

Jailbreak

How to Transform Prisoners' Training

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CONTENTS

Foreword

I	Introduction: Prisons, prisoners and costs	2
II	Structure and System	5
III	Responsibility for Rehabilitation: How does the system operate?	8
IV	Failings of the System	13
V	What Succeeds? How to reduce reoffending	17
VI	What Works? Case history highlights	20
VII	What Changes Are Needed? Lessons from successful schemes	22
VIII	The Way Forward	27
IX	Returning the Marginalised to the Community: What works	30
	List of Acronyms	32

Foreword Sheila Lawlor

The new government has announced a dramatic change in policy towards offenders. Kenneth Clarke, the Justice Secretary, intends to scale down the use of prison sentences for minor crimes. But for those who *are* sent to prison, the emphasis will be on preparing them for a job on release. A mixture of providers, including private training companies, will be used to train offenders for future employment.

The emphasis on training and rehabilitating offenders was foreshadowed by the Labour Government's approach when outside training providers were also used. As this study explains, however, the chances of rehabilitation or a job on release remain small. Re-offending rates are high at around 62 per cent. Instead of a system of successful training to which all offenders have access, the system has been slow to change.

If the Coalition is to succeed where Labour failed, it will have to overcome the obstacles to successful training and rehabilitation and make the most of proven independent trainers. The contributors to this study are well placed to suggest the way forward. Writing from firsthand experience, they explain how the system works, consider its failings and propose what needs to be done to overcome them.

Although outside bodies can, in principle, already bid for training contracts, in practice most of the budget and the training is monopolised by the public sector. Responsibility tends to be shared between different Whitehall Departments and their respective agencies with funds distributed accordingly; and there is no clear chain of accountability for success. The study suggests that our failure to train and rehabilitate the majority of offenders successfully is the result of how the system operates and how it perpetuates the primacy of public sector training providers. But the study also paints an alternative picture, of effective training, often by independent bodies, often by the private sector. Dedicated training companies and businesses that give tailor-made targeted training and support through release and into a job have helped to turn offenders lives around.

The authors propose the practical steps needed to bring in successful outside training providers with a track record of success. The illustrations here of how private sector providers have helped some of the most marginalised people in our society get back into the mainstream speak for themselves. Not only should the champions of the 'Big Society' take heart from the evidence presented here. The Justice Secretary will also have a first-hand account of the problems which he must confront if his policy is to succeed where Labour's failed.

S. Lawlor, Director, Politeia

I

Introduction: Prisons, prisoners and costs

Prisoners

The prison population in England and Wales is now at its highest level since records began. In 1997-98 the prison population was 61,114.¹ By November 2009 the total was 84,647, an increase of 38 per cent in just over a decade.² These figures translate into a Prison Population Rate (per 100,000 of national population) of 154.³ This puts the UK above the mid-point in the world list, and makes it the highest amongst countries of the European Union. The vast majority of UK prisoners are adult males – females account for just 5.1 per cent of the total and those under eighteen years of age 2.4 per cent.⁴

Whilst the prison population is a diverse one, prisoners are not generally representative of the general population. They tend to be young males from deprived socio-economic backgrounds.⁵ Most prisoners have no qualifications, many are undereducated, having been excluded from school, and the majority struggle with basic literacy and numeracy. Around 62 per cent of offenders re-offend and probably around half of prisoners have been in prison before.

Offender Population Breakdown

	Offender in prison average	UK average
No qualifications – men	52%	15%
No qualifications – women	71%	15%
Reading ability at or below Level 1 (that expected of 11 year olds)	48%	23%
Writing ability below Level 1	80%	23%
Numeracy below Level 1	65%	23%
Excluded from school (young offenders)	83%	10%

¹ *Hansard*, 9 Mar 2009

² International centre for prison studies, Kings College London, downloaded 05/01/10 from <http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/?search=europe&x=Europe>

³ *Ibid.*

⁴ *Ibid.*

⁵ Wheldall and Watkins (2004b) cited in Literacy Trust 2008

There are currently 149 prisons in England and Wales. Her Majesty's Prison Service (HMPS) is responsible for 138 and the remaining 11 prisons are run by private sector suppliers.⁶ HMPS is an agency of the National Offender Management Service (NOMS) which has overall responsibility for protecting the public and reducing re-offending. NOMS is an executive agency of the Ministry of Justice, bringing together the headquarters of the Probation Service and HM Prison Service to enable more effective delivery of services. Prisons are run by Governors who report to the Director General of NOMS via regionally based Directors of Offender Management (DOMs) who are responsible for commissioning prison and probation services in their government-office region. NOMS' Director General reports to the Minister of State in the Ministry of Justice.

The prison estate is split between local prisons, remand centres, training prisons, high security prisons, young offender institutes and open prisons. Many prisons have multiple security classifications, with A being the highest security rating, and D the lowest, where prisoners are judged to be reasonably trusted not to escape in open conditions. The HMPS website offers the following categories:

- Category B
- Category B local with restricted status female function
- Cat C/D semi-open
- Closed training females
- Closed young offender institution
- High Security (Cat A)
- Juvenile under 18
- Local female
- Local male
- Males Cat B
- Males Cat C
- Males Cat D
- Open training females
- Open Young Offender Institution
- Remand Centre Males under 21
- Resettlement
- Semi open females
- Open training females

⁶ <http://www.justice.gov.uk/about/prisons.htm>

There is constant flux in the system as prisons change their security classification and population type in response to the shifting nature of the offender population and the commissioning of new prisons.

Costs

The cost to the state of keeping such large numbers of people in custody is significant. In 2007–2008 the criminal justice system cost £22.7 billion, over a third more than ten years previously. Overall, between 1997 and 2005 there was a five per cent average annual real terms increase in spending on law and order. In 2004 the UK spent a higher proportion of its GDP on ‘public order and safety’ than any other country in the OECD and, according to official analyses, ‘public spending on public order and safety increased by 50 per cent in real terms’ since 1997.⁷ In 2008–09 the overall average cost of keeping someone in prison for a year was £43,000 (this covers security, bed and board, staffing etc). The costs of offender behaviour programmes (£25m at a per capita cost of £295) resettlement activity and managing the prison industries and work programmes are included in this figure.⁸ In addition, the Offenders’ Learning and Skills Service (OLASS) budget for prisoners is c. £165m per annum which would bring the average cost closer to £43,000 per offender.

On a national scale, the cost to the economy of re-offending has been estimated at £11 billion per year (2002), so even a small reduction in the recidivism rate would have a significant effect.⁹

⁷R. Garside and N. Groombridge, *Criminal justice resources staffing and workloads, An initial assessment*, Centre for Crime and Justice Studies, December 2008
<http://www.crimeandjustice.org.uk/criminaljusticerresources.html>

⁸*Hansard* - Written Answers 26 October 2009 and 20 Feb 2008

⁹Social Exclusion Unit, *Reducing re-offending by ex-Prisoners*, 2002

II Structure and System

The System

Until the 2000s, the Home Office was responsible for offenders. On 9 May 2007, the new Ministry of Justice was given responsibility for offenders from the time of court sentence until release. This responsibility is exercised today through the NOMS, by whom prison governors are appointed. The budget for offenders comes from the Ministry of Justice on a historic formula basis, distributed by NOMS to the prisons; that for training comes from both the Ministry of Justice via NOMS and the Skills Funding Agency (SFA) through OLASS.

Background

The word 'prison' first appears in a code of laws in 860, and in 1166 Henry II ordered the construction of a network of prisons, which were run by sheriffs, clerics and the local aristocracy. Prison was used primarily for detention of those awaiting trial or punishment, rather than as a punishment in itself. By the 16th century, prisons were largely self-financing; gaolers received an income from fees paid by prisoners for fuel, food, bedding and improved accommodation, and from the output of prison industries. During this time gaolers became personally responsible if any prisoner escaped; and they could be fined, dismissed or, if a debtor absconded, would see the debt transferred to them. In the 18th and early 19th Centuries there were various popular alternative punishments to imprisonment, including transportation.

Parliament began standardizing the work of prisons in the early 19th century and in 1823 the Gaol Act required quarterly inspections by local justices and an annual report to the Home Secretary. In 1877 the Prisons Act moved effective control of prisons from local authorities which had been responsible since the early 19th century to the Home Office, the Secretary of State and an independent Prison Commission. Virtually every aspect of prison life has subsequently been the focus of regulation and legislation.¹⁰

The 20th Century

In the decades after the First World War in 1918 Britain became a leader in the prison reform movement. Governors could amend the regime and could introduce 'lectures,

¹⁰D. Rothman and N. Morris (eds.), *The Oxford History of the Prison: the Practice of Punishment in Western Society*, Oxford, 1995.

concerts and the use of pen and paper.’¹¹ After the 1939-45 war this increasingly positive regime was formalized in an explicit objective of rehabilitation. Governors had the freedom to mould the prison to reflect their own philosophy and could experiment with therapy, treatment and positive regimes. In 1963 the Prison Commission was replaced by civil servants in the Home Office Prison Department. High profile prison escapes in this decade led to today’s ethos of managerialism, efficiency and compliance.

Governors today have to manage a complex set of demands from both public and politicians, the judiciary, the media, pressure groups, trade unions and prisoners themselves. At the same time they must ensure that their establishments achieve the four functions of penal confinement: the custodial function (preventing escapes); the restorative function (providing opportunities for rehabilitation and reform); the controlling function (ensuring order, safety and justice) and the maintenance function (providing decent and humane conditions).¹²

Aims and Means - Punishment and Rehabilitation

Over the last two centuries the punishment for crimes deemed serious enough by the State has been the deprivation of an individual’s liberty by imprisonment. Punishment was the primary aim, though rehabilitation has also been seen as important, encouraged by the theoretical and practical involvement of a number of organizations. In recent decades the rehabilitative side has become even more prominent given its role in helping offenders to settle down after release, rather than re-offend, and therefore curbing the costs of re-offending to the public purse. Whereas initially rehabilitation involved general rehabilitation to help the offender return to society’s mainstream as a ‘good’ citizen, over the last decade successful return was seen as more dependent on the ability to find and keep a job on release.

The upshot is that today, there is some confusion on the relative emphases given to punishment and rehabilitation, and the priorities of the system. Is the purpose to punish prisoners or to prepare them for life after prison where they will not re-offend? What weighting should be given to each, what balance struck between punishment and rehabilitation? Confusion between the aims of punishment and rehabilitation leads to further confusion in how offenders are treated.

¹¹ S. Hobhouse & A. F. Brockway, *English Prisons Today*, London, 1922

¹² S. Bryans, *Prison Governors: Managing Prisons in a Time of Change*, Cullompton, 2007

Rehabilitation - The Theory

Today, the aims of imprisonment reflect both the historic aims and the more recent emphasis on rehabilitation and preparation for employment on release. The policy of the new Coalition Government seems to be focused firmly on rehabilitation to tackle re-offending, the so-called 'rehabilitation revolution'.

In recent years, whilst a prison sentence is seen as constituting a punishment for an offence, ministerial emphasis on rehabilitation has been strong. The previous government saw custody as being 'first and foremost a punishment' but 'alongside... offenders [were to be given] a chance to reform and change their behaviour'.¹³ The former Home Secretary, Jack Straw, sought to reclaim the words 'punishment' and 'reform' as the basis of the criminal justice system. The punishment is the deprivation of liberty, and the reform aims to give offenders the chance to turn their lives around. He was clear that the offender ought to take responsibility for this: 'The criminal justice system does not exist to do what a parent, a teacher, a social worker could not'.¹⁴

The Training System: Structure, Budget and Responsibility

The prison governor has discretion over the spending of 40 per cent of the training budget, that from NOMS. The other 60 per cent which comes from OLASS via the SFA must be spent on centrally contracted training providers – i.e. those contracted by the SFA. These are normally FE colleges in the public sector and very few private or voluntary non-profit bodies are contracted.

¹³Ministry of Justice, *Punishment and Reform: Our Approach to Managing Offenders*, 2008

¹⁴Rt Hon Jack Straw, *Punishment and Reform* speech delivered at the RSA, October 2008

III

Responsibility for Rehabilitation: How does the system operate?

The rehabilitative opportunities offered prisoners are provided through a variety of programmes, run by different bodies and funded from different Whitehall budgets. These include formal programmes for ‘reform’ or rehabilitation for addressing behaviour problems, and practical programmes for resettlement, for working within prison industries and for education and training.

Rehabilitation

Within prisons, offenders undertake activities which are seen to contribute to the ‘reform’ agenda and include:

- Education and Training – with the aim of developing personal responsibility, encouraging the prisoners’ interests and skills and improving the prisoners’ chance of finding a job on release and preventing further offending.
- Work – described as the core daytime activity for adult prisoners. Its aim is to provide the skills and qualifications the prisoner may need to gain employment on release.
- Offending Behaviour Courses – groups or courses to examine the circumstances surrounding how offenders came to prison, encouraging them to learn from their mistakes and so reduce the chances of their reoffending.¹⁵
- Through NOMS, Governors have targets to achieve in Offending Behaviour Programmes (OBPs) and for Employment and Accommodation outcomes on resettlement. Targets for Education and Training are set by the SFA.

Resettlement

The idea of resettlement is to prepare offenders for life after their release and reintegration back in to the mainstream of society, and is concentrated in the last months of serving their sentence. This activity includes advice on entitlements to benefit, training, education or work experience.

¹⁵ http://www.cjsonline.gov.uk/offender/walkthrough/daily_life/

As the Prison Service puts it:

‘Resettlement is where prisoners and their families receive assistance and support from the Prison and Probation Services, and voluntary agencies, to help them prepare for life after prison. This includes advice about their entitlement to state benefits, training, education, work experience and preparation for release. The objective is to help prisoners return to normal life, get a job and home, and cope with life without re-offending’

Source: www.hmprisonerservice.gov.uk/adviceandsupport/beforeafterrelease/settlement

The expectation of prisons’ work towards resettlement has increased in the last decade, following the initial 2002 Social Exclusion Unit (SEU) publication and 2001 Prisons & Probation Inspectorate joint report. They proposed individual case management and practical support with accommodation, housing, debt etc., suggesting that resettlement should have a far more important role in the life of the prison. The Government’s 2004 resettlement policy set prison governors targets for resettlement – such as the number of prisoners referred to a Jobcentre Plus interview.

Offending Behaviour Programmes: The OBPs, introduced in the early 1990s, are accredited rehabilitation programmes designed to identify the reasons why prisoners offend and reduce and monitor these factors. They aim to teach offenders skills such as consequential thinking in order to avoid patterns of behaviour which lead them to offend. These OBPs are run by a range of staff including psychologists, probation staff and prison officers with the cost covered within the overall budget of the prison.

Prison Industries: The Prison Industries unit, set up in May 2007 with the transfer to the Ministry of Justice from the Home Office, has had the responsibility of providing activities for offenders that may or may not help them reintegrate in society on release. The idea is to keep them busy, not specifically to equip them with skills for a job on release’.¹⁶ The budget comes directly from NOMS.

The activity is managed by the individual prison (under the Ministry of Justice/NOMS) and overlaps with the other programme, the OLASS activity – under Business, Innovation and Skills (BIS) – although there is no explicit requirement for the two to work together. The prison industries’ programme encourages prisoners to take such work as:

¹⁶ <http://www.hmprisonerservice.gov.uk/abouttheservice/prisonindustries/> downloaded 18/12/09

- Production for the internal prison market (through workshops), including making clothing, repairing window frames and furniture;
- Maintenance of the prison estate such as cleaning toilets, undertaking kitchen duties, laundry work and acting as orderlies for prison departments;
- Production for external contractors (through contract services workshops): these external contracts include textile manufacturing, light engineering, preparing mail shots, assembling electrical components, making road signs;
- Land-based tasks including animal husbandry, gardening and prison grounds work.

About 80 per cent of the work is for the prison service's own internal market. Work opportunities are difficult for offenders to secure as there are only prison work places for around 32,000 prisoners in a population of over 83,000.¹⁷ Most work is paid, normally at a rate less than the minimum wage. A programme for unpaid work is now being offered. The prison governors decide on who gets the jobs, taking such factors as potential security risks and behaviour into account.

Prison education

Prison education was formally introduced by Robert Peel in 1823. Until 1997 it was the responsibility of Local Education Authorities with no formal contract between the Home Office and the LEA, and prison governors had very little control over the education staff employed by the LEA to work in the prison. This meant that it was seen as a separate discrete service not linked to other parts of the prison service unlike prison industries, workshops, libraries, catering, and cleaning. In 2000 there were 27 contractors engaged to provide education courses for prisoners, comprising 24 FE colleges, two LEAs and one charity.¹⁸ No procurement round has been held since then so this breakdown remains current.

From 2003, prison education became the responsibility of the Learning and Skills Council (LSC), from 2010 the SFA, a body now responsible to BIS (until 2009 DfES/DIUS¹⁹) not the Home Office. This was part of a move towards professionalism and equivalence with the mainstream post-16 FE sector, which can also be seen in the responsibility for prison healthcare being transferred to the Department of Health. The idea was that the LSC, with its experience in commissioning mainstream further

¹⁷ Home Affairs Select Committee 2005, *Rehabilitation of Prisoners*, First report of session 2004–05, London: Stationery Office

¹⁸ Wilson & Reuss, 2000

¹⁹ The Department of Education and Skills and the Department for Innovation, Universities and Skills

education, would improve quality and, through the creation of a single, integrated service for offenders in custody and the community, be able to work with the Prison Service and Probation Service, albeit under another department. The organisational change was prompted by the Government's 2002 Social Exclusion Unit Report estimating the costs of reoffending at £11 billion each year. The evidence indicated that although the reasons for offending and re-offending were complex, most short-term prisoners were faced with overwhelming social and personal problems that were not being addressed. A major coordinated effort by mainstream support agencies in the community was needed, otherwise reconviction rates would continue. Having a job was considered as positively linked with a reduction in re-offending. In short the system, although complex and costly, was failing in its primary goal of reducing re-offending.

Further impetus was given by a new approach focusing on education in prisons. Whereas prison education was previously seen as being 'for empowerment', or 'to develop a new, non-offending identity', or 'to keep people purposefully active', or 'to address basic skills deficits', the new approach chimed with treating adult learning as part of the mainstream. In 2005, the LSC introduced OLASS to lead on the task. Initially in three pilot regions, it was extended to the rest of England in 2006. Plans for this service were broad and innovative with both custodial and community learning being included together in some pilot areas. The primary aim of OLASS provision is to increase employability and thereby reduce re-offending. A third round of tendering for OLASS services (OLASS 3) was completed in July 2009. The 2009 priorities stressed the importance of engaging employers, and working with them on new models for training.

The Skills Funding Agency (now responsible for the programmes) sets out OLASS 3's priorities for action as follows:

- A strong drive to engage employers through the Corporate Alliance for Reducing Re-offending linked to the Skills Strategy and the outcome of the Leitch review of skills.
- Working with employers to design and implement new models of training and preparation for jobs by building on the offender learning and skills service through the development of a campus model, which among its key features aims to:
 - Provide a focus on employers' needs.
 - Include an employability compact as part of the sentence plan, to motivate

offenders and to focus resources where they will have most impact.

- Provide more flexible access to skills and employment support, with effective use of ICT (the virtual campus).
- Use the new co-commissioning role of NOMS to build a new emphasis on skills and employment in prisons and probation using unpaid work in the community and work opportunities in prisons, with a particular focus on developing the workforce to deliver this.

By 2010, therefore, the focus has changed. The emphasis over recent decades on the education and training of prisoners as part of the rehabilitative process has been seen increasingly as having another important and related aim: to prepare them for employment on release. A number of initiatives have been taken and organisations established to promote the education and training of prisoners with a proportion of budget allocated to this purpose under the general direction of the prison governors.

As a result, the focus is now on such education and training for employment, and responsibility rests with prison governors and the SFA. OLASS aims to enable an offender to gain qualifications that may be useful for employment on release.

But the problems remain, and the system is patchy, with access to good training and education haphazard and often a matter of luck. The evidence suggests that over 62 per cent of offenders, despite the changes, still re-offend. What are the problems with the system? How best can they be tackled?

IV

Failings of the System

The current training system has a number of weaknesses. In particular, it is fragmented, with different or overlapping bodies answerable to different Whitehall departments taking responsibility for the same or different parts.

Fragmentation

The 'Reform' element of prison activity is in practice broken up into separate parts without any coherent strategy or leadership or unified approach. Formal education is managed by the SFA through its OLASS contracts. The SFA reports to BIS and sets its own common curriculum and achievement targets which mainly replicate the Further Education model used commonly for post-16 FE for those from any walk of life on its courses. Learning or skills development which takes place outside the classroom is not monitored or counted. For example, prison kitchens may train in catering and award NVQs but this will be funded and managed by the prison service and not necessarily integrated with the formal learning available under OLASS.

Inaccessibility

Prisoners may have access to OLASS courses as well as other programmes known under the general term of Offending Behaviour Programmes which include rehabilitative programmes as well as training. OBPs to address the needs of the criminal are a key part of the prison regime yet they touch only a very small percentage of the prison population – in 2007-08 the target for OBPs for the whole of the prison service was to provide 6,360 prisoners with complete courses and 1,035 sex offender treatment programmes.²⁰ These targets were exceeded. But despite 7997 completions, they helped to rehabilitate fewer than 10 per cent of the entire prison population – and, given that the system deals with around 84,000 offenders each year, the actual percentage is even lower. Furthermore, most offenders are undereducated and many have learning difficulties or disabilities and often lack the basic literacy and communication skills necessary to understand or make the most of OBPs.

Lack of standardisation

*Resettlement programmes are not the same in each unit, there is no consistency and you end up taking classes long before you can ever use them. By the time you get out you don't remember.*²¹

Resettlement activity tends in practice to involve prison classes to encourage social interaction, job training or other qualities which inculcate motivation. It is managed

²⁰ HMPS, *Annual Report 2007-8*

²¹ User Voice, *The User Voice of the Criminal Justice System: Report and key findings of a seminar for serving and ex-offenders*, The Aldridge Foundation, 2008

on an individual prison basis, often without any liaison with the education service, reliant on the goodwill of third sector and charitable organisations and on short-term funding. Perhaps because of the relatively recent focus on resettlement there has been very little ‘new’ money to support this new focus. The percentage of prisons’ budget for supporting offenders with resettlement is difficult to identify as it is not centrally coordinated. The budget tends to be found from the existing prison budget by the governor and is not a fixed amount per person. The Chief Inspector for Prisons commented in her 2007 annual report: ‘Few prisons had a resettlement strategy that was coordinating work, was based upon prisoner needs and was fully delivered.’

The Home Office found that of prisoners who had education or employment arranged for release, only 15 per cent had made the arrangements with the help of prison officers.²² Even in ‘resettlement’ prisons such as Latchmere House in Surrey there is a lack of focus on the needs of employers: employers had difficulty contacting prison staff about jobs (see the box below for some of their comments).

Comments by employers / community organisers about HMP Latchmere:²³

- *From day-to-day you could never discover who was in charge. One prison officer never seemed to know what another had done or where a file was.*
- *Faxes and telephone messages to the prison went ignored and unanswered for days.*
- *There was no sense of our need for a quick response. They (prison staff) were slow and rather unhelpful.*
- *It was a terribly bureaucratic sort of place.*
- *You could not send or receive an email from an inmate wanting a job here.*

Lack of support upon release

In 2007, 60 per cent of offenders given a sentence of 12 months or less went on to be convicted of another crime within 12 months of release.²⁴ Although the evidence suggests that keeping in contact with a Probation Officer helps offenders to desist from re-offending, this is not statutorily required, nor is it offered to prisoners who serve short sentences.

²² Hansard, House of Commons, written answers, 6 June 2006, and Ministry of Justice, *Offender Management Caseload Statistics 2006*, London: National Statistics, 2007 cited in *Locked up Potential 2009*

²³ The Prison Reform Working Group, *Locked Up Potential: A strategy for reforming prisons and rehabilitating prisoners*, The Centre for Social Justice, 2009.

²⁴ There are approximately 75,000 individual short sentences each year, with short sentence prisoners occupying 20,000 prison places at any given time.

An inefficient and isolated prison education system

The priorities for prison education of the SFA are still at the aspirational stage, though with some improvements in quality and accountability, e.g. introducing OFSTED inspection of OLASS courses as happens for other FE providers. Nonetheless the model in use under the SFA's OLASS system continues to provide a system of prison education predicated mostly on the traditional FE college model. Yet it, and its predecessor, the LSC, do not seem to have succeeded in reducing re-offending.

Each prison shares a common 'national curriculum' devised by the SFA, with its own allocation of hours (based on historical precedent and not linked to need or offender numbers). Each prison also has its own mix of accreditation and courses determined by prison governors, of which 60 per cent must be OLASS courses. In a system where offenders mostly stayed in one place, this might be an effective way of organising specific solutions to meet the individual need. But in a system where offenders are routinely moved between prisons, the result is a lack of continuity, frustration and demotivation for learners, often with duplication, gaps and the individual weaknesses ignored. The recent evidence suggests today's labour market needs are overlooked and the failing models of the past recreated in current provision.²⁵

The problems vary – from high levels of dropout rates to failure to provide the right courses for low IQs. The evidence is that a system which focuses on achieving qualifications can leave learners behind. A recent tally suggests an estimated £30m (over a fifth of the annual budget for the service) was being wasted – mostly on registration fees for qualifications that were never completed because of the churn (i.e. prisoners moving from prison to prison, or being released) in the prison system.²⁶

The evidence also suggests that 7 per cent of prisoners have an IQ of less than 70 and a further 25 per cent have an IQ of less than 80, against the national average of 105.²⁷ This is classified as a significant impairment which would create difficulties in areas such as self-care, communication, solving new problems and social involvement in the community and work. Practically it is likely that at least a fifth of the prison population have some form of health problem e.g. mental illness, drug or alcohol

²⁵ Independent Monitoring Boards, *Opportunity or Not?* 2009. A report on the availability and range of learning and skills in prisons in England and Wales by the Learning and Skills Support Group of the National Council for Independent Monitoring Boards: "The level of provision in individual prisons is often based on historical practice rather than current need. There is a general assumption that the provision of Learning and Skills is focused on the needs of the labour market. However, only 43 per cent of Boards report employer involvement in planning provision."

²⁶ National Audit Office report, *Meeting Needs? The Offender Learning and Skills Service*, 7 March 2008

²⁷ Mottram, 2007

dependency, which can undermine their performance in both education and work settings. A similar proportion is undereducated and will lack the basic literacy and communication skills necessary to engage in and benefit from OBPs run by the prison.

So, the system run by OLASS as it stands is, at worst, a time-filling activity, often provided discreetly in an out-of-the-way building, set apart from the main activities overseen by a local SFA. It tends to be under-resourced or as part of a regime which does not prioritise offender learning. At best, it is an SFA generic service, integrated with the prison regime and managed by a regional SFA whose officials influence the wider prison training agenda. So a prisoner, if offered a course, will be locked into an SFA common course which is based on a one-size-fits-all model.

Lack of evidence and evaluation

No information is provided to those working with offenders on the success of their work – as measured in terms of re-offending statistics. This does not mean that more research (often treated as a substitute for effective action) is needed. But it is not clear that the random control trials which are used by NOMS to measure the impact of services are the best way to judge how effective interventions are. Of the eight rigorous and serious studies of the evaluations of programmes for reducing re-offending, that of the National Audit Office concluded that ‘...insufficient research has been conducted of high enough quality to say much with any confidence. The second most consistent finding is that knowledge about what works is inconsistent and incomplete. The third finding that consistently emerges is that some programmes sometimes work’.²⁸ Some successful projects and interventions do not easily transfer to other contexts, for example, skills for specific jobs such as laundry, cooking and food production. Some skills may be specific to certain people or places and in general a fresh approach to evaluating *how* projects are implemented and which circumstances lead to effective or poor results is needed.

Despite the significant rises in spending on schemes for training and managing different aspects of rehabilitation over the last decade, these weaknesses may undermine success. The percentage of ex-prisoners who go on to commit further offences after release from prison has remained virtually unchanged at 65 per cent.²⁹ Clearly, then, the current offender management regime and activity mix is not working in terms of rehabilitation.

²⁸ Hough, M. (2008) *Reducing re-offending: Getting off the treadmill* paper prepared for the National Audit Office: http://www.kcl.ac.uk/depsta/law/research/icpr/publications/reducing_re-offending_final.pdf

²⁹ Cunliffe, J and Shepard, A, Re-offending of Adults: results from the 2004 cohort (March 2007) Home Office

What Succeeds? How to reduce re-offending

A well functioning justice system will include the reduction of re-offending as an important element. One, pragmatic, approach might be to ‘do nothing’: as people get older and develop new social relationships and new priorities, their approach to life changes, as does their behaviour.³⁰ The recent emphasis, however, in policy (see above) has been to move to a more active approach to reducing re-offending. Important characteristics identified as having an impact on re-offending include education, employment, drug and alcohol misuse, mental and physical health, attitudes and self-control, institutionalisation and life skills, housing, financial support and debt, and family networks. Employment is known to reduce the risk of re-offending by between a third and a half, and having stable accommodation reduces the risk by a fifth.³¹

Such factors are not under the direct control of the Prison Service and the official approach now is to encourage agencies to work together, rather than commission new services. As a result a number of strategic coordinating groups have mushroomed while a variety of statutory and short term pilot projects have emerged, few of which have been thoroughly evaluated. The upshot is that there is little research evidence on which to base a change of course.

Over the past decade the Ministry of Justice examined the evidence on the role resettlement factors play in reducing re-offending. Two factors stand out – finding both accommodation and a job – as decreasing the likelihood of re-offending. Linked to both these elements is the role of family visits which also appear to reduce the chances of prisoners re-offending after release. Meanwhile, in prison, three types of intervention are associated with a reduced likelihood of re-offending:

- contact with a probation officer;
- attending a prison job club;
- attending a victim awareness course.

Other interventions analysed (including education, offending behaviour programmes and drugs programmes) were not predictive of re-offending in this research model.

³⁰ Fergus McNeill, Professor of Criminology and Social Work, University of Glasgow

³¹ HM Government (2005) *Reducing Re-offending Through Skills and Employment*

Expected employment or other status after release	One year re-offending rate	Number
Paid job to go to	45%	1,105
Training or education to go to	56%	282
Looking after home or family	53%	53
Long-term sick or disabled	58%	413
Looking for job or course	62%	2,683
Do not want to work or train	75%	103
Other including retired	64%	259
Total	58%	4,898 ³²

This research confirms that having a stable job is a critical part of an offender’s reintegration into society. Employment provides stability: it confers status, income, independence, inclusion and a sense of purpose. Employment also serves as a ‘hard’ outcome that can be measured as a proxy for success in reducing re-offending.

Learning and Skills and Reducing Re-offending

The link between acquiring qualifications and desistance from offending is complex. Although there is no definitive evidence on the impact of specific initiatives on the likelihood of re-offending, the National Audit Office suggests that for the general population the likelihood of finding a job increases when literacy, numeracy and skills are improved, a point made in reviewing OLASS (see text box).³³

³² Source: Ministry of Justice (2008) Research Summary 5, *Factors linked to re-offending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*.

³³ NAO, *Meeting Needs? The Offenders Learning and Skills Service*, 2008

In its review of OLASS, the National Audit Office notes:

‘There is evidence drawn from the wider population that improving individuals’ basic literacy and numeracy skills increases the likelihood of them being in employment. There is little evidence, however, on the impact that learning and skills provision in general, other than that which aims to improve basic skills, has in reducing re-offending, and the evidence base for the particular mix of learning and skills provision for offenders that will be most likely to achieve greater employability and reduce re-offending is poor. This means that, despite the emphasis in the recent policy documents on the need to provide skills for employability, there is not a clear statement at the national level as to what the mix of learning and skills provision at each prison establishment should be.’

A narrow focus on the skills that lead to a given job may not be useful more widely – employers’ needs change, the economy shifts and the forklift truck driving qualification that two years ago was a passport to success is now redundant. But learning can transform the way people think and approach the future.³⁴ The Arts are especially important in this respect. Phil Wheatley, Director General of the Prison Service makes the point: ‘Learning and skills have a major role in making people think differently about themselves, in changing someone’s self-perception from “What I do is crime” to “I am going to be successful in society”.’ Such a shift is unlikely to happen given the current direction of travel of the SFA. Its focus on surface level learning and awarding low level and fragmented qualifications (which measure the performance of staff rather than any meaningful achievement by learners) is unlikely to lead to the sort of ‘learning to learn’ and problem solving skills that employers increasingly require.

This suggests that the purpose of prison education, to keep prisoners busy and encourage them to work towards basic certificates which may or more likely may not lead to a job, may need rethinking. Should the focus instead switch to the learning and skills which lead to employment?

³⁴ Adult Learning Inspectorate (ALI) Report, October 2006, Ofsted, *Talisman* 55

VI

What works? Case history highlights

A number of good examples of prisons working with businesses to train offenders to work in their industries illustrate some successful models from the wider prison regime. They have certain characteristics in common:

- They are directly associated with a specific job, so training is matched to a job and entirely job related.
- Training is carried out in close cooperation with employers.
- They tend also to be local and not based on a common national model.

An A4e training scheme with HMPYOI Portland for rail renewal work shows that the existing welfare to work providers (companies and organisations that provide welfare to work services) have a key role to play.

Permanent Way Renewal

Using ESF pump priming monies, A4e introduced an innovative rail renewal training programme for young men at HMPYOI Portland. Working with specialist providers, MTR Training, a training track was built within the prison walls and, during a ten week course, offenders gained industry standard skills and qualifications. They also developed generic employability skills including team working and problem solving. The trainees, the trainers, teachers supporting the course and senior staff within the prison have been overwhelmingly positive and the part that the trainers played as role-models for the offenders is seen as a key element in improved behaviours and attitudes.

Evaluation solicited a clear message from the trainees that a course like this one, focused and with significant practical elements, contrasted strongly with some of their other educational experiences both at Portland and during their school careers. Intangible benefits from working with the excellent trainers helped overcome issues such as a lack of positive male role models in the prisoners' lives and poor previous experiences of education and training. The specialist trainers often emphasise offenders' good performance in comparison to people they train outside the prison, which boosts participants' confidence in their own abilities.

The Resettlement Department at HMYOI Portland helps the trainees to identify rail employment opportunities through contacting agencies directly and through the internet. However there is still a pressing need for more focused support for the trainees as soon as they leave to ensure that they make the transition from custody to employment on the rail system as smoothly as possible.

The PICT Academy: The example of the Prison ICT Academy which works with Cisco to equip offenders with an ICT qualification shows innovative partnership which succeeds for offenders and employer alike.

PICTA

Prison Information and Communications Training Academy is a partnership between the Prison Service and Cisco systems. PICTA has some 20 workshops within prisons delivering recognised ICT qualifications. The aim is to provide prisoners with an opportunity to follow an individual vocational study programme in a modern vocational skill, providing opportunities for employment in a growth market sector – computing. HMPs have also started to develop industries alongside the PICTA workshops where prisoners with the relevant qualifications can diagnose, repair and upgrade IT machinery. In a recent development at HMP Wandsworth, in partnership with Bovis Land Lease, Cisco Systems and Panduit, the Prison Service has introduced a sponsored PICTA workshop to train prisoners in voice and data cabling. Bovis will visit the workshop during training to develop an employer/employee relationship with prisoners and successful prisoners will be offered employment as soon as they are released.

Get Training: A scheme with HMP Spring Hill trains offenders to work in the Gas servicing industry. It equips them with qualifications that can lead to eventual CORGI registration, and shows that training aimed at a specific job can work well.

Training for the Gas Industry

At HMP Spring Hill (an open prison) there was an old boiler house that needed total refurbishment to enable it to be used. Spring Hill could not afford the refurbishment costs, so a partnership was set up with Get Training (an independently owned training company) which involved their paying for all of the materials and Spring Hill supplying prisoner labour to refurbish the building. When completed, the building (still owned by the prison) was lent to Get Training to operate as their southern area training centre. As part of the contract, Get Training would guarantee twenty places for the prisoners on the Pathway to Gas course in year one and then a minimum of forty places every subsequent year. Prisoners achieving the Pathway to Gas certificate are qualified to the required level for applying for CORGI Registration. Get Training also supply the work placement needed for the prisoners to achieve the qualification.

The Timpson chain works with the prison service in 22 prisons to train prisoners before release and offers a job interview on release. Its activities show businesses are prepared to contribute to the costs of rehabilitation and see it as an investment.

Retail

Timpson, the high street shoe repair chain, is working with 22 prisons in England and Wales. In the last year, it has taken on 40 ex-offenders, with an impressive 80 per cent retention rate. Recently it has created an ‘Academy’ in HMP Liverpool. The plan is to provide Timpson with 50 new employees a year. The Academy offers prisoners a guaranteed job interview on release providing they successfully complete the training period. Trainees must meet strict criteria of having at least six months to serve and be located on a wing with other low risk offenders to develop and maintain pro-social behaviour. The Prison Service and Timpson are sharing the costs of the venture.

The Umbrella Company in Sheffield includes prisoners in its workforce who travel daily from HMP Moorland open prison where prisoners are encouraged to work. The example shows local relationships between prison staffs and trainers and local employers are key.

Manufacturing

The Umbrella Company, an SME based in Sheffield that manufactures umbrellas for corporate clients has a third of its workforce – 17 prisoners – travelling each day from HMP Moorland open prison. The success of this arrangement is credited to the exceptionally productive relationship that has been built up between the company and prison staff. In three years, only one offender has been removed from employment for breaking prison rules. The company describes the offenders as conscientious, reliable and punctual. The fact that there are no recruitment costs to The Umbrella Company was a significant factor in encouraging the company to get involved with the prison, but it is the positive experience they have had that has made them continue.

Many of these schemes have had the benefit of a high profile launch with ministerial and press attention. But little attention has been paid to following through and evaluating their success. They appear to be limited to a handful of well known companies (Cisco, National Grid, Timpson, Travis Perkins, which work in only a handful of prisons) and do not extend to the 140 prisons in the UK. These schemes, pilots and programmes are small. Many are very good but they help only a tiny proportion of the prison population and they rarely provide any ongoing support for offenders when they leave prison. They are the exception to the system, not part of it. They are therefore not formally linked to the learning and skills delivery in the prison. What is now needed as a matter of urgency is for such schemes to be integrated across the system, that they focus on outcomes, and that they extend to all prisoners.

VII

What changes are needed? Lessons from successful schemes

Schemes that work have a number of characteristics. What changes are needed?

Active involvement of offenders in designing and evaluating programmes

Involving offenders is the first step to counteracting some of their problems – helplessness, immaturity, low emotional and social capital. The aim would be to help the offender make choices and follow through the choice. This quality characterises many offenders who desist on release.³⁵ Whilst giving voice to prisoners and offenders might be viewed as ‘morally questionable and politically dangerous’, enabling the voice of the offender to be heard within the system can increase individuals’ capacity to change and it brings insight.³⁶ It also gives the system useful evaluation data and provides a check on the jargon-driven system of ‘joined up’ working. Involving users encourages greater creativity and innovation, a more accountable service and one informed by the users. But offenders tend to be a marginalised group on account of their circumstances and punishment. Too little or no attempt is made to engage them in shaping the service they use, although they could from experience provide relevant information. For example, they could explain what led them to commit criminal acts; the turning points at which lives can change, or pinpoint the right circumstances for rehabilitation; suggest effective ways for reforming the prison system; identify the barriers to, and provide ideas for, successful resettlement. As Mark Johnson, ex-offender, writer and founder of the User Voice charity puts it: ‘Only offenders can stop re-offending’.³⁷

- *I’ve run my own shop fitting business. I could teach the men here to become dry liners or shop fitters and could find them jobs when they go outside...you could get a trainer’s qualification at the same time.*
- *Why don’t they get in some old cars? There’s enough trained mechanics among the inmates to set up a workshop teaching people vehicle maintenance and repair.*
- *You [teachers] are the system so we’re not interested but if it was ex cons doing it, it would be different...it’s about creating that initial self respect, to have a belief in yourself that you can change.*

³⁵ McNeill, F (2006) *A New Paradigm for Social Work with Offenders?* CJS Scotland

³⁶ Ibid.

³⁷ User Voice (2008) *The User Voice of Learning and Skills in Prison: a report from a series of workshops designed to give offenders a voice in the provision of learning and skills in prison*, A4e

Active involvement of employers

Most jobs in the UK are provided by small and medium sized enterprises (SMEs), which together account for 99.9 per cent of all enterprises and 60 per cent of private sector employment.³⁸ The majority of these SMEs employ fewer than 50 people and will generally not have the capacity to ‘engage’ with NOMS. A4e’s ten years plus of experience in placing offenders into employment shows that most often small businesses are prepared to give someone a second chance. They appreciate the recruitment and ongoing support service that social enterprise companies like A4e offer. By contrast, national initiatives such as the Alliance are less effective. This may be because explicit responsibility and local leadership from intermediary organisations or brokers focus on matching the needs and culture of small businesses. For example, A4e itself joined the Alliance in late 2008. After an initial exchange of telephone conversations and emails A4e has not been consulted or monitored by the Alliance, nor invited to attend any specialist community building events. So, beyond providing a ‘tick box’ example of employer involvement for Ministers Questions, that official initiative appears to be moribund.

Schemes which involve industry and business have a clear record of success. The NOMS Corporate Alliance for Reducing Re-offending was set up as an employer-based group to support rehabilitation in November 2005. It aims to bring together employers to help increase the number of offenders finding a job on release and has attracted over 400 organisations (including training providers and private prison builders), many with an interest in the justice arena and who have made clear their desire to support training initiatives.³⁹

Integrating the different parts: focusing on the offender

The official coordination of the different agencies is time-consuming and problematic. The use of multi-agency arrangements and local and regional partnerships has led to a range of complex relationships, with different accountabilities and responsibilities. Use of multi-agency arrangements and such partnerships with professional protocols and process have become ends in themselves – agencies feel that they have succeeded if they are talking to each other. The individual needs of offenders become lost in the process. If by contrast the resettlement service followed the offender rather than were,

³⁸ BIS (Oct 2009) Statistical Press Release URN 09/92

³⁹ The NOMS Corporate Alliance is intended to ‘... bring together employers of all sizes from the public, private and voluntary sectors. This mix of business world skills is finding ways of increasing the numbers of offenders going into jobs’. <http://noms.justice.gov.uk/about-us/working-with-partners/alliances/corporate-alliance>

as now, delineated by organisational and departmental boundaries, the focus would change. Our case management approach encourages offenders to take responsibility for themselves and for achieving their employment aspirations. Learning to learn, gaining qualifications, undertaking training, finding and keeping a job and building relationships with others are all important elements of having a positive stake in society – making it much less likely that people will offend.

Earmarking budget

The present allocation of funding is confused, unfocused on the primary aim and dispersed through numerous bodies (and their overhead). So in terms of frontline service much is wasted. A system with earmarked budget for resettlement and education programmes, based on a per capita sum which is then paid to a recognised/registered trainer to prepare the offender for a job on release through programme of education and training, has many advantages.

The savings would be considerable. Although very little comprehensive data exists, an analysis of a restricted number of case histories indicated that combining a prison sentence with educational and vocational programmes reduces re-offending by 15 per cent. That would lead to a saving of c. £20,000 per offender (but earlier figures are more) and an annual saving of £150 million per annum.⁴⁰

So, the potential savings are significant. They are unlikely to be achieved within the system as it stands at the moment. What is required is a reconfiguration of the system to ensure an explicit focus on employability. Earmarking a specific pot of money and procuring services on a per capita basis for offenders should be considered. This is the example of America Works, where payments are made on placement.

⁴⁰ The economic case for and against prison Update November 2008, Matrix Knowledge Group The potential to reduce costs is shown in a report by the Matrix Knowledge Group which studied the net benefit of different criminal justice interventions. Taking a meta-analysis approach to different interventions and studying 7,623 case histories, they found that sending someone to prison and explicitly combining this with an educational or vocational intervention reduced re-offending by 15 per cent. This would reduce the cost of crime by £19,500 for every offender and could generate potential savings against the estimated £11 billion cost of re-offending of £150 million per year.

Illustration: A4e

When A4e met Lord Carter in 2007 he emphasised the need for a scalable solution to tackle the growth in prison population – in response, A4e’s practitioners designed the Working Wing.

The Working Wing is an integrated solution that brings skills and employability into everyday prison life through social enterprise projects run by prisoners. These will be live business projects relevant to employer requirements and local economic strategy which will offer appropriate accreditation and qualification opportunities for prisoners. Within the Working Wing, a single organisation will take sole responsibility for the rehabilitation and resettlement of offenders. Working in partnership, it will provide the support, skills and employability focus for the offender throughout their journey and ‘Through the Gate’ into the community.

Offenders that leave the Working Wing ‘job ready’ will have a guaranteed interview with an employer local to their resettlement area; those who are not ready to enter employment will be referred onto relevant support programmes such as New Deal or Pathways to Work. To become a member of the Working Wing, offenders must meet agreed criteria – e.g. they must not be totally dependent on drugs; they will have between 6 and 12 months left on their sentence; they will agree to a Learning Contract/Charter; they have a skill/aptitude to contribute to the WW community; they will resettle into agreed ‘priority’ areas where ongoing support can be provided.

An initial assessment by an assigned caseworker will help to ascertain the levels of support needed for offenders against the seven ‘Pathways’ with Employment, Training, Education (ETE) being the central pathway that provides a context and motivator for the rest. Offender and case worker will then maintain a sound working relationship during the custodial period of the Working Wing. This relationship will be critical to ensuring a smooth transition from custody to community, and is one of the key features of the Working Wing. The caseworker will be available to take offenders to appointments arranged pre-release and will be available should the offender need advice or reassurance during the first few weeks of release. A similar proposal, described as an Intermediate Training Centre (ITC) has been made by the Centre for Social Justice.⁴¹

⁴¹ The Prison Reform Working Group, *Locked Up Potential: A strategy for reforming prisons and rehabilitating prisoners*, The Centre for Social Justice, 2009.

VIII

The Way Forward

The prison system was designed for punishment and the safe incarceration of offenders, while rehabilitation was at most a secondary aim.⁴² Nonetheless rehabilitation has become central to policy for offenders, with no shortage of measures or initiatives – and public funding has been built into the budget. However, as this analysis suggests, when it comes to implementing policy, the system is not successful: it suffers from fragmentation, with a number of different bodies or agencies offering different packages; from duplication and misplaced focus and often fails to cover all offenders. Some designated training packages lead offenders to register for courses or qualifications, from which many then drop out, but do not apply to a specific skill with matching job and offender. Budget is not concentrated on the frontline service – training and equipping the prisoner for a job on release. It is too often lost in the wider prison budget or overhead.

What Changes Are Needed?

These problems of fragmentation, duplication, and misplaced focus must be overcome if offenders are to be prepared for employment upon release. Two main structural changes are needed:

- Responsibility for training and education must be allocated by the government and a clear system of accountability put in place. This will make transparent the success or failure of those paid to provide this service. To move to an accountable system, we propose that the government, through each prison governor or other authority, should allocate responsibility for training to one body. That one body would be accountable for the training of each offender in each prison (or prisons).
- Success would be judged against a quantifiable measure, in particular that of whether the offender is employable on leaving prison and finding and keeping a job afterwards.
- Funds must be transparent, allocated on a per capita basis and concentrated on the ‘frontline’ service of training and educating the offender and preparing them for a new life after prison. The funding allocated in respect of each offender’s training

⁴² Cherie Blair, *The Rehabilitation of Offenders and Prison Reform* Sheriff and Records Fund Speech London March 2008. <http://www.cherieblair.org/speeches/2008/03/sheriffs-and-records-fund-sp.html>. The problem was highlighted in March 2008 in a speech by Cherie Blair QC, who warned that the recent high proportion of re-offending - 67 per cent reconviction within two years - *would not be tolerated with similar proportions of failure in schools or hospitals, e.g. educating 30 per cent of children or failing to treat 70 per cent of patients* Blair calls for more real work for prisoners, citing the now defunct ‘Barbed’ social enterprise established by The Howard League.

should be identified in current budgets and paid as one sum to the contracted training body on the above basis.

Responsibility and accountability: The organisation appointed to provide education and training must be responsible for providing each prisoner with the support needed for different parts of rehabilitation, based on individual need. This would help with such things as tackling problems of attitude or motivation as well as providing the education and training for finding and keeping a job. The organisation would decide on and integrate different aspects of support, and be responsible for involving prisoners and employers in the training model and employment provided. Potential trainers could register for a license to operate and then once registered, be invited to bid for the training and resettlement of specific prisoners or groups of prisoners.

Funding: The per capita element for training should be paid to the one provider to provide the training. If providers are successful, the provider should be paid the full per capita training grant/sum; if they are not, they would not receive it. Such payment would allow real cost savings to the Treasury to be made. Within this 'licence to operate' we would propose a new Prime Contractor model. The first step must be to identify the public funds allocated or earmarked for education, rehabilitation and training, so they can be distributed on a per capita basis.

Consequential changes

Organizational accountability: At present, the two responsible agencies (prison and probation services under NOMS) use numerous charities like NACRO and Turning Point, small providers and a range of LSC-contracted education providers, e.g. the FE colleges of Manchester or Newcastle, which have markedly different traditions and cultures. The tendency is to protect the provider interest rather than concentrate on outcome, while the structure of responsibility is fragmented. The new model would encourage a variety of providers into the field, competing on the basis of outcomes. Competition will improve standards, provided there is a clear chain of responsibility. A single model of accountability could bring together the support needed for each offender under a single responsible body which uses the most successful organisations under its direct chain of responsibility to HMG's prison service. The model has the advantage over the present national system of being a local, individually based one, and it can serve as an example for other providers. (Above examples show how, for instance, locally based employers can work with a prison to train offenders in specific skills for local industry and employ them on release.)

Focus on employment: A successful rehabilitation and resettlement service should have two interlinked aims: to ensure that offenders are equipped with the skills and competencies to find and keep a job on release and to prepare them to resettle in the community. This may often involve raising literacy levels and providing a basic education as well as teaching a trade or how to put together a business plan. For those on longer sentences, a flexible resettlement service should give earlier access to programmes beyond Level 3 (of SNVQ) for longer-term prisoners.

Supporting the needs of the individual: Offenders often have lived chaotic lives before conviction and may have suffered from multiple disadvantages. To deal with the different problems which arise, the present system is organised on the basis of a multiplicity of agencies. Each may have different targets and Key Performance Indicators (KPIs). Changing the approach to engaging one organisation to provide the full range of services and help – advice and guidance, teaching and training for a job, preparing for resettlement – should lead to less money spent on running the system and covering the administrative or management overhead of overlapping organizations. Proportionately more should go on the action and the results or outcomes. Just as a building contractor is best placed to engage the different trades needed to get a specific building up, so a training contractor could be equally well-placed for seeing an offender through to employment. It would also give one body direct responsibility for bringing about change and for focusing particularly on changing offenders' lives in such a way as to help reduce re-offending.

In the proposed system, the individual organisation would be responsible for seeing to the roles now covered by different agencies which advise, see offenders through to release and provide support for liaising with the outside world and officials.

One model for the future:

A Personal Advisor – a case worker– is appointed by the training organization to work with offenders during their sentence and on release; to mediate with employers and landlords on behalf of short-sentenced prisoners, preventing problems that can emerge at a later date. (Around one third of offenders lose their homes whilst in custody.) The case worker role is separate from other work with offenders which would be the responsibility of the Offender Manager. Case managers would take responsibility for following through the training and resettlement programmes with each prisoner and provider; referring those known for substance abuse to treatment programmes or those with debts to a specialist advice service; helping and advising on benefits so paperwork is completed before release (Around 80 per cent of prisoners draw benefits).

IX

Returning the Marginalised to the Community: What works

Mark Lovell

Preparing offenders for life and a job after release has become an important part of government policy. Despite substantial public funding and support for that purpose, the results are lamentable. Up to two thirds of those in prison have already been through the prison system and gone on to re-offend on release. Given the cost of keeping someone in prison, the burden on the public finances is significant. Why is the rate of recidivism so high and what can be done to cut it and the costs which it brings – financial, societal and personal?

Much depends on the preparation given in prison to offenders to equip them for life and a job on release. At present this focuses on training. Those who strike it lucky with training are more likely to find and keep a job, and less likely to re-offend. This study suggests that the arrangements now in place are unsatisfactory. Responsibility for training tends to be divided between different bodies whose functions overlap. Prioritisation of training in relation to other aspects of the justice system is poor. There is little in the way of direct accountability where success should be measured by employability and reduction in re-offending. Other sectors have moved away from input measures, for example parts of the welfare to work system, where success is measured by the beneficiary getting into work and staying there.

Different Whitehall departments and agencies have a degree of involvement in the training and rehabilitation pie, with each drawing an element of budget towards overhead. The upshot is a system where NOMS, under the Ministry of Justice, has 40 per cent of the training budget and OLASS, which answers to the SFA and ultimately to BIS, has 60 per cent. Contracts for training based on inputs have historically been awarded to the FE sector and in some cases prison governors keep budgets and provide training in-house. This results in a dearth of practical skills and their development (technical and social) coupled with a dearth of advice on reintegration into society (housing, benefits, health) to help offenders to change course. There are some excellent voluntary and other providers providing training on a smaller scale.

Over recent years, a relatively small number of outside providers, voluntary groups, social enterprise companies and local employers have become involved in offender learning. This is often for a specific sector/job needing *specific* skills, and often provides the personal support needed by the offender throughout to make the transition to life outside the prison, and where possible sustainable work. This transition from prison, into the community outside and support into work is crucial.

This report proposes that the present system be opened up so that organisations with a successful track record should have the opportunity to design, manage and provide services to prevent re-offending. This includes the training budgets currently allocated but it ought also to include alternatives to prison building along with new solutions to probation and non-custodial services. In securing an opportunity to provide the service, suppliers should be paid the per capita sum allowed in respect of each offender's budget based on the outcomes delivered. This would require a number of significant changes:

- **Distribution of Public Funding** The element of public funding allocated for training/preventing re-offending for each offender should be fixed and set aside for such a purpose to be distributed to the supplier on a per capita basis.
- **The Bidding System & Awarding Contracts** The bidding system should be subject to more contestability and operate according to the principles of competitive neutrality – a level playing field particularly in relation to offering new/innovative services and pensions. Contracts for services would be awarded on the basis of proven success in supporting and training offenders and equipping them to find and keep a job on release, and reducing reoffending/conviction rates.
- **One to One Training, One for One Responsibility** There would be one accountable body to oversee contracted activity and be responsible for each offender and for every aspect of education, training and personal support, accountable to the Ministry of Justice (via NOMS) on the basis of success.
- **Payment by Results** As in some other public service markets – the welfare to work reforms are a good example – payment would be linked to success. Expert work in this area already suggests better indicators of recidivism exist and could be used to design a model based on outcomes. These could take account of reduced conviction rates for an individual rather than offender rates and lead to a new approach to training and employment. While payment should be linked to success, the model should also allow small, often local, successful new providers or companies to take part and ensure that trainers had the same opportunities in training a range of offenders. This would not only allow a new approach to reform, but would also bring a practical approach to promoting the policies recently announced by Kenneth Clarke to reduce the proportion of offenders in prison.

LIST OF ACRONYMS

BIS – Department for Business, Innovation and Skills
CORGI – Council for Registered Gas Installers
DfES – Department for Education and Skills
DIUS – Department for Innovation, Universities and Skills
ESF – European Social Fund
ETE – Employment, Training, Education
FE – Further Education
GDP – Gross Domestic Product
HMPS – Her Majesty’s Prison Service
HMPYOI – Her Majesty’s Prison Young Offenders’ Institute
KPI – Key Performance Indicator
LSC – Learning and Skills Council
NOMS – National Offender Management Service
NVQ – National Vocational Qualification
OBP – Offending Behaviour Programmes
OECD – Organisation for Economic Co-operation and Development
OLASS – Offenders’ Learning and Skills Service
PICTA – Prison Information and Communications Technology Academy
SFA – Skills Funding Agency
SME – Small or Medium Enterprise
SNVQ – Scottish National Vocational Qualification