part of the response to a disclosure system that continues to act as a barrier to employment for many people with criminal records.

We therefore urge the Government to conduct a fundamental review of the disclosure system that would redress disproportionality, remove barriers to employment, while ensuring that it is easy to navigate for both individuals and employers.

Delaying the disclosure of convictions during job applications:

Through our criminal record support service, we help both individuals and employers to navigate the criminal record disclosure system. Within this service, we run a specific Employer Advice Service, which supports employers with their policies and setting up their risk assessment procedures, as well as offering any relevant training.

We know from our work with employers just how complex the criminal record disclosure system is and how this leads to employers being risk averse and choosing not to employ people with criminal records, automatically, and also to mistakes being made in the questions asked.

It is important that employers feel confident about the information they can ask for and implementing the correct processes, as we know that after working with employers to put in place the right processes they are far more open to employing people with criminal records.

We were a founding member of the “Ban the Box” campaign which looked to drive a step change in when employers asked the question as to whether someone has a criminal record.⁷ We know through our work that this is an important step, but we also know that it is not enough on its own.

Organisations need to have robust risk assessments in place to ensure that if someone does declare a criminal record at a later stage of recruitment, they are able to make the appropriate assessments for the role. Currently we are aware that many organisations do not have a risk assessment in place, which can lead to job offers being withdrawn at the point at which the person’s criminal record is confirmed. The impact is twofold – on the person who has had the prospect of employment withdrawn; and the employer – who has to restart the recruitment process.

It is vital that employers are provided with guidance on how to assess information at the stage that it is disclosed, so that they are making a fair and safe decision about the individual. We provide this guidance in our *“recruiting safely and fairly guide”*, which can be found [here](#).

Statutory protection for people with criminal records: we also believe that there needs to be a form of statutory protection for people with criminal records. If an employer is making a decision based on someone’s criminal record, they should be obliged to follow a clearly defined process and when asked about hiring decisions related to someone with a criminal record, be able to demonstrate the rationale behind their decisions.

⁷ The Prince’s Responsible Business Network, 2022. [Employers that have Banned the Box](#).

7. What are the main issues and barriers that prison leavers face when they are making a claim for Universal Credit? What impact do they have on prison leavers?

There are a range of practical barriers to effective resettlement that can be faced by people leaving prison. This can include access to accommodation on release, as well as access to basic items such as toiletries and a mobile phone. We cover the impact of these specific barriers in our answer to question 9.

The difficulties in accessing Universal Credit (UC) on release is a particular challenge for prison leavers. The money provided is pivotal in allowing those who require UC support to begin rebuilding the foundations enabling them to positively re-integrate into society.

Below, we have highlighted the particular barriers that prison leavers face when they are making a claim for UC and set out the impact that these barriers have on prison leavers specifically.

Submitting a Universal Credit claim before release:

Prison leavers are unable to make a UC claim before release, as set out in [Regulation 19 of the Universal Credit Regulations 2013](#). This current regulation prevents a claim from being submitted until the prison leaver has been released. It also prevents the application process from being started while a person is still in custody.

The current Universal Credit IT system does not allow claims to be made before release. This can cause delays in receiving UC payments after release. It also adds to the chaos of the day of release.

Eligibility for an advance payment:

Not every prison leaver is eligible for an advancement payment that provides critical financial support in the immediate period following release from prison. For example, those who have kept up the housing benefit element of UC while in prison will be unable to access an advance UC payment following their release. For people in this situation, they must wait for the next payment date, which could take anywhere up to six weeks. Those in this situation may therefore only be able to access the £76 Subsistence Payment for that period which would be the equivalent of £1.80 per day, which is clearly insufficient.

Delays in payment:

The advance can also take up to three working days, and even this short delay can push people into desperation. Not being able to make a claim while in prison means that people have to submit their application after release. They can apply for an advance payment at this point but, despite the Government's goal for people to receive this payment on release, this does not always happen. This can lead to hardships for people leaving prison.

The impact of the advance payment being deducted from future payments:

Whilst receiving an advance payment is essential as people leaving prison need financial support immediately, the current system of deducting a proportion of this from future payments creates debt for prison leavers from the minute they leave prison. This can simply replace short-term debt, with medium-to-long-term debt. For prison leavers released with little more than the clothes they are wearing, this creates an additional barrier to effective resettlement, as they can immediately be plunged into hardship.

This can also lead to service users committing further offences to satisfy basic needs, such as needing money to buy food, or having to rely on others which could encourage further criminal activity or substance misuse.

The system of deductions put in place means that the most that can be deducted (in the vast majority of cases) is 25% of a person's Universal Credit Standard Allowance. Reductions can also be reduced on account of financial hardship.

Our recommended solutions to the issues associated with advance payments are set out in the recommendations section, below.

Access to mobile phones, bank accounts and identification:

Many people are released from prison without access to a mobile phone, which is required in order to make a claim – an issue that has been consistently referenced by our staff supporting people through the gate and by our service users themselves. For those without access to a phone, this often leads to having to find a free phone usually located in town or city centres. After the initial call with the Department for Work and Pensions (the DWP), the claimant will then be told they will receive a call back, which leads to obvious difficulties for those without a phone.

Additionally, if a UC claim is made over the phone, then it is no longer possible to access this claim online. Any amendments required to the claim would therefore lead to a further call, with many of our service users telling us that hold times can be up to an hour, significantly impacting upon appointments on the day of release. This adds further complexity to the day of release, on which a person leaving prison must attend a range of mandatory appointments.

Access to a bank account and an acceptable form of identification are also prerequisites for receiving a UC payment. Identification documents not being universally accepted is a significant issue. For example, there have been instances of local authorities not accepting citizen cards as acceptable identification.

Maintaining a tenancy while in prison:

If a person is claiming Universal Credit prior to entering custody, and that person is serving a sentence of six months or less, then they can continue to claim the housing element of the UC benefit for that period. This ensures that people serving sentences of 6 months or less can maintain a tenancy while in prison, meaning they have a home to go to upon release.

For someone who has not set up the housing element to their UC claim prior to entering prison, they will then not be eligible to receive housing support for that same six-month period. Without any external financial support, that person may build up debts or lose their tenancy whilst serving their sentence, impacting their chances on release.

Legacy benefits:

The situation is equally as complex for those in prison who had previously claimed legacy benefits such as Job Seeker's Allowance (JSA) or Employment and Support Allowance. For this cohort, housing benefit claims can continue if the custodial sentence being served is 13 weeks or less. For those on remand, housing benefit can be available for up to 52 weeks.

However, for those on legacy benefits who have not managed to get their housing benefit up and running, they are prevented from starting a claim while in custody. The DWP has reiterated that no housing support can be provided if a claim has not been made prior to entering custody.

Yet, prior to the implementation of UC, those providing resettlement and housing support services would be able to set up this housing benefit on the basis that the person had "nil income". This is no longer possible, leaving many in prison with the prospect of losing their home while serving their sentence and thus being released straight into homelessness.

Recommendations:

We believe that the following recommendations, combined, will help to remove the barriers faced by prison leavers in accessing UC on release:

- Amend the Universal Credit 2013 Regulations, which currently restricts entitlements to benefits for people being held in prison, so that applications can be made before a person is released, with the payment received as soon as the prison leaver is reformed
- Urgently reform the Universal Credit IT system so that applications can be made while people are in prison
- Remove the repayment requirement of advance payments
- Provision of smartphones to all prison leavers who do not already have access to one so that they are able to contact the DWP immediately following their release
- Appropriate checks for those who already have smartphones to ensure they are operational, charged and have a small amount of credit
- Provision of a holding payment for prison leavers who are unable to access an advance payment upon release
- Deliver on the White Paper's commitments to ensure everyone is released with a bank account and acceptable identification
- Extend the housing element period for those on remand to cover the length of the period that they are held

8. Should we take a legislative approach, as described above, for those at risk of reoffending who would otherwise be released on a Friday? If so, how should we structure this approach?

For too many people, being released on a Friday sets them up to fail – unable to get the support needed in place before the weekend. Nacro has been highlighting the [difficulties associated with releasing people from prison on a Friday](#) (or the day before a bank holiday) since 2018 and we are pleased to see the recognition of this impact in the White Paper.

There are several specific challenges posed by Friday releases. These include:

Increased number of releases results in pressure on services: more than a third of prison releases are released on a Friday, a figure which includes those whose release dates fall on a Saturday, Sunday, or public holiday. This peak in releases adds significant pressure to the wide array of community services that prison leavers have to access upon release.

Services in the community can have reduced service on Fridays and reduced or no service over the weekend: people leaving prison are left with a limited window of time in which to make vital arrangements before services close for the weekend. A number of appointments and practical issues often need to be sorted out or planned for immediately, but in our experience, some of the most crucial resettlement agencies run reduced services on Fridays or close early and run little or no service over the weekend.

Even where services are available, it is not uncommon for people to have to spend a significant amount of time at each appointment, at times making it impossible to get everything done on that day. Whilst this can also be the case on other days of the week, being without housing, or money, or medication over a weekend can have a hugely detrimental impact. A lack of follow-up and support over the weekend, often critical to keeping up the momentum of resettlement plans, can mean quick disengagement. This window of opportunity upon release can be lost if the barriers to resettlement are too high and things are not in place to help them move forward with their lives.

The following quote supports this specific argument.

Offender Management, Dyfed-Powys Police: *“The police often have to pick up the pieces where people fall through the gaps, and this happens more often when people are released from prison on a Friday”.*

Fridays are busy days in prisons which often results in delayed releases: prison staff, as on other days, need to prepare outgoing prisoners for court, and need to process the higher number of people being released.

Prisons will prioritise preparing people for court over those due for release, which can result in people being released later in the day and thus leaving limited time to present to services before the weekend. This is an even greater problem for those who must travel significant distances to reach the area they are being resettled to and significantly reduces the likelihood of them securing all the support they need.

There is widespread awareness of the difficulties and impact of Friday prison releases and the need for action is shared by many who interact with people as they leave prison – from those working in probation to local authority housing teams to Police and more. You can read more in our recent report, [here](#).

Why a legislative approach is needed:

We strongly believe that a legislative approach is essential.

There are some ways to make minor changes without legislation, such as increasing the use of ROTL or the Parole Board using their discretion to avoid Friday releases. These will not fully address the issue as there will likely be a high number of people not impacted by these changes, and non-legislative interventions have to-date failed to solve the issue.

From our engagement over recent years on this topic, it is clear that legislation is the only way this can be addressed and, within the framework we set out below, would construct a clear, robust and straightforward process for prison governors to follow and a clearly defined power, ensuring that this issue could be tackled effectively.

The Prisoners (Control of Release) (Scotland) Act and next steps in Scotland:

The detrimental impact of Friday prison releases has been recognised in Scottish law. The [Prisoners \(Control of Release\) \(Scotland\) Act 2015](#) states that people due for release on a Friday can have their release brought forward by one or two days if it would be helpful for that person's reintegration into the community.

The Scottish Government is now considering taking this issue further and is [consulting on](#) a proposal:

'Altering current flexible release arrangements so that release no longer happens on a Friday or in advance of a public holiday in order that people leaving prison can access support at the point of release.'

The legislative approach:

In the Police, Crime, Sentencing and Courts Bill, we supported a cross-party amendment, first [moved](#) on Tuesday 22nd June in the House of Commons that stated:

"Where a prisoner is to be discharged on a Friday or the day before a bank holiday, at the discretion of the governor of the prison they may be discharged on a day within the previous five working days that is earlier than the day on which the prisoner would otherwise fall to be discharged."

In response to the Government's feedback on the amendment, peers updated and [moved](#) an amended amendment on Wednesday 15th December that addressed specific concerns around people serving very short sentences. This revised amendment would have allowed

prison governors the discretion to release people up to two days earlier than their original release date “where it would be helpful for the prisoner’s reintegration into society.”

This would give an option to release on an earlier day where someone has significant resettlement needs and it is clear that having the time to get support in place earlier in the week would be beneficial.

We believe that this approach supported by a simple process, guidance and training would make a significant difference to the problems of Friday releases in a straightforward and low-cost way.

Practical implementation:

To ensure this is embedded and fully utilised, we believe it should be built into the existing resettlement planning process and that training and simple guidance is put in place. For example, including a question when Probation Officers are preparing their resettlement plans which asks whether the person is due to be released on a Friday and, if so, whether this would be detrimental to their effective resettlement, would be a simple addition.

If this is the case, information would then be submitted as to why it would be detrimental, and this would be referred to the Governor for a decision. There would be clear guidance on what information would be needed and the thresholds to be met.

By implementing such an approach, the Government would be putting in place a measure that would improve people leaving prison’s chances at resettlement and a second chance; reduce the risk of reoffending; as well as reducing demand on local public services.

9. Do you agree with the ‘guiding principles’ and priority outcomes and areas of focus we have identified for developing the Resettlement Passports?

An effective resettlement process must ensure that all those leaving prison can build the foundations needed to move away from crime. These must consider the entirety of the resettlement journey – right through from sentencing until release into the community. It is vital that there is the necessary support available before release, at the point of release and after release. Release itself can be a stressful time and it is important to provide as much information and certainty as possible, helping to smooth the transition and remove barriers.

On this basis, we believe a resettlement passport has the potential to be a helpful addition to the resettlement support package. We also recognise that this is not a straightforward project and will need carefully working through to ensure it is ultimately focused on helping the person leaving prison. We urge the Government to work closely with stakeholders in the development of this to ensure its effectiveness. It will require careful consideration of how to integrate with existing prison and probation IT systems and how to ensure it is a digital source of information for people leaving prison, and that they have the right tools to access this. Ultimately the goal is to ensure effective resettlement. Resettlement Passports could have a role to play in this but need to not become the end goal themselves.

We welcome the majority of the principles identified for developing the proposed resettlement passports.

We are however concerned by the inclusion of a potential compact between prison leavers and wider society. Prison leavers already need to comply with licence conditions and we don't believe that adding further conditions and expectations in return for support would be effective. Conditional support can lead to poorer relationships between people in prison/ prison leavers and staff, which can lead to an environment not conducive to supporting rehabilitative efforts.

Increased clarity over which services are accountable for improving rehabilitation and resettlement outcomes will ensure a more joined up structure and approach across the range of commissioned services within the prison estate. Currently much service provision is offered in silos. There needs to be a clearer understanding among services around how they are meant to interact with one another.

We would encourage the inclusion of a principle that the passport must be focused on what is useful and effective for people leaving prison to ensure this focus remains throughout.

Priority outcomes and areas of focus:

We agree that driving improvements in accommodation, education and employment, and access to healthcare are the correct focus areas.

Accommodation:

We welcome the inclusion of accommodation as a priority outcome and area of focus within the White Paper as we know – through experience – that without stable accommodation, all other areas of resettlement become significantly more difficult to access.

The Government has stated that prison leavers without a stable home are “around 50% more likely to reoffend, with over two-thirds of prison leavers released into homelessness going on to reoffend.”⁸ Releasing people from prison into homelessness is an unnecessary and avoidable barrier to successful resettlement.

The Ministry of Justice's launching of the Temporary Accommodation Service, across 5 early adopter regions in July 2021, was a positive first step in addressing the issue of prison leaver homelessness. Such a service will provide accommodation not just for prison leavers, but for those transitioning from an Approved Premise or BASS. The subsequent extension of this service across all twelve probation regions is a further welcome and necessary next step, and will play a significant role in cutting prison leaver homelessness.

Of course, this service is not intended for everyone but for those at risk of homelessness and it is vital that that the Ministry of Justice and the Department for Levelling Up, Housing

⁸ Ministry of Justice, 2021. [Press Release: £70 million to keep prison leavers off the streets and cut crime](#); The Guardian, 2019. [Two thirds of homeless ex-prisoners reoffend within a year.](#)

and Communities work closely together to ensure that the risk of homelessness is reduced through other pathways being available. We also urge both departments to ensure that the barriers are removed to a range of accommodation pathways and that options for people leaving prison, beyond the initial 12-week period, are available. Please see our answer to question 13 for more information.

Education and employment:

Obtaining employment upon release significantly cuts the likelihood of reoffending by between a third and a half and those in prison who do not take part in education are three times more likely to be reconvicted than those who do.⁹ We therefore agree with this as a priority outcome and area of focus, and in our response to question 6, we set out in much greater detail what we believe should be the central components to a Prison Education Service, as well as how the Government can help prison leavers to secure stable employment.

Access to healthcare and substance misuse treatment:

As we have referenced within this submission, it is vital that there is a consistency in the provision of services across the prison estate, and nowhere is this more important than in access to healthcare and substance misuse treatment. We also urge the Government to take a holistic approach to the issue of substance misuse, both in prison and in the community. As we stipulate in our answer to question one, this should include addressing why so many people in prison turn to drugs or alcohol, in addition to the focus on tackling the illicit supply of banned substances.

10. How can we implement the Resettlement Passport approach in a way which is most effective for prison leavers and practitioners?

The purpose of any proposed “Resettlement Passport” must focus on ensuring the smooth and effective transition of prison leavers into the community, with the passport built within a framework allowing for all the necessary information required to be held in an accessible, online location. It is important to note that the passport cannot and should not replace personal support provided by resettlement services.

Access to any new system created in response to the creation of a resettlement passport needs to be available to practitioners over the long-term, in order to cater for individuals who come back into the system. This would ensure the retention of any evidence on work done on previous sentences and include updates on relevant information from between sentences.

We believe that most effective way to construct and implement such an approach would be within the following framework:

Input from across the prison estate:

⁹ Social Exclusion Unit, 2002. [Reducing re-offending by ex-prisoners.](#)

Built into the development of the passport should be input from those working within the prison system, including the voluntary sector, but also – vitally – from those with lived experience of having been released from prison. This process would allow for input based on what has previously worked for those leaving prison, creating a broad evidence-base that would highlight the measures required to improve the overall resettlement process, based on previous best-practice.

Digital accessibility – in prison and in the community:

Practically, the proposed passport must be digitally based to reflect how prison leavers will need to engage with and access services once they have been released into the community. The passport would therefore need to be drawn from a digital platform that works, is secure on account of the sensitive information contained within the passport, and that is accessible for the person in prison before release, and services working both inside prisons and in the community. The information and documentation compiled within the passport should be created in collaboration with each individual.

All agencies within the prison estate will need the ability to input onto this platform, through uploading required information – which we set out in more detail below. Care needs to be taken to ensure this is integrated into current ways of working and systems so it doesn't become an add-on or additional thing to do/system to use which would risk it being ineffective. This will need careful mapping and working through, along with digital solutions to accessing services in the community, and we urge the Ministry of Justice to consider this carefully and engage widely. Ultimately this must be useful for the person leaving prison. To note, we would welcome further engagement with the Ministry of Justice around who would have ownership of the data included within the passport, given the sensitive nature of any data contained within a proposed resettlement passport.

We believe this is a complex area and will need careful working through, but crucial to the success is also clearly the ability of a person leaving prison to access their information. A significant number of people leaving prison do not have a smart phone or digital access. This is a critical area which will need to be rectified for such a solution to work.

Key components of a resettlement passport:

In addition to the elements proposed by the Government, we also believe that the resettlement passport should include the following recommendations. These have been produced as a result of a survey conducted with our resettlement staff.

We have also been calling for a release pack for people as they leave prison, with basic essentials provided for the first few days following release. We have also included, below, those elements that we believe should be included as part of this.

Ensuring access to accommodation:

This pillar would incorporate, where appropriate, clear information for the prison leaver detailing:

- **Move-on options:** also provided would be further details on the relevant next steps, where necessary, explaining the options available for prison leavers in obtaining longer-term accommodations

Providing access to essentials on release:

Prison leavers can also face additional practical challenges in the immediate period following their release. These barriers to effective resettlement can be overcome if the necessary support is provided on release, which can be incorporated, where possible, into the proposed resettlement passport. This passport would complement existing provision on release which includes the £76 Subsistence Payment, and an advance UC payment, where necessary.

This support should include the following:

- Provision of acceptable identification, that will be accepted across all resettlement services and by employers in the community
- Support in opening a bank account, where the prison leaver does not already have access to one. We would recommend that this is completed before release, with all the relevant details then included within the resettlement passport
- Localised services information based on each prison leaver's home postcode and a map of the local area/directions to the station or bus stop
- Oyster card/travel pass for the first week after release

We also believe people leaving prison should be provided with a physical release pack which includes:

- Smartphone with credit, a basic data package and a phone charger
- Toiletries
- Food for the day of release
- Appropriate clothing where necessary

Promoting access to employment:

The passport must also include all information relevant for obtaining employment or training opportunities on release. This should include:

- A CV in both a physical and digital form
- Copy of certificates which often get lost in transit
- Where appropriate, examples of work carried out while in prison
- Information about local job opportunities
- Contact details for prison-based referees

Addressing healthcare needs:

The following provision would come under healthcare needs:

- Clear contact information and appointment details for substance misuse and mental health support services

11. How should we encourage prisoners and prison leavers to comply with conditions and expectations in return for support provided, and what consequences should be in place if they do not?

Please see our answer to question 9 for further details.

In our experience of working with people leaving prison, where there is a relationship of trust and where people have clarity about the purpose of support and what they will gain from this, people are more likely to engage with support services.

It is also important to acknowledge that desistance is not always linear.

12. Do you agree with our long-term vision?

We welcome the scale of ambition in this long-term vision, and it is very welcome to see the increased focus on resettlement. There are however significant gaps in detail as to how many of these goals will be achieved in the 10-year time frame, including timelines and the funding needed. We are concerned that without this some of these will simply become ideals and undeliverable.

We hope that this vision can become a reality, but it will take significant work, funding and focus to drive change and achieve these outcomes.

It is also critical to remember that action to tackle reoffending and improve someone's resettlement cannot be looked at in isolation from wider policies and the environment of the prison. Rehabilitation becomes much harder in environments of fear and stress. Overcrowding, poor conditions, and staff shortages will all impact on the likelihood of success. This is why we are particularly concerned that conditions in the estate and increasing the numbers of people in prison will risk the success of these resettlement ambitions.

13. Where can we go further in turning prisoners away from crime?

The provision of sustainable accommodation for prison leavers:

As we set out below, access to accommodation is critical to the prospects of recent prison leavers, with those leaving prison into homelessness around 50% more likely to reoffend than those with homes to go to.¹⁰ Without accommodation, it is difficult to link a prison

¹⁰ Ministry of Justice, 2021. [Press Release: £70 million to keep prison leavers off the streets and cut crime.](#)

leaver in with the range of resettlement services that they need to access following their release and they lack a secure foundation to build on.

We welcome the Government's recognition of the need for somewhere to live and the expansion of the 12-week temporary accommodation scheme is a welcome step. But we mustn't make the mistake of thinking this solves the problem in full.

Support:

To ensure this really is part of the solution, we need to ensure that people in the temporary accommodation scheme have sufficient flexible support to help them maintain their accommodation and address wider needs. The Community Accommodation Service Tiered Approach is based on risk relating to offending and not risk or needs relating to mental health, substance misuse, or entrenched homelessness. There are likely to be people accessing the CAS 3 accommodation provision who have significant needs in these areas and who will need support to be able to stay in their accommodation and progress.

Accommodation pathways and move on accommodation:

Housing prison leavers for the 12 weeks immediately following release is a vital first step, but unless action is taken to open up and guarantee housing options after 12 weeks, there is a risk of simply postponing homelessness for 12 weeks.

It is critical that pathways are developed which ensure people can secure longer-term accommodation after 12 weeks and the Government must work cross-departmentally with DLUHC and with Local Authorities, as well with the MOJ, to make this happen.

In addition, the purpose of the new service is to support those at risk of homelessness. It is still important to ensure there are a range of housing options on release so that risk is reduced, and people can access mainstream housing solutions.

The barriers to securing accommodation for people leaving prison will still remain after 12 weeks. These include:

- Many prison leavers not qualifying as priority need for housing
- Many prison leavers being placed on a band in housing allocation systems which doesn't reflect their need, meaning it is unlikely that they will be allocated housing
- Reduced supply of specific Local Authority offender accommodation
- Restrictively high thresholds for supported housing for people with significant mental health or substance misuse issues
- Need for deposit, first month rent and guarantor to access private rented sector
- Landlord reluctance to rent to people who have criminal records/are on benefits

Through our own housing delivery and our wider work in this area, we know that there are a number of factors which lead to landlord reluctance to provide tenancies for people coming of prison. These include concern over financial impact if a tenant cannot pay their rent or damages their property; concern over potential lack of basic life skills such as tenancy

management; and concern over lack of support and services 'checking in' with tenants in the home during the tenancy.

For many prison leavers, the private sector is simply not an option – though some are ready to live and manage in independent accommodation. To mitigate this, the Government must increase engagement with private sector landlords so as to ensure a broader provision of housing for prison leavers, complemented by additional support

If we don't address these other issues, the Temporary Accommodation Scheme will not be successful.

Bolstering the role of the voluntary sector:

We also recommend the bolstering of the work of voluntary sector within prisons, including through the return of resettlement teams in all prisons. The changes to probation contracts under the new Dynamic Framework have removed a significant number of voluntary sector staff from the estate, causing a lack of clarity as to the routes to support, and confusion for staff and people in prison on the services available.

Many people in prison have also had poor experiences of statutory services in the past which can make them less likely to engage again. The role of prison officer can also be associated with discipline and punishment. The voluntary sector provides a different kind of service, with support work helping to build trust between voluntary sector workers and people in prison.

Consistency across the prison estate:

We also urge the Government to ensure consistency in the provision of services across the prison estate, with a basic standard of provision being met across every establishment within the estate. This would mitigate against a postcode lottery in terms of accessing services while in prison, with equal opportunities for people in prison across the country. This consistency must also apply to the Government's offer on resettlement – for example, every person in prison must be able to access the same proposed resettlement passport.

A better understanding of why people are committing offences in the first place:

There needs to be a greater understanding of mental health issues, as well as a better understanding of the behaviours of people with either diagnosed or undiagnosed learning difficulties.

Engaging more effectively with local employers:

We welcome the Secretary of State for Justice's focus on employment for prison leavers and believe this is an area in which more can be done to turn people away from crime. Prisons should work proactively with employers to make prisons centres of excellence, linked in with local labour demand, so that people are ready to go straight into employment on release.

Intensive and appropriate support on release:

We would also urge that, as part of the increased funding for resettlement, resources are concentrated on intensive engagement with people leaving prison in the month after release. This would provide the support necessary to address barriers, deal with practical challenges and to navigate complex processes such as registering with a GP and sourcing housing.

Chapter 4 – A New Approach to Women’s Prisons:

14. Do you agree with our long-term vision for women’s prisons?

It is right that that the Government recognises that there must be a specific approach to women in prison and the women’s estate that provides the tailored support that women need. That is why we support, and continue to support, many of the commitments set out in the [2018 Female Offender’s Strategy](#) and were very concerned to see the recent National Audit Office report highlighting that limited progress has been made on the strategy as investment has not been prioritised. We believe that that there needs to be sustainable, long-term funding focused on early intervention in the community to support women at risk of offending and those who have committed crimes.

We believe the following recommendations must be prioritised for the women’s estate:

Funding the commitments in the 2018 Female Offender Strategy: we urge the Government to fund and deliver on the strategy’s commitments, as well as setting out clear milestones to be achieved and a tracker for gauging policy delivery progress.

Focusing on alternatives to custody: as set out in our response to question 1, we believe that increasing the number of women in prison will not reduce reoffending or address the trauma and abuse women have experienced or give them the best chance at a second chance.

Plans to build an additional 500 prison places across the women’s estate stand in direct contradiction to the Government’s Female Offender Strategy which listed reducing the female prison population as one of its core objectives.

Given that most women are imprisoned for non-violent offences, a more effective means to ensuring more effective rehabilitative efforts would be to provide greater support for women in the community rather than sending more women to prison. This can be achieved through funding allocated to increase diversion, and through the use of alternative models to custody.

Presumption against short sentences: there should also be a presumption against short sentences for women which can shatter the links and foundations which women need to build on to be able to move forwards. This could include a home, a job, and their family.

For many who have served short sentences, these foundations to their life are no longer there on release. In 1993 only a third of custodial sentences given to women were for less than six months – by 2020 this figure had risen to 58%.¹¹ Short sentences not only break some of these crucial links, but also serve no rehabilitative purpose as little meaningful support can be put in place, and are less effective in reducing reoffending than community alternatives.

Maintaining family and support networks: women, on average, are held 63 miles from their homes, with a significant number held more than 100 miles from their home.¹² Needlessly sending women sentenced to non-violent offences to prison uproots them from their support networks, while decimating families. We therefore urge the Government to keep women out of prison wherever possible, and to ensure that those who are in prison are placed closer to home.

Accommodation for women leaving prison: the provision of accommodation on release is fundamental to the resettlement outcomes of women in prison, with a recent [report](#) from the Independent Monitoring Board at HMP/YOI Bronzefield highlighting that 77% of women were released straight into homelessness (a 60% increase from last year). This is a significant barrier to rehabilitation, with the reoffending rate of men and women without settled accommodation at 65%.¹³ For the Government to effectively support the rehabilitation of women leaving prison, we once again urge the implementation of a long-term plan that ensures the provision of a broad range of sustainable accommodation options for recent prison leavers. Accommodation for women must respond to women's specific needs. For example, there need to be accommodation options which allow for women to have their children stay with them.

Designing gender-specific services: it is important that services, both in prison and in the community, are designed to respond to women's particular needs and experiences. Women in prison have often suffered abuse and trauma and have more complex needs than their male counterparts. They therefore often need more intense, and wraparound support provided at the earliest opportunity.

Links with the voluntary sector in the community: It is important to join up services in the community with women whilst they are still in prison to build support pathways and ensure trust and a smooth transition into support.

15. What more could we do to support women in custody, with particular reference to meeting the needs of women prisoners with protected characteristics?

¹¹ Prison Reform Trust, 2019. [Prison: the facts. Bromley Briefing Summer 2019](#); Ministry of Justice, 2020. [Offender management statistics quarterly: October to December 2020](#).

¹² Prison Reform Trust, 2021. [Why focus on reducing women's imprisonment?](#); Ministry of Justice, 2019. [The Importance of Strengthening Female Offenders' Family and other Relationships to Prevent Reoffending and Reduce Intergenerational Crime by Lord Farmer](#).

¹³ St Martins in the Fields, London's Prisons Mission and Prison Reform Trust, 2020. [Safe homes for women leaving prison](#).

We welcome the commitment to training staff in women's prisons to address the diverse needs of all women in their care.

When it comes to supporting racially minoritized women in custody, we would refer you to the recommendations set out in Women in Prison's report – "[Double Disadvantage](#)" – which we are supportive of.

We also strongly urge the Government to put in place measures that will ensure pregnant women are never held in custody.

Chapter 5 – Our People:

16. Are there specific areas of training you think we should be offering prison officers which we do not already?

The following recommendations have been developed in conjunction with our staff working at every stage of the criminal justice system.

Equipping prison officers with training to assist with mental health and substance issues:

The training available around substance misuse and mental health issues was highlighted as an area requiring additional resources and focus. We would recommend additional training focusing on how to recognise that a person is under the influence and how to deal with that situation were it to arise.

This also applies to prison staff working with those suffering from mental health conditions. Our staff working within the prison estate believe that additional training should focus on both empathy and an understanding of how to respond appropriately to a range of mental health conditions.

We have also previously recommended in our submission to the Education Select Committee inquiry into prisoner education (we have shared the link to that submission in our response to question 6) that staff training should focus on ensuring that all staff appreciate the benefits of education to all people in prison. This should include the development of a culture that encourages all people in prison to be drawn into learning activities that are relevant to their interest, abilities and aspirations.

Awareness of the services available:

It is vital that prison officers have a strong understanding of the work of all the various services working within the prison. Training staff on the content and value of the range of services on offer can help to ensure that people in prison can be effectively directed to the most appropriate services for them.

Core role of rehabilitation: it is also important to ensure that training models focus on the central role of prison officers in the rehabilitation of people in prison. It is vital that prison

officers work with the people under their direction to support people to change given that they are the one who spend the most time with people in prison.

Mitigating the impact of COVID: training in specific areas has been shortened due to the urgent need to hire more prison staff throughout the pandemic. There has also been a backlog in training due to COVID-related delays. We urge the Government to rectify these issues.

17. Do you agree that more bespoke recruitment training will enable prison officers to better support the needs of prisoners? What other cohorts should we be focusing on and how can we do this in a manner that advances equality of opportunity for offenders with protected characteristics?

We certainly feel that a more bespoke recruitment training package will better support the needs of people in prison, with a greater emphasis and more intensive training on – as set out above – tackling issues around empathy towards people in prison, substance misuse, relationships, mental health and learning difficulties. This emphasis would help to give prison officers a more detailed understanding of why people in prison who suffer with these issues are behaving the way that they are and equip the officers with the tools needed to deal with them appropriately.

It is vital that a focus on bespoke recruitment training also caters for the hiring of a more diverse and inclusive prison workforce across the country, which currently varies depending on the location.

We also recommend a review into the minimum age of prison officers, which we believe should be increased, along with ensuring that pay and conditions are improved so that high-quality candidates can continue to be attracted and retained. Additionally, we urge the Government to review the issues around staff retention in the prison estate.

Chapter 6 – Delivering Better Outcomes in Prisons:

18. Are there any areas where we should extend autonomy for all Governors to support the delivery of improved outcomes?

Reducing the number of Friday releases: as referenced in our response to question 8, taking a legislative approach “for those at risk of reoffending who would otherwise be released on a Friday”, is one area in which increased autonomy for prison governors would be beneficial for resettlement outcomes.

Piloting of local projects: Governments can build on this approach by allowing prison governors the ability to pilot projects – based on the specific, localised environment of their prison – that will improve the resettlement journey for people in prison. One way of achieving this would be through the provision of innovation funds for prison governors to use on specific interventions to meet local needs.

Increased use of Release on Temporary License: driven by the Government, prison governors should be encouraged to utilise ROTL to a much greater degree. ROTL is important in allowing people in prison to put in place the foundations necessary to move forward with their lives on release – including obtaining employment, accessing housing, and maintaining and rebuilding personal support networks. This also ensures a smoother transition back into the community, playing a role in reducing reoffending.

During covid, governor autonomy has been eroded due to the top-down management instituted on account of the pandemic. We expect that this balance will be redressed as we move out of the pandemic, returning significant autonomy to prison governors.

19. How can we further strengthen independent scrutiny of prisons in the future?

Strengthening collaboration: it is important to strengthen collaboration across HMIP, the PPO and IMBs, in between reporting periods, in order to help disseminate information more effectively, and to improve monitoring and to drive action and accountability.

Strengthening of accountability: there needs to be far greater accountability in response to findings and recommendations from the Inspectorates or the IMBs. These need to directly translate into actions with steps in place if this doesn't happen. The turnover of prison governors can also lead to a reduced ability to hold prisons to account and this needs to be factored into how this is strengthened.

Strengthening the inspections framework: scrutiny bodies should have sufficient funding so that they can be flexible in terms of inspection periods and processes.

Lived experience: we believe that people who have been in prison should play a more active and defined role in the scrutiny of prisons. We would also recommend the holding of "lived experience forums" within each prison, which then report back directly to HMIP to give a true picture of life within each prison. In addition, people in a prison should be given a genuine chance to take on more roles specifically created for them to give them a greater stake in the running of the prison.