



**A SERVICE USER RESPONSE TO
THE MINISTRY OF JUSTICE'S
GREEN PAPER,
BREAKING THE CYCLE,
FOR A4e**

INTRODUCTION

This report outlines the findings from two focus groups held with current serving prisoners and offenders with experience of community sentences. The consultations were designed and facilitated by User Voice with the aim of seeking the views of participants in response to the Coalition Government's Green Paper, *Breaking the Cycle*. These will be used to inform and assist the response submitted by A4e as part of the consultation process.

User Voice was founded in 2009 by Mark Johnson and is led and delivered by ex-offenders. It exists to reduce offending by working with the most marginalised people in and around the criminal justice system to ensure that practitioners and policy-makers hear their voices. It is well placed to gain the trust of and access to people involved in crime or who have direct experience of the criminal justice system as offenders and prisoners because we are led and run by people who have experience of the problems we are seeking to solve. Its work aims to deliver a powerful rehabilitation experience for offenders, better criminal justice services and institutions, and more effective policy.

METHODOLOGY

The focus groups were facilitated by User Voice staff who themselves have experience of the criminal justice system; each group followed the same programme:

- Introduction: a description of User Voice; the aims of the consultation; what the participants were being asked to do and the potential impact of their participation.
- Disclosure: by the User Voice staff members outlining some of their past offending behaviour and how they navigated into successful living.
- Discursive workshop: designed to gather participants' responses in answer to a range of questions as set out below.

The group in custody was selected by prison staff and those in the community were known to User Voice through other projects and invited as a result of their experiences of community payback. All the participants had the opportunity to withdraw after the introduction stage if they wished. Twenty one people took part.

The two focus groups were specifically designed to involve 3 distinct groups of people:

1. Those who **don't** engage with services
2. Those who **do** engage with services
3. Those who **have** engaged with services

This categorisation of participants is an important element that is often overlooked. Each group of people has important information that they can give about their experiences, but some can give a greater overview than others. For example, those who have engaged and are now living successfully can describe what worked in their rehabilitation, whereas those who don't engage can give insight into why they don't but not on successful resettlement into the community. Being led by ex-offenders User Voice is able to access all of these groups, where others may struggle.

CUSTODY—BASED GROUP

How could we increase opportunities for offenders to participate in learning and employment in prison?

What would need to be restructured or reorganised?

Increase the choice and accessibility of learning and employment opportunities available:

"From the courses they offer there is only 10% that you can actually do, the rest of them you cant, so how you gonna be rehabilitated back into society and work and do something that you want to do."

Offer training and employment opportunities that will give prisoners a better chance of gaining employment on release:

"Level ones and twos in bricklaying and carpentry ain't gonna get you far in the real world."

"Give them a trade. If there gonna be in here for 3 years they can do a full time apprenticeship, then they can go out and get on a site."

"Years ago you use to have trade qualifications in jail like plumbing but since the prisons have privatised you got industry within the prison community like DHL. Because they want people to work in the prison for minimal wage rather than learn a trade that's gonna give them the skills to help them when they get out."

"People with bigger sentences they should be offered proper trades like plumbing, electrician. Like me I'm serving 9 years and that means I'm in here for 4 and a half years and that amount of time I could have learnt to be fully qualified electrician or a fully qualified plumber, there's so much I could have done. None of it is on offer to us."

Ensure that prisoners are given adequate information and guidance:

"More information and more feedback to the prisoners, like what courses are actually available and you go to do the courses they say there's no funding, no this, no that. Then you're prepared to fund it yourself, you do a disclosure, it builds up your hopes and then they turn around and say you can't do them."

Incentivise the more constructive opportunities to ensure that those who really want to engage are the most motivated and make sure that they are standardised:

"You know the jobs within the jail as well it should be incentive based. They should put in a system that where you can get a job, if it means you've gotta push that little bit harder to get a job, you should get more money and if

you wanna be lazy and clean the landing or sweep the floor give you minimum wage. So if you've got a little bit of drive and you want to do something that pays more money and do something constructive they allow you to do so."

"The wages in all other prisons are different. Why is that?"

What would 'real employment' look like?

'Real employment' was seen by many as creating meaningful opportunities for work in the community through release on temporary license:

"Here everything is geared around getting ROTLs and going out, and you got 'through the gate' people but you have to jump through hoops. You have to jump through so many hoops to get through the gate. When I came here I was told you can apply for ROTLs within 2 weeks, get here and they say its 3 months and then after 3 months of applying, you've got 6 weeks waiting time. So by that time my sentence is up. I can't do nothing. I'm sitting here doing nothing."

"In other open prisons 80% of the people are working outside and have got jobs. Here they knock you back for any little thing and if you wanna get rehabilitated and go back into society and get back out there, you ain't doing it."

And 'real employment' equalled a real wage:

"I'm doing full time education cause I resent to work for £8, I'm not gonna go to work for £8, I prefer to sit here and do education, because I've got my own business on the out so working for £10 a week is wrong. I know loads of people here saying the same thing, how can they expect us to work and do work for £8."

"All wages to be the same, why should some get more?"

"Being able to save some money for when I get out."

What would provide an incentive to better engage with learning and/or employment?

A greater choice of more meaningful learning and employment opportunities and do so in consultation with prisoners:

"More options of things to do, because here you can get to education or employment or you can go work in the laundry, or work in the print room. People don't wanna do them kind of things. In other places you can do plastering, all these different things, wood work. Here you can't get into carpentry for a couple months and if you wanna follow up on a qualification what you've done, you can't. There is no incentive, the only way you can incentivise people is give them opportunities that we want, ask us. Instead of all these Governors sitting down with a piece of paper writing down we think this, we think that."

"They got contracts with outside people, they get cheap labour with the prisoners, at least give us other benefits as well to work to, give us opportunities for ourselves so we don't re-offend and come back to establishments."

Provide prisoners the opportunity to earn a real wage from the work that they do:

"The laundry department in here, as far as I hear, earns millions. It does the laundry for all the jails."

"I work in the print shop and they sell those mechanisms in Wickes and B&Q, then they say they ain't got no dough."

By linking achievements in work or education to reduced sentences, prisoners would be incentivised to better engage:

"In America they give you incentives like you can do this course and you get out early as long as you do good."

How do people feel about the idea of earning a real wage with deductions being made for victims or families, and to contribute to the cost of running prison?

Many highlighted that they were already paying their debt to victims through the loss of liberty in prison or had done so as part of their sentence:

"Don't you think we are paying our debt to the victims by being here? "
"My victim was the government; they're after money off me on confiscation. They took about £400,000 off me, that's been paid back. So if I come here and I worked on a scheme like that why should I have to pay more money? I've already paid my victim."
"If for instance you got done for ABH, or GBH victims get money anyway – compensation."

Others thought it would depend on the size of the contribution:

"It would depend on what sort of contribution you're looking at, if you offer me a job and say well, you're gonna get £1500, we're gonna take £1,000 because we feel that should be your contribution, I'm gonna tell you where to go, I'm gonna say stuff your job."

Some were positive about the idea of contributing to the running of the prison:

"I would like to make a real wage but, I wouldn't have a problem paying the upkeep of the jail."

What stops you participating in learning currently?

A lack of courses that are relevant to getting employment on release and available funding to do so:

"Something that will benefit the prisoners when they get out cause some are gonna go out pot less, in a bail hostel. Start at the bottom and work their way up, feeling down, got nothing to offer plus you couldn't get a job as a road sweeper because of your criminal record."

"Like myself I've been in prison a long time. I've done over 45 courses. I've done my English A-level, counselling course, a petals course. I intend on getting a degree and in having all these things I won't necessarily get the job I want to get into."

"It's always about not enough funding."

What could be done to better engage employers or support people into work?

Provide employers with information about the criminal justice system:

"Give training to employers, employers know that there's certain categories. They then need to educate them selves so they know that someone has been in prison for 12 months has done x amount of time for an offence, or educate them more on people's crimes."

Set up agreements with employers, potentially as part of public sector contracts, to create opportunities for prisoners on release:

"The government is willing to pay the private sector to do certain things. Why can't they pay or have some sort of agreement with employers? Because what's the point of having computers in here and giving us CLAIT and CLAIT Plus and giving us all these other courses to do if we're not gonna able to utilise it. It don't make no sense for us to go out and have a cleaner's job it's point less."

How might prisons be re-structured to provide better employment and skills opportunities?

Involve prisoners in their sentence planning, in which they are given independent advice and guidance with realistic goals:

"A proper sentence plan, going to see someone that understands what you want, properly, they don't want to put you in something you don't wanna do, putting you into this course. Asking you what you wanna do and set up a plan, a decent course or plan aiming towards something that's realistic to you, and they're not gonna knock you back because you're a criminal, and they're not gonna knock you back because you've got a criminal background. Something you could work at getting and maybe you'll be able to sort yourself out instead of getting useless qualifications that ain't gonna get you nowhere."

"Each person as you come in gets pre sentence reports done, maybe before or after that they ask you what you interested in, what you wanna do and stuff. Work with the person rather than trying to work off all of us, trying to make money."

"We wanna be talked to and listened to. They don't care whether you got home leave tomorrow, you try and put in application about this, no-one gives a shit. That's how everybody feels, they need to have something in place where it's some outside rather than have the prison try and sort you out get someone independent trying to sort it out for you, so you've got someone who cares who's looking at you as a real person and thinking about what you need like your family, where you gonna live when you get out, things you've got up to in the past, and what you gonna do when you get out and then you could work towards getting somewhere proper to set you up."

Enable prisoners to reach a higher level of education and standardise provision throughout the prison service:

"You can only go to literacy level 1 and 2 here and that's it. You come here and you have to work in laundry or print shop or kitchen. You have to be there for 6 weeks before you can apply for anything else whereas in other places you say you know what I wanna do education full-time and you can do education full-time. If you can't read and write you can go on and do A-Level, gain literacy and gain a degree, there's only a certain amount you can do here."

Provide links to outside employers:

"In the prison I came from there's a course that you can do, where you can work on the railways and then you have a job on release. All them kind of things there gives you incentive. Now if I was working outside I'd go to a job and they've got you on a month's trial basis I'd still be getting a normal wage."

How can we make it possible for more prisoners to make reparation to victims and communities?

Do you want to?

Many didn't want to as they thought they were already doing so through being in prison:

"That's what I'm here for. We are here because we have sat in court and we have been told we have done wrong and taking the pain of losing time with your missus, your kids, your family and that's your penance. That's your 'if you do the crime, you've got to do the time, that's what they tell us so why go out and pay these people again. Why?"

"You see you said make amends and all that yeah, I ain't killed no-one. I stabbed someone 4 times and they've given me an IPP, I have no date of

release yeah. I've been in 5 years now and I have no date of release, what more do they want from me to be paying back."

Many others highlighted that it was not only in prison that they made reparation but also through the lifetime of stigmatisation and discrimination:

"Without the help of people to turn your life around you're either treated as an ex-offender or an offender. The problem is you're treated as an offender even when you get out, not as an ex-offender."

COMMUNITY BASED GROUP

Community Payback/Unpaid Work: the government wants to make it more 'rigorous' and 'demanding'

Are community sentences a deterrent?

The consensus was that community sentences were not a deterrent, with a number identifying that it was because it didn't treat the underlying causes of offending behaviour:

"No, it doesn't really work in my experience. You can't impose something like that on people that have problems with getting the root of the problem."

"They need to ask people why they offend."

"Need to get to the root of the problem; community service is not the answer."

Are they easier or harder than prison?

Most thought that community payback was harder than prison:

"Prison is a piece of piss."

"Yeah prison is easier."

"In prison I got gym, education, sports, and athletics. People think prisons hard but it ain't, I ain't got no children."

Some thought community payback was easier:

"With community service you're out, you get to be with your family and if you want something you can get it but prison is not the place for me. It's useless, waste of time and I don't want my son to come and see me in jail so I say community service is easier."

Others said that it didn't matter which was harder or easier. The focus should be on which was most effective in reducing reoffending:

"Prison or community service doesn't work. We need other things that will work, but stop us from going to prison and community service."

"If there was a job at the end of community service it would work, an incentive."

What could Probation do to encourage better attendance and respect for staff?

Treat offenders with dignity:

*"Don't talk to you like a child."
"Have respect for us and we'll have respect for them."
"Stop the stereotyping."*

To encourage better attendance, probation should be more flexible:

*"Set appointments for convenient times for you."
"Work with us rather than dictate to me."*

Are supervisors too strict about rules or too lenient?

Responses were very mixed as it depended on the individual:

*"It depends you can get some that talk to you like shit."
"Depends on who you get, some are too strict and some are too lenient and don't care."*

Some were seen as lenient:

"Too lenient because they're scared."

And others too strict:

*"They're rude and disrespectful."
"They talk down to you."
"Some threaten you with breach."
"When they see you making friends they split you up."*

If placements were more 'interesting' would people be more likely to attend?

In general the consensus was no, because:

*"I'd still be losing money missing work."
"Community service does not work full stop."
"Even if you had a job, you don't want to work for free."*

Would you prefer placements four or five days a week, rather than one day a week?

Many said no because it would prevent them from doing other things:

*"No way, because it stops me from doing other things I have to do."
"No, I wouldn't be able to make any money."
"I do 4 days a week and it's too much."*

Although some did agree with the proposal:

"Yes, because I would get rid of the hours quicker."

Is it better when you attend a single placement over a long period of time, or new placements every time?

Everyone agreed that single placements were better over a long period of time because:

*"You get to know people and make friends."
"If you don't like it, it is possible to change."*

Does the threat of breach or being returned to court mean you are more likely to comply?

Generally breach was not seen as a deterrent:

*"No, cause they want to scare you with breach."
"I don't respond to someone threatening me."
"Being breached does not mean going to prison."*

How would you feel if you had to work on a placement on your street or estate?

Responses were mixed. Some saw the benefits:

*"That would be great as I could go home for some food."
"I think it's good because my friends would have been on community service themselves so there's nothing to feel ashamed about."
"Its good as my mum would probably say your 'you're doing something with your life'."*

But others highlighted problems:

"Embarrassing as I don't want my friends and family to see me."

Is community payback better than prison for allowing you to give something back?

Some agreed that community payback enabled them to give something back:

"Community payback because you're giving something back to the community."

However, although many said that it had the potential to allow offenders to give something back, the fact that it was generally not meaningful meant that it didn't fulfil this role:

"None of them as they're both a waste of time."

"You're not giving anything back with community service because you're not doing it from the heart but because you have to. You only give back when it genuinely from your heart."

How could we improve community payback?

It would be improved by being incentivised:

*"Give incentives for doing it."
"Get paid for doing it."*

Allowing offenders more say in the activity they undertook:

"Make it more interesting like allowing people to choose placements."

And by staff having the expertise to teach and not just oversee offenders:

*"Get experienced staff as a majority of staff don't know what they are doing."
"Make it a work placement where you learn new skills."
"Tutors that know what they are doing and can teach you."*

How can we make community sentencing most effective in preventing persistent offending?

Imagining you're on an Unpaid Work order, what is going to help you avoid re-offending?

Most said that it should seek to address the underlying reasons for offending:

*"Counselling."
"Someone helping me get to the root of my problems."
"Support from relevant agencies."*

But a minority said that it did not have a role to play in stopping offending:

*"Nothing, as I need to be the one to stop it."
"Community service is not going to help."*

Would community sentences – if they were made more intensive, such as having to attend five days a week – be a good alternative to a short prison sentence? Or is that less of a deterrent?

All agreed that more intensive community sentences would not be a good alternative as they would reduce compliance:

*"No, because people wouldn't go."
"There would more breaches."*

Apart from Probation, who else do you think needs to be involved in providing rehabilitation or supporting you to deal with the issues that are leading to you offending? Should it be GPs, police, organisations that help people find work?

Two main groups were identified – businesses and charities:

*"Bankers."
"People from small businesses."
"Business men."
"Charities that can support your needs."*

How could they help?

The main roles of these two groups were to:

*"Offer work placements where you learn new skills that help you find jobs."
"Look at helping you treat the reasons why you offend, like drugs."*

Would you be less likely to not attend an Unpaid Work placement if you knew that breach action would mean you could be sent to prison for a longer period than you would have received at court?

Generally this was not seen as a disincentive:

*"No as don't like being threatened."
"Doesn't solve what is wrong with community service."*

Co-commissioning

How would you feel if the court mandated you to attend 'Work Programme' as part of your community sentence?

All of the group said this was a negative thing:

*"No as if was did not attend and this had impact on benefits that would only lead to poverty which equals offending."
"I wouldn't like it as being forced to do something."*

If you could find employment, do you think you would offend?

Most thought that finding employment would stop them from offending:

*"No, because I would be earning money."
"No, I wouldn't need to."
"No, as I would have money and also be using my time up so less time to get into trouble."*

But others recognised that there were other factors:

"Yes, because I still have my underlying problems."

What kind of support would a Work Programme provider offer, to best help you into work?

The group highlighted two broad areas of support, including addressing the root causes of offending:

"Help with drug and alcohol problems."

And providing small amounts of money to aid the rehabilitation process:

"Money for clothes, for interviews."

"Help with paying my rent for 2 months until I get on my feet."

"Financial support with travel for a couple of months when I've found a job."

ALL GROUPS

Rehabilitation

If the court was able to ensure that along with a sentence, you got a range of support – like drug treatment or help getting a job, would that help? Should it be made mandatory, as part of your sentence, or voluntary?

Most identified that this would help, but that it should be voluntary:

"Yes voluntary, you need support with underlying problems."

"Yes, to get a job as this may reduce offending."

"Voluntary as you need to be ready for support."

If it was voluntary, what would need to happen to ensure you continued to participate?

Incentives ranged from financial to the opportunity to treatment with ex-offenders who could offer advice from their own experience:

"Incentives maybe financial or opportunity to get paid work for a set period of time."

"Support that looks at underlying issues from people that have experienced them."

Rehabilitation of Offenders Act

How should this be reformed to better help you find work and reduce stigma?

Those in custody highlighted that their sentence was the punishment, not the lifetime of disclosure and the impact this has:

"Basically, like I said, I'm serving 9 years so when I get out I got 4 and a half year license. I accept the fact that I'm on license but my conviction will never be spent, I'll always have to disclose it. They should do it until my license finishes after that point my conviction is spent. I've served my whole 9 years, 4 and a half on license, 4 and a half behind the door. I've spent my whole sentence so why is it that I still have to disclose it after that point in time? It shouldn't be like that, once you've finished your sentence, all of it, that should be it."

"That's what the judge said you have to serve, not your life, it should be over and done with."

And they thought that in this case they should be treated equally like other groups that face discrimination:

"They should have Equal Opportunities for ex-offenders just like they got in the communities for gender or race. They should have the same thing for ex-offenders because a lot of prisoners are just general people."

Others in custody said that there should be opportunities for them to undertake meaningful activities to enable them to show that they had addressed their offending behaviour and therefore not have to disclose their criminal record:

"What's the point of doing this course again – crime awareness, victim awareness and drug awareness? It's pointless because if you're doing these things it's for the prison to tick boxes but it's not beneficial to me because I can't go on street with it and say look what I've done. It's not beneficial and they're not taking notice of it so I might as well do what I wanna do, have a mobile phone, smoke whatever, live my life how I want to live and get out because if you're solely gonna go off what I've done in the past then it's pointless me trying to behave myself now then."

In the community group, participants said that it should be fair and proportionate to the crime:

"Records should be wiped after a set period of time not matter what sentence you received."

They suggested the idea of an appeal system:

"If you stay out of trouble you should be able to get you record cleaned through some sort of appeal especially if you work."

They highlighted that employers needed to be educated about how to use a CRB check as they were being requested when the job role did not need it:

"It should only be used if really needed as now days everyone asks for a CRB even if the job is not putting others in risk."

And they said that the system should enable CRBs to identify positive measures that people have taken since their sentence, not only highlighting their past mistakes:

"We can't move on from our past if always comes up every time apply for a job what I done 10 years ago shouldn't be used to judge who I am now."

Do you understand the ROA, and disclosure?

In custody most of the group did not understand the ROA and disclosure, whereas in the community they did:

*"No, please explain."
"No, I've got no idea."*

*"Don't know what you're talking about."
"Yes but it's unfair."
"Yes but to get a job you need to lie."*

What can be done to support family relationships in order to reduce reoffending and prevent intergenerational crime?

How could we help?

In prison, the group identified problems with visiting arrangements as a barrier to maintaining positive family relationships:

"You see the visits in here, you go to book a visit, it's constantly full up all the time. Then you got people saying certain Saturdays you can't have visits with vulnerable prisoners, so you can't bring your kids and your family around these."

"They've just brought out a new policy in this place where before you all have to sit at the front of the desk in front of the officers and they're not allowed to move from they're chairs so they all have to sit on they're chairs and their guests are allowed to move but they are not allowed to move. It makes a lot of people feel uncomfortable."

The most common response was the need to ensure that people are located in a prison as close to their family as possible:

"The solution is to put people where they're from. For instance I'm from London. I don't receive no visits and the majority of money I'll be spending is on phone credit to ring people and everyone ain't got a house phone and won't be at home."

"Put people where they're from so it easier for them to have family relations."

"To be honest I'm not from a rich family, I feel guilty telling people to come and visit me and it's so far and if you parents work, that's a whole day away from work."

"They have to have money for food, travel, it's not easy. I can't even tell my family to come down for a town visit. It doesn't make sense."

Should families be more involved?

Ideally most said that families should be involved, but that it should be assessed on individual circumstances:

*"If you've been to prison 10 times, they get fed up."
"Family, children and parents should be considered when they're making decisions and should take them into consideration when they're making decisions like what career you should be in, what prison you should be allocated. I can't get my tag and I got my mum's who's elderly trying to run my business and they're like we don't care you're in prison, they say they wanna say what family involvement should we have but they don't take into"*

consideration peoples families. We're serving a sentence but so are our families."

"No, as I may not want my family involved."

"It depends on the family and circumstances."

Others highlighted that it could actually be counterproductive to involve families:

"It depends on the family as some families are involved in criminal activity."

"No as my family were the problem."

Would working with your family make you less likely to reoffend?

Some highlighted the positive impact that their families could have on their decision making:

"Your family will tell you when you're making a silly decision or will tell you if you're doing something wrong. When you're out there on your own you make silly and messed up decisions. When you're working with your family and you've got your families involvement they tell you, they give you another point of view. They tell you don't do that it's stupid and will lead to trouble. Yeah, it might benefit you."

But again others highlighted the destructive impact some families can have:

"Depends on individual and the family."

"No as if weren't for family members I wouldn't have become addicted to drugs and into crime."

What kind of support do you think would help?

Two main issues were raised, the need for family support to be assessed on an individual basis:

"Assess what is needed on an individual basis and if family need to or want to be involved."

And the involvement of ex-offenders to provide positive role models and a narrative of success:

"Use people that been through criminal system to educate younger ones."

KEY THEMES

Throughout this consultation a number of key themes emerged:

1. Need for **greater range and choice of opportunities** for education and employment.
2. **More meaningful** opportunities, either in prison or in the community, such as learning a trade.
3. Need for provision, especially community payback, to **address underlying issues** of offending behaviour.
4. Need to **incentivise participation**, either financially or with meaningful activities.
5. Establish **links with employers** and to **educate** them about ex-offenders and the use of CRBs.
6. Earning a real wage was welcomed, but most thought that the **sentence was their payment** to victims.

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