

## Re-offending and Probation: policy positions re-evaluation

### Purpose of Report

For direction.

### Summary

At its last meeting, the Board was asked to review the policy positions that were published in Going Straight (2005) to ensure they remain relevant in light of developments in the field of reducing re-offending and supporting councils' community safety teams in these areas. This report outlines the developed position in response to the comments and actions made by the Board.

**LGA Plan Theme:** Championing climate change and local environments

### Recommendation(s)

**That the Board**

- (a) Endorse the statement in Appendix 1; and**
- (b) consider whether the SSC workplan should be adapted to incorporate further officer work.**

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## Re-offending and Probation: policy positions re-evaluation

### Background

1. At two previous meetings of the Safer and Stronger Communities Board (SSCB) members were asked to consider the LGA's policy positions on re-offending contained in the 2005 document *Going Straight*.
2. The amended policy position statement is set out in appendix 1. This is based on the proposals in the paper and members' comments from both boards in September and November.
3. A background (appendix 2) has been added, which provides detail on some of the current challenges around re-offending, in reference to asks and comments from members.
4. A section that showcases good practice from local authorities who have supported offenders upon release has also been added to appendix 2.
5. In discussion at the September meeting, the Board asked whether local authorities are involved in the Ministry of Justice Prison Leavers project. As far as officers have been able to ascertain they are not. The project has now closed and the learning has been cascaded down the department.
6. The Board also suggested exploring international examples of approaches to reduce re-offending and so officers have created a section in appendix 2, that looks at the Norwegian Criminal Justice system/model in detail. Officers were in contact with the Norwegian Association of Local and Regional Authorities (KS – 'Kommunesektorens') who let us know that there was a [recent agreement between the KS and the prison system](#), though this agreement has been terminated. Colleagues from the Norwegian LGA also notified us that the Correctional Service was recently criticized by the Norwegian National Audit Office, so their officers were uncertain about how well Norway is doing in reducing re-offending.
7. Officers were asked to bring back a developed position following Members comments in the September board, as follows:
  - 7.1. the need for mental health to be factored in, particularly in the drug and alcohol treatment section.
  - 7.2. Add gambling to the drugs and alcohol section.
  - 7.3. The Home Office's involvement in probation services with local authorities is different in different areas – could this be picked up as part of Community Safety Partnerships, or an area to look at in devolution?

- 7.4. The need to acknowledge recruitment and retention has worsened, particularly for probation officers.
- 7.5. Accommodation – where the probation service and the Ministry of Justice house people affect the chance of reoffending (this is covered by the Community Accommodation Service (CAS) and falls under the LGA’s Local Infrastructure and Net Zero Board).
- 7.6. Add in the effect of neurodiversity on reoffending following the 2021 review into neurodiversity and the criminal justice system.
- 7.7. Explore what works internationally, such as in Norway, around restorative justice and how local authorities are involved.
8. Officers were asked to bring back a developed position following Members comments in the November board, as follows:
  - 8.1. Raise awareness of local authority best practice in reducing drug-related misuse and offending e.g. Project ADDER (Addiction, Diversion, Disruption, Enforcement and Recovery).
  - 8.2. Add in the impact of speech-language communication needs (SLCN) on re-offending.
  - 8.3. Consider what can be done around drug misuse in prisons.
9. Two additional actions arose from the November board meeting:
  - 9.1. Officers to pick up with the Children and Young People Board regarding youth offending and speech and language capabilities in the development of the policy position.
  - 9.2. Officers to consider if addressing drug misuse in prisons can be further explored.
10. Officers contacted colleagues across the LGA including the Community Well-being (CWB) policy team for some more information about substance misuse and mandatory drug testing in prison. In response, officers were made aware that the LGA does not hold a view on mandatory drug testing. The policy positions under the ‘substance misuse’ section have been expanded to reflect some findings from the [2021 Dame Carole Black independent review of drugs](#).
11. Officers also contacted colleagues from the Children and Young People’s (CYP) policy team, as well as the LGA SEND Improvement Advisors. Together with the CYP policy team, a new position on the youth offender population was developed in appendix 1. Officers were also directed to the 2021 [joint policy position paper](#) by the LGA, ADCS (The Association of Directors of Children Services) and AYM (Association of Youth Offending Team Managers) which included findings around SEND and SLCN in the youth justice system. The key lines from this paper have

been added to the policy position under 'education and employment'. The LGA SEND improvement advisor suggested including an ask in the policy positions around custodial time to be used for a formal diagnosis of neurodiversity. This proposal would need to be taken to the CYP lead members.

## Proposal

12. A general section has been added that reflects the points made by community safety practitioners when consulted earlier this year, as set out in the previous paper and points made by members. This section has been expanded to create a summary of the key positions that impact reoffending, set out in Going Straight.
13. The education and employment section has been expanded to include the impact that SEND has on offending, in particular in the youth offending population. The section also includes LGA's response to the government's 2021 SEND review, including its proposals that the government should consider.
14. The 'individual support' section has been expanded into four different sections to cover mental health, substance misuse/alcohol addiction, neurodivergence and gambling.
15. A new section on youth offending has been developed, which reflects the LGA's responses to youth offending, and positions on SEND and SLCN as set out by the 2021 joint paper from the LGA, ADCS and AYM - ['A youth justice service that works for children'](#).
16. Appendix 1 also includes a reference to the LGA's position on the end of Friday releases reflecting a media response signed off by SSCB lead members in 2022.
17. Consequently the new draft of the LGA's positions now takes account of member comments set out above with the exception of the comment in paragraph 7.3 which it has not been possible to progress to date.
18. The SSC team has not secured an NGDP graduate trainee beyond March 2024 and the resource devoted to this project will cease at that point.

## Implications for Wales

19. Officers have been in contact with the WLGA about a recent [news article on the increase in homeless ex-offenders in Wales](#), who have told us that a Post Custody Accommodation Working Group has been set up by the Welsh Government with the purpose of:
  - 19.1. develop policy relating to people in or leaving custody and to support legislative reform aimed at ending homelessness in Wales;

- 19.2. develop approaches and services to support or complement new legislation (i.e., revised guidance, pathways, MOUs, etc); and
- 19.3. identify and propose ways to address current barriers to resettlement.

### **Financial Implications**

20. This work will be resourced from within the existing work programme for the Board.

### **Equalities implications**

21. Re-offending and probation are policy areas which necessarily deal with vulnerable and often marginalised residents. Therefore, any equality implications will be considered throughout this re-evaluation.

### **Next steps**

22. Members are asked to:
  - 22.1. endorse the updated policy positions.
  - 22.2. consider whether the SSC work plan should be adapted to incorporate further officer work.

## Appendix 1: Policy positions

### Summary of LGA's position on reducing re-offending and supporting council's community safety teams

1. The key to a successful transition from prison to community is an integrated, multi-agency approach drawn from health, police, probation, local authorities and other agencies.
2. Multiple factors are significant in reducing re-offending, including access to accommodation, educational and employment opportunities, support for mental health problems (including, substance and alcohol misuse and neurodivergent conditions), as well as familial support. Many needs are co-occurring and cannot be treated as stand-alone issues.
3. Local authorities and community safety partnerships are well placed to contribute to crime reduction and should be viewed as partners and providers of services. They should have a fully funded and clearly delineated leadership role in coordinating the work of local partners in providing support to offenders returning to their communities.
4. Government involvement needs to be consistent. There needs to be stronger and clearer communication between partners working in the prisoner and probation system – particularly regarding the release of offenders into local authority areas. It would be helpful to have greater clarity from government on strategic ownership of reducing re-offending.
5. The prison service is struggling to recruit and retain staff whilst the prison population is growing. This will lead to a long-term rise in prison population and exacerbate the pre-existing needs of offenders which local authorities will be responsible for managing upon release.
6. The government should explore learning from international examples of successfully reducing re-offending, including those in which small, community-based correctional facilities that focus on rehabilitation and reintegration back into society can reduce re-offending.
7. Government can deliver safe and strong communities by giving councils the right frameworks and resources through:
  - a. adequately and directly funding Community Safety Partnerships' vital contribution to local community safety work, clarifying roles and responsibilities within the complex community safety landscape, and providing clear guidance on effective working and identifying best practice approaches.
  - b. recognising the contribution of other council services in preventative, early intervention and disruption activity that supports community

- safety and security, and investing in them accordingly;<sup>1</sup>
- c. More widely, a long-term commitment to funding public health, adult social care, and social housing properly through a co-coordinated government-wide strategy to improve the nation's health, ensure people have support for complex needs, and that people have access to a safe, secure and high-quality home.
8. Further guidance should be provided on the data that is required to be shared under the serious violence duty.
  9. Police and probation should be leading on reoffending strategies, with consistent government involvement.

## **Education and Employment**

10. Local authorities can produce adult educational programmes as well as provide cultural and recreational facilities.
11. Local authorities should consider how educational programmes and councils' role as employers can contribute to efforts to reduce re-offending. As significant employers, they may consider providing training, work experience, or employment opportunities to ex-offenders; they can also encourage other employers to do so through development and regeneration programmes.
12. Councils are well placed to support partners to provide employment and training due to their knowledge of local labour markets.
13. Those on community sentences and certain types of custodial sentences should be brought into regeneration programmes as part of local restorative, justice/reparation strategies.
14. Councils should review existing patterns of adult and vocational training courses – namely moving away from courses running primarily from September to June to rolling entries to reflect varying release dates.
15. In the youth offender population, there is an overrepresentation of children in the youth justice system who have special educational needs (SEND), but there are gaps in the current SEND code of practice meaning children in custody with an education, health and care plan (EHCP) may not be receiving the support they need.
16. The role that undiagnosed SLCN plays in our understanding of, and responses to, children in conflict with the law has long been recognised but must be brought into sharper focus in future SEND reviews and acknowledged within the criminal justice system.<sup>2</sup>

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<sup>1</sup> [Make It Local: Making our communities safer | Local Government Association](#)

<sup>2</sup> [A Youth Justice System that Works for Children - ADCS, AYM and LGA Policy Position Paper | ADCS](#)

17. The government's 2021 SEND Review: Right Support, Right Place, Right Time, acknowledges that councils are ideally placed to act as convenors of local SEND systems, bringing together health and educational partners to develop local inclusion plans. It recognises the importance of getting it right in the early years so children's needs are identified. Early identification of needs can also contribute to preventing young people from entering the criminal justice system.
18. Government should support the continued and expanding inclusion of restorative and reparative justice programmes in Regional Reducing Reoffending Plans, which are an important part of the criminal justice system, providing agencies with a low-cost, and moderately effective means of reducing re-offending.
19. International success in reducing re-offending, such as in the Norwegian Correctional Service, provides good evidence to Government for a reducing re-offending model that focuses on educational and employment opportunities for ex-offenders.

## **Accommodation**

20. Social housing provision is essential to ensure ex-offenders have access to the accommodation they require.
21. Findings from the 2021 Dame Carole Black review into drugs also highlight the shortcomings in the availability of specialist housing support (for example 'supported housing', 'recovery housing' or 'floating support') tailored to meet the specific needs of the population in drug treatment.
22. The LGA is calling for a long-term sustainable funding framework for social housing to ensure that councils have the ability to invest in and regenerate their housing stock, and to fulfil local and national ambitions of ensuring that everyone has access to a safe, secure and high-quality home.
23. The Department of Work and Pensions, the Department of Levelling Up, Housing and Communities and prisons should work more closely with local authorities and release dates need to be set in a manner that enables local authorities and partners to provide better support to ex-offenders.
24. It was also raised that the Local Housing Allowance shared accommodation rate (SAR) is problematic for prison leavers and people on probation for whom shared accommodation might be unsuitable because of the risks that they present or the vulnerabilities that they have. There is a need to consider flexibilities that would allow exemptions from SAR in specified circumstances.
25. A new statutory 'Duty to Collaborate' to named public bodies to collaborate to prevent homelessness would place less of a burden on homelessness



services alone and widen access to preventative support while encouraging partnership working across multi-disciplinary teams. This could include a requirement to collect and publish data of those who are at risk of homelessness and the action taken to prevent it.

26. Central Government needs to reflect on and utilise the drivers and levers across Whitehall to prevent and reduce easily preventable homelessness – for example, the recent restrictions on Friday releases. This will ease the burden on local authorities and allow them to more proactively and effectively meet the housing needs of ex-offenders and those in the probation system.
27. The LGA welcomes the announcement to end Friday releases of prisoners vulnerable to addiction, mental health issues or homelessness. In bringing release dates forward, this will ensure prison-leavers have enough time to access the right help and support to prevent them heading back towards previous criminal activities.<sup>3</sup>

### **Individual support for offenders with mental health, substance and alcohol misuse, gambling, and neurodivergent needs**

28. Many who come into contact with the criminal justice system have a history of co-occurring mental health and substance misuse problems, neurodivergent conditions, adverse childhood experiences (ACEs) and trauma.
29. Mental health, drug and alcohol reduction strategies and gambling addiction strategies need to be better integrated as well as have stronger linkages with wider public health bodies at a national level.
30. The role of finance, benefits and debt in reoffending needs to be better recognised in particular in preparing for the day of release, to ensure that prisoners are not released into an impossible financial position.

#### **Mental health**

31. The 2021 [joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders](#) highlighted the clear need for progress and change for offenders who have mental health problems.
32. Mental illness can trigger criminal behaviour, and affect offenders' ability to understand and participate in the criminal justice process, whilst at the same time, entry to the system can provide a second chance for those who have fallen through the gap in accessing services and treatment.
33. Councils play a key role in supporting mental health in their communities, which entails maintaining good mental health, prevention of deteriorating

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<sup>3</sup> [LGA responds to Government plans to end Friday releases to cut crime and make streets safer | Local Government Association](#)

mental health, and statutory roles and responsibilities. Mental health problems are on the increase, however, with rising demand for services and increasing complexity of needs.

34. A system-wide focus on early intervention and prevention is required. Intervening early to prevent mental health problems from developing, or to treat and support children, parents and families before problems progress is essential. This would help people leaving or within the criminal justice system with mental health problems and could help to reduce reoffending.
35. The LGA continues to call for sustainable funding for local government statutory and non-statutory mental health services, so they are on an equal footing with NHS clinical mental health services, to meet current, unmet and new demands in the community.<sup>4</sup>

#### **Substance and alcohol misuse**

36. For many drug users, engaging in treatment can be the catalyst for getting the medical help they need to address their physical and mental health problems. Getting drug users into treatment is a challenge but is crucial to saving lives.
37. Findings from the 2021 [Dame Carole Black Review of Drugs](#) demonstrate clear links between drug misuse and offending, with many who have addictions cycling in and out of prison. These prisoners are unlikely to achieve rehabilitation and recovery and are likely to re-offend.
38. Investing in drug prevention and treatment now provides benefits for everyone longer-term, including for the NHS, criminal justice and other public services and treatment for drug, alcohol and gambling addiction will reduce the burden on local authorities, NHS, social care, criminal justice and benefits system.
39. Councils want to continue working with government, local NHS, police, community groups and other partners to ensure everyone gets the support they need wherever possible.
40. There needs to be clearly outlined expectations regarding the support that the Probation Service expect from commissioned substance misuse services to deliver community treatment orders.
41. Government-funded pilots such as Project ADDER (Addiction, Diversion, Disruption, Enforcement and Recovery) have demonstrated the success of a partnership working with local authorities and other agencies in a 'whole-system response', and so should continue to be supported.

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<sup>4</sup> [LGA submission to the Mental Health and Wellbeing Plan call for evidence | Local Government Association](#)

42. The impact of drug misuse is felt acutely in the most deprived areas, and so addressing these problems is central to the government's ambition of 'levelling up'.
43. Sufficient ongoing funding for public health services, including for drug and alcohol prevention, evidence-based harm reduction, treatment and recovery is needed to ensure all councils can continue to meet their statutory public health responsibilities. This shortage of funding has led to a loss of skills and capacity in the recovery sector, not dissimilar from challenges seen in the adult social care sector.
44. Commissioners should work collaboratively with treatment providers on a cycle of at least 5 years to reduce service disruption and continuity, to bring local authority commissions more into line with NHS practice, where there is a move away from competition in favour of collaboration.
45. A holistic approach to supporting offenders with substance misuse and alcohol problems is needed. Clinical services alone cannot lead to recovery and so extra support and opportunities for drug and alcohol users to gain employment, housing, mental health care and help from other agencies is also required.

### **Gambling**

46. Gambling-related harms are now widely recognised as a public health issue which require a broad response. The [2023 Commission on Crime and Gambling Related Harms by the Howard League](#) demonstrated clear links between gambling-related harms and offending, and called for a more strategic approach across government, health bodies and criminal justice agencies to tackle the issue.
47. Whilst councils are not responsible for providing treatment for harmful gambling, there are a range of ways in which different services can support people into the right treatment and support, including embedding knowledge and awareness of gambling within existing services, giving it parity of esteem with other issues- such as alcohol or substance misuse- and setting the tone of how gambling is discussed within a local area.
48. Gambling may also be driving demand for other council service areas, including children's, family and adult social services, treatment and early intervention services, homelessness and wider housing services and financial inclusion and debt advice services.
49. Councils should ensure that frontline staff are provided with training so they can have conversations about gambling harms, raise awareness and support people to access help such as the NHS gambling treatment clinics. Councils can also seek to work with local partners and build links with support

organisations to help develop specific local referral pathways and ensure these can be accessed from across the full range of local services. This could offer crucial support to people leaving or within the criminal justice system, and could help to reduce reoffending.

50. As frontline awareness and identification of the harms that can be caused by gambling develops, councils should ensure they capture data about it, to help understand the extent of harmful gambling, impacts and costs associated with it.
51. The [LGA has produced guidance to help councils](#) to develop a better understanding of gambling related harm and the role councils can play to identify and support residents who are affected by it. This guidance also signposts to examples of effective approaches to screening for gambling related harms in the criminal justice system.

### **Neurodiversity**

52. The 2021 [Review of Neurodiversity in the Criminal Justice System](#) found that there were difficulties experienced for those with neurodivergent conditions at every stage in the criminal justice process, from their arrest to their release from prison.
53. Neurodiversity is often misunderstood and misinterpreted, and can intersect with substance misuse as well as exacerbate trauma, and make navigating the criminal justice system itself challenging.
54. Neurodivergent offenders may be less likely to comply with their licence conditions, maintain employment and engage in rehabilitation programmes, where most rehabilitation programmes are normed for neurotypical offenders.
55. The patchiness of data, inconsistent assessment and lack of understanding of neurodiversity have led to concerns over meeting the needs of offenders with neurodivergent conditions, and so better assessment, support and treatment can reduce re-offending.
56. The main recommendation from the 2021 [Review of Neurodiversity in the Criminal Justice System](#) calls for a more coordinated and cross-government approach, so that the Ministry of Justice with the Home Office, Department for Health and Social Care, the Department for Education and the Welsh Government develop an overarching national strategy, together with people who have personal experience of neurodivergence.

57. The LGA continue to call for a long-term, sustainable funding solution and workforce plan for adult social care, equivalent to the NHS, so that all those who use and work in social care have the support and certainty they need.<sup>5</sup>

### **Youth offender population**

58. Whilst there have been significant achievements in the youth justice system, with reductions in cautions, convictions and overall contact with the system over the last decade, these impressive headlines mask significant challenges in policy and practice responses that require urgent attention to divert children away from the criminal justice system.
59. The youth justice system needs to continue to focus on children in contact with the justice system as children first and foremost, rather than focusing on their offending behaviour.
60. Many of the children in contact with the justice system have incredibly complex needs, such as speech and learning difficulties, mental health needs, learning disabilities and care experienced young people are over-represented in the justice system. They therefore require a holistic, personalised response so the proposed approach to focus on personalised support for young people is welcome, as is the continued focus on partnerships supporting the young person. If needs are unmet and unrecognised, these reproduce in the adult offender population.
61. Recent inspection reports echo the concerns raised in the [Taylor Report \(2016\)](#), the [Youth Custody Improvement Board report \(YCIB, 2017\)](#) and more recent reviews about the quality of and access to, education in the secure estate, particularly throughout the pandemic. Staff shortages are impacting access and children are also opting out of education by spending more time in their rooms. Secure schools may, in time, offer a solution but more must be done to improve the current offering in custody in order to realise this opportunity to re-engage children in learning. Consideration should be given to how remote learning, now widely available as a result of the pandemic, can be used to strengthen education offers for this cohort. This may assist in re-engagement in formal learning and positively contribute to resettlement efforts for example, via participation in virtual taster courses in advance of release from custody.
62. The youth custodial estate is a significant concern for local authorities and failings in this part of the system will have ramifications for inspections of community youth justice services, particularly for resettlement.

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<sup>5</sup> [Provisional Local Government Finance Settlement 2024/25: On-the-day briefing | Local Government Association](#)

63. The [2021 joint policy position](#) paper between LGA, ADCS, and AYM outlines 35 recommendations to existing policy or practice to better align the current system with Child First principles, including closer working between the police and Youth Offending Teams (YOTs) and routinely applying rules on vulnerable witnesses to all children appearing in youth courts. In the long-term, the report proposes, that a more sophisticated, multi-agency, multi-disciplinary response is needed to support youth offending teams to deliver early intervention and prevention services that will help meet the complex needs of children in the youth justice system.

### **Supporting families**

- 64. Tailored services to children of offenders.
- 65. Authorities use their health scrutiny function to ensure families of prisoners are effectively supported.
- 66. Authorities should provide parenting, and anger management programmes within families that complement those in prison.

## Appendix 2: Key data/evidence

### International examples of correctional services: Norwegian correctional service – “[Kriminalomsorgen](#)”

1. Norway is recognised as a worldwide reference case for a successful correctional service. The Norwegian correctional service was overhauled to prioritise rehabilitation and reintegration into society and has since made significant outcomes in reducing the recidivism rate for offenders.
2. In the 1990s, 70% of Norwegian offenders went on to re-offend, in comparison to the present day where this is now at 20%, rising to 25% after 5 years.
3. An [article from the First Step Alliance](#), a US-based NGO, cites Norway as having the lowest recidivism rate in the world. It attributes this to:
4. the system of small, community-based correctional facilities that focus on rehabilitation and reintegration into society
  - 4.1 short prison sentences
  - 4.2 high levels of spending per prisoner – leading to a high level of facilities
  - 4.3 the fact that the approach has widespread support throughout the population: Norway’s citizens believe deeply that the goal of prison should be to help prisoners succeed after release, not to implement punishment - the article also recognises that the approach might be politically difficult to implement in some other parts of the world.
5. Further research into the *Kriminsalmorgen* outlines several [fundamental principles](#) that have contributed to achieving a low recidivism rate, which are the principles of normality, progression and dynamic security, alongside community-based models, such as the ‘import model.’
6. The most significant principle of the Norwegian system is the principle of [‘normality’](#). This principle allows prisoners to have rights like other citizens, such as, the right to vote, organisational rights and access to public services like healthcare, school and education. The principle also aims to resemble life outside of the prison as much as possible.
7. The second principle of [‘progression’](#), aims at helping the offender reinter the community, as the offender’s sentence gradually becomes less strict. The third principle of [‘dynamic security’](#) focuses on training prison officers to use relationship-building and open communication with offenders.
8. Another feature of the Norwegian correctional service is the [‘import model’](#). This model ‘imports’ local staff (such as teachers, and doctors), who are hired by local authorities, and then placed in prisons. The services are therefore imported from the local community and are not hired or paid for by the

correctional services. It is argued that the benefit of this model enables a better continuity in delivering services, as well as more effective multi-agency working with the criminal justice system and the welfare services to help prepare offenders for life after prison. The [2017-2021 paper](#) report from the Norwegian Government states that “the Norwegian Association of Local and Regional authorities (KS) works to ensure the best possible framework conditions for the municipal sector to be able to develop good local communities with locally adapted welfare services”.

9. Despite successes in the Norwegian correctional services, the article from [Justice Trends](#) (2018) also outlines two major challenges the system faces, which include the lack of prison capacity and the state of the prisons. The lack of prison capacity has led to a ‘prison queue’, and has resulted in renting capacity in the Netherlands, though this has been a temporary measure whilst more prisons are being built. In consequence, this has led to an increase in the use of electronic monitoring so that sentences can be executed at home in the community. Similarly, the state of the older buildings, means that that offenders have no areas where they can socialize and participate in meaningful activities, though the development of modern buildings is underway.

## Romania

10. An [article](#) from Justice Trends (2022) highlights the significant achievements Romania has made in reducing reoffending through Norwegian grants. The Romanian correctional service has seen a steady decline in recidivism with the rate decreasing from 43% in 2010, to 37% in 2021.
11. Since 2014, Romania has built a strong relationship with the Norwegian Prison and Probation Service, which has funded several projects.
12. Through the 2014-2021 Norwegian Funding Mechanism (NFM), they are implementing four projects, which aim to improve the correctional service by adopting the principles from the Norwegian prison system. The four projects that are being funded by Norwegian grants include the Correctional Project, 4NORM(-ality), SECURE (“Safe and Educated Community Undertaking Responsible Engagement”) and CHILD (Child Inclusion Learning and Development project) in partnership with the Târgu Ocna Educational Centre and City Council.
13. The Correctional Project is working to enhance cooperation with local authorities to ensure an integrated approach to specific interventions for offenders and a smooth transition from prison to the community. Based on the Norwegian Correctional Service, this ‘seamless’ approach seeks structured and enhanced cooperation between prison and probation.



## Accommodation

14. A [news article from November 2023](#) reported that the number of people who are rough sleeping after being released from Welsh prisons has more than trebled in 2022/23 – an increase of 210% from 2020/21.
15. Research shows that having accommodation can reduce the risk of re-offending by 50% but less than half (45%) of people released from prison between 2021-2022 had settled accommodation on release ([MoJ, HMPPS 2023](#); [Prison Reform Trust, 2023](#)). Research from the [Prison Reform Trust](#) (2018) into the female offender population found that women are more likely than men to lose their accommodation whilst in custody with around a third of women in prison losing their homes. Given the small number of women's prisons, women are often held further from their home—on average 63 miles, with a significant number held more than 100 miles from their home, while a common precondition to access local authority housing is a 'local connection' which can disproportionately impact female offenders. Time spent in prison in a specific area does not count as having a 'local connection' ([Shelter](#)), and so many offenders go on to be placed back into communities to which they are not local, where the risk of reoffending increases.

## Community Accommodation Service-3 (CAS3)

16. In the [2021 Prison Strategy White Paper](#), the government set out a new strategy to support offenders with finding accommodation when they are released from prison.
17. In July 2021, HMPSS expanded its accommodation services by launching Community Accommodation Service Tier 3 (CAS-3) which provides up to 84 nights of temporary accommodation for ex-offenders upon release. The [2023 inspection of CAS3](#) found that securing accommodation once placements had ended remains difficult and an article [from Shelter](#) suggests that the new scheme has not had a significant impact on reducing homelessness after prison.
18. A report from [Nacro](#) (2023) outlines that the new CAS-3 provision does not present a full solution and may simply delay homelessness by 12 weeks if other barriers are not tackled, creating the cycle of 'cell, street, repeat',
19. Research from the recent [HMPSS inspection](#) showed that as of 16 February 2023:
  - 19.1 HMPPS had accommodated 5,210 offenders, mostly prison leavers, of which 4,420 had exited the service.
  - 19.2 The most common accommodation outcomes where HMPPS has data were:

- 1,630 offenders had moved into settled accommodation (38%);
  - 1,320 offenders were either returned to prison for breaching their supervision requirements or were imprisoned for a new offence (31%);
  - 490 offenders were in transient accommodation (12%)
  - 393 offenders were homeless or rough sleeping (9%)
20. The Offenders Day of Release bill received royal assent last year, which [put an end to Friday releases](#) for those offenders who are considered vulnerable and have high resettlement needs.

### Impact of substance misuse on finding accommodation

21. A 2019 report from the [Advisory Council on the Misuse of Drugs \(ACMD\) into homelessness and drug misuse](#) highlights that treating homeless people for drug misuse is exceptionally difficult unless their housing needs are addressed at the same time. [Phase one](#) of the 2021 Dame Carole Black of Drugs outlines that recovery is much more than treatment alone, and other well-known problems such as accessing housing, employment and benefits likely will increase the chances of people returning to drugs and re-offending.

### Substance and alcohol misuse

22. An estimated one-third of prisoners are thought to have drug and alcohol problems, and 41 per cent of women and 27 per cent of men reported problematic drug use on arrival at prison ([LGA 2018](#)). From 2019-20, local authorities reported spending £623 million on drug and alcohol treatment, about a fifth of the public health grant for that year ([LGA, 2021](#)).
23. Just one-third of those rereferred for community treatment after release go on to receive it within three weeks (Black, 2021).
24. Within the Offender Assessment System, drug misuse is scored more highly in relation to predicting general reoffending, while alcohol misuse is scored more highly in relation to predicting violent reoffending ([HMIP, 2021](#)).
25. Phase 2 of the Dame Carole Black Review Into Drugs (2021) which was commissioned by the Home Office, focuses on 'prevention, treatment and recovery' and outlines 32 individual policy recommendations to increasing access to treatment and recovery support for those who misuse drugs, ensuring a high-quality package for treatment and recovery, and reducing drug demand and problematic drug use.
26. The report outlines a number of factors that affect the recovery of offenders upon release, such as the reduction in funding for treatment and recovery, and the loss of skills and expertise in the sector. Between 2014 and 2015 and from 2018 to 2019, funding for treatment fell by 17% overall, and there is

- significant local variation, with some local authorities having reduced treatment expenditure by 40%. [LGA analysis](#) reveals that between 2015 to 2023, the Public Health Grant received by councils has been reduced in real terms by £858 million (in 2022/23 prices). This has resulted in reduction in councils' ability to spend on public health commissioned services and has led to a loss of skills and capacity in the recovery sector. Most of the current treatment capacity is being absorbed by long-term opiate users (such as heroin), meaning that services for other drug users have had less investment.
27. A [study by Public Health England](#) found that Receiving treatment for drug and alcohol addictions in the community can reduce offending, with a reduction of 44% in the number of reoffenders, and a 33% reduction in the number of offences committed in the two years following treatment.
  28. In 2023, the MoJ launched the 18-month pilot programme, '[Intensive Supervision Courts](#)' in Liverpool and Teesside, which forms part of the government's 10-year drug strategy. Offenders serving community orders for low-level offences will be ordered to attend regular review meetings to check they are abiding by the requirements of the sentence. Offenders will also have access to specialist drug and alcohol treatment to help them tackle the substance misuse which could be driving their criminality. At the same time, they will receive intensive supervision from the Probation Service which could include frequent and random drug testing.

### Drug misuse in prisons

29. The [National Prison Drugs Strategy](#) (2019) outlined the three ways the UK Government would reduce drug misuse in prisons through restricting supply, reducing demand and building recovery.
30. [Phase one](#) of the Dame Carole Black Review into drugs (2021) showed that 15% of prisoners are testing positive for random drug tests, with the greatest problems being in male local and category C Prisons. A recent 2023 inspection report of [HMP Lindholme](#), a category C prison in South Yorkshire, showed that 21% of prisoners reported that they had developed a problem with drugs since arriving at the jail, and half said that it was easy to get hold of them. From 2018-2019, almost three-quarters (71%) of tests carried out on people entering prison were positive for illegal drugs ([Prison Reform Trust, 2023](#)).
31. A [2023 study into drug-related deaths in prison](#) by Middlesex University highlighted a the increase in 'spice' jail deaths and found that the substance was implicated in 62 (48%) of 129 non-natural deaths between 2015 and 2020 in English and Welsh prisons.

## **Special Educational Needs (SEND) and Speech, Language and Communication Needs (SLCN) in youth offending**

32. In 2021, the LGA, ADCS, and AYM produced a [joint policy position paper](#) which articulated the challenges facing the youth justice system, including the overrepresentation of children with special educational needs who are in care or are from Black and ethnic minority backgrounds in the system plus a crisis in some areas of custodial provision.
33. Findings from the paper show that one in four children in Youth Offending Institutes (YOIs) and Secure Training Centres (STCs) have a special educational need and/or disability (SEND), with only half that number saying they are receiving support (HMI Prisons, 2021). Almost two-thirds of young people involved in the criminal justice system have SLCNs, which are linked to lower attainment and a higher likelihood of not being in education, employment or training.
34. The paper highlights there are gaps in the current SEND code of practice meaning children in custody with an education, health and care plan (EHCP) may not be receiving the support they would otherwise get in the community. Whilst a custodial stay presents new challenges, it is also a chance to understand and meet children's needs in a way that may not have been possible before e.g. due to permanent exclusion from mainstream school.
35. SLCN can occur for a number of reasons and can exist in isolation, alongside or as part of other disabilities ([Royal College of Speech and Language Therapists, 2017](#)). It is important to note that people diagnosed with neurodevelopmental disorders, primarily Autism Spectrum Disorders (ASD) and learning difficulties will typically have some form of SLCN. There is an increased risk of SLCN among young people with Attention Deficit Hyperactivity Disorder (ADHD), Conduct Disorders, Social Emotional Behavioural Difficulties (SEBD) and dyslexia.
36. Although there has been less attention paid to adult offenders with SLCN, the Royal College of Speech and Language therapists looked into [existing research](#) into the prevalence of SLCN in the adult offender population, and found that:
  - 36.1 a project based in Pontypridd Probation Service showed that all participants had "below average" speech, language and communication abilities and revealed specific problems experienced with comprehension and expression.
  - 36.2 a study conducted in northwest England found that up to 80% of adult prisoners had speech, language and communication needs.

## Mental Health

37. More than two-thirds (67%) of people in prison surveyed by inspectors between 2021 and 2022 reported having mental health problems, with some prisons estimating as much as 70% of the population having some form of mental health need at any one time ([Prison Reform Trust, 2023](#)).
38. The 2021 [joint thematic inspection into mental health in the criminal justice system](#) put forward 22 recommendations to the government that relate to different parts of the criminal justice system (CJS), to support offenders with mental health needs. The report outlined that many with mental illness in the criminal justice system don't get the services they need which can restrict the opportunities for early detection, monitoring and treatment of health and social problems, resulting in the health needs of prison population going unmet and often escalating levels of conflict with law enforcement. The criminal justice system itself can harm people's mental health, and mental illness can affect an individual's ability to understand and participate in the criminal justice process, as well as also trigger criminal behaviours.
39. Below are the 6 main findings from the inspection:
- 39.1 there is no common definition of mental health used across the criminal justice system
  - 39.2 poor information exchange of mental health need occurred at every stage of an offender's journey in the system
  - 39.3 while staff are committed and passionate, they may need better training and supervision
  - 39.4 courts reports need improvement and more sentences require treatment
  - 39.5 whilst assessment and diversion services in police custody have improved, they need to link to the rest of the criminal justice system
  - 39.6 a shortage of good-quality mental health provision with delays in accessing it
  - 39.7 mental health provision in prison has improved but post-release treatment and support are poor
  - 39.8 cross system management and leadership need to be better

## Neurodiversity

40. The 2021 [review into neurodiversity in the criminal justice system](#) highlights that 'there is 'no universally accepted definition of neurodiversity'. It describes neurodivergence as an umbrella term 'to refer to the group of conditions that fall under the broader category of neurodevelopment disorders (NDDs).' These incorporate learning difficulties and disabilities (LDDs) which

generally include: learning disability, dyslexia, dyscalculia, and developmental coordination disorder (DCD, also known as dyspraxia); other common conditions, such as attention deficit hyperactivity disorder (ADHD, including ADD), autism spectrum conditions, developmental language disorder (DLD, including speech and language difficulties), tic disorders (including Tourette's syndrome and chronic tic disorder); and cognitive impairments due to acquired brain injury (ABI)

41. Neurodivergent offenders are likely to need additional support to undertake their community order requirements. People with neurodivergent conditions in prison face challenges with literacy, and understanding processes, which will impact their ability to engage with their licence conditions as well as maintain employment.
42. The review outlined 6 short recommendations which were:
  - 42.1 a coordinated and cross-approach governmental approach that should be developed together with people with personal experience of neurodivergence
  - 42.2 a common screening tool for universal use within the criminal justice system to be introduced
  - 42.3 screening data to be collected and aggregated to accurately assess the prevalence of neurodivergence
  - 42.4 a programme of awareness raising and specialist training should be developed for criminal justice staff
  - 42.5 adjustments made for those who are neurodivergent in the criminal justice system
  - 42.6 criminal justice agencies to work together with other statutory and third-sector organisations in a coordinated way.

## **Gambling**

43. There has been little research into the impact that gambling has on re-offending, but past research has found that gambling is a common activity whilst in prison (GREO, 2017).
44. The 2023 [Commission on Crime and Gambling-Related Harms](#) by the Howard League built on the limited evidence around the links between gambling-related harms and crime and made 18 recommendations in the final report. The main recommendation included a whole system strategic approach, in a call for a "greater central drive" from the Home Office and Ministry of Justice, together with more funding to be provided locally and regionally, to develop a treatment and support infrastructure through the police, courts and prisons, which would help to reduce crime and enable more people to access services.
45. The Commission also recommended the creation of a national board to

address crime linked to gambling – including senior representatives from the police, police and crime commissioners, prosecution, courts, probation, prisons, public health, victims’ advocates, and representation from those with lived experience of gambling-related harms related to crime.

46. The report found that:
  - 46.1 from self-reported crime among people being treated for gambling addiction, up to 65% were considered ‘severe problem gamblers’
  - 46.2 people experiencing gambling problems are 4.4 times more likely to be in prison than an average member of the population (IPPR, 2016).
47. A recent survey found that in 14 prisons in England and Wales, four per cent of people surveyed attributed their gambling directly to the reason they are in prison, and two per cent believed that their crime or lifestyle led them to gamble (The Forward Trust, 2020).
48. There was also evidence of people in prison experiencing wider problems in their life related to gambling, with 23 per cent reporting that they thought they had a gambling problem; five per cent had lost their job due to their gambling; 11 per cent had experienced relationship issues; and 14 per cent had experienced debt.
49. A 2017 paper from [Gambling Research Exchange \(Ontario\)](#), found that the risk of reoffending was higher for participants who reported a relationship between their crime and gambling compared to those who did not relate gambling to their crime. Of the 100 ex-offenders, 13% believed that there was a relationship between their gambling and their crime. Also, the risk of reoffending was higher among participants with more severe gambling problems in the past year than those with less severe or no gambling problems.
50. The report recommended that gambling screening and treatment be incorporated into mental health and substance abuse treatment programmes and that screening should include gambling.

### **Recruitment and retention challenges with prison and probation staff**

51. [The 2022/23 from Her Majesty’s Inspectorate of Probation](#) highlighted a key concern affecting local inspection grades was the understaffing at practitioner grades. In response to this, HMPPS increased the national target headcount for probation officers by a further 1,000 in the summer of 2022 to 6,160.
52. Given the latest target headcount of 6,158, there is an overall national shortfall of 1,771 probation officers against this required staffing level, a vacancy rate of 29 per cent.
53. The report notes that so far, the substantial increase in trainee probation officers has had a limited impact on overall staffing levels, and one reason for

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this is that the number of staff leaving the service has also increased considerably. In the year to March 2023, 2,098 staff left the Probation Service, an increase of 10 per cent on the year before, with the highest resignation rate of 9.7 per cent seen among probation service officers. The service also losing its more experienced staff, with almost two-thirds (66 per cent) of the 359 probation officers who left the service in the year to March 2023 had five or more years' experience in the job.



## Appendix 3: Good practice examples from local authorities supporting offenders upon release

### Employment and education

- Bristol City Council and London Borough of Havering supporting ex-offenders with employment through the 'Ban the Box' campaign [bitc.org.uk/wp-content/uploads/2024/01/bitc-factsheet-ban-the-box-december23.pdf](https://bitc.org.uk/wp-content/uploads/2024/01/bitc-factsheet-ban-the-box-december23.pdf)
- [Camden Council Trialling "Ban the Box" - VERCIDA](#)
- [Brent Bright Futures successfully supports ex-offenders towards employment - Forward Trust](#)
- Sheffield City Council offering apprenticeships to offenders on release on temporary licence (ROTL): [Prisoners start as apprentices at big name employers - GOV.UK \(www.gov.uk\)](#)

### Accommodation

- [New Essex Prison Release Housing Protocol agreed](#)
- [New housing scheme for ex-offenders is inspiring hope for the future - Gateshead Council](#)

### Substance misuse

- Project ADDER: [Partnership working to reduce drug-related crime and deaths in Norfolk | Local Government Association](#) and [Early Intervention in Police Custody Suite Pilot – County Lines Pathfinder \(April 2022\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)
- [Leicester, Leicestershire, and Rutland Councils: supporting prisoners](#) in a partnership with Turning Point
- [RECONNECT hub launches in Durham - Spectrum Community Health CIC \(spectrum-cic.org.uk\)](#)

### Gambling

- Barnsley Council's Gambling Task and Finish Group (TFG) to investigate gambling-related harm in Barnsley: [Report.pdf \(moderngov.co.uk\)](#)
- Westminster City Council: [Statement of principles for gambling in Westminster | Westminster City Council](#) includes new approaches that use the findings from the [Local Area Profile for Gambling Risk within Westminster \(arcgis.com\)](#)
- In 2016, Leeds City Council [commissioned Leeds Beckett University to conduct a study](#) of the prevalence of harmful gambling in the city, using

funding from a social inclusion fund established alongside the grant of a premises licence for a large casino in the city centre.

- Greater Manchester Combined Authority (GMCA) – ‘Chapter One’ online hub which was developed in partnership with the GMCA and Gambling with Lives (charity). [Chapter One provides independent information, support, and training for anyone affected by gambling.](#)

### **Supporting young people to turn away from crime:**

- [Kirklees council: 'Right worker, right support, right time' | Local Government Association](#)
- [Bristol City Council: involving the community | Local Government Association](#)
- [North East Lincolnshire Council: tackling county lines head-on | Local Government Association](#)
- [Wakefield Council: diverting young people from crime | Local Government Association](#)
- [Cheshire: Using social prescribing to reduce reoffending among young people | Local Government Association](#)
- [Addiction: Lancashire County Council: Reaching out to young people early | Local Government Association](#)

### **SEND and SLCN (youth offending):**

- [West Berkshire: Focusing on education and positive activity to support children in the youth justice system | Local Government Association](#)
- [SLCN: Targeted Speech and Language Assessments for Primary and Secondary School Children at Risk of Suspensions - Milton Keynes Youth Justice and Support Service \(February 2023\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)
- [SEND: Lincolnshire Joint Special Educational Needs and Disabilities Working Protocol and Quality Assurance Tool – Lincolnshire Youth Justice Service \(September 2021\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)

### **Supporting young people and their families:**

- [Coventry: Taking a whole-family approach to youth justice | Local Government Association](#)
- [Working with Parents: Kitchen Table Talks - West Midlands \(October 2021\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)
- [Functional Family Therapy - Lewisham Youth Justice Service \(2018\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)

- [Parent Support Group: Building Resilient Families – Hillingdon Youth Justice Service \(April 2021\) - Youth Justice Resource Hub \(yjresourcehub.uk\)](#)

#### **Joint working with partners**

- Kent County Council, [Joint working between prison, community and statutory providers in collaboration is the 'golden thread' that runs throughout our continuity of care approach - Forward Trust](#)
- [Departure Lounge: Lincolnshire Action Trust](#)

#### **International examples to reduce re-offending**

- Serbia: [The European Union and Council of Europe support the re-integration of former offenders back into society - Horizontal Facility \(coe.int\)](#)
- Estonia and Ireland: <https://op.europa.eu/en/publication-detail/-/publication/9dca4add-063f-11ed-acce-01aa75ed71a1/language-en>