



ADVICE SERVICES FOR PRISONERS

A REPORT BY THE POLICY EVALUATION AND RESEARCH
UNIT AND THE ADVICE SERVICES ALLIANCE

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1. INTRODUCTION

1.1 PURPOSE

This report presents the findings from an exploratory study undertaken by the [Policy Evaluation and Research Unit](#) at Manchester Metropolitan University (MMU) and the [Advice Services Alliance](#) (ASA).

The aim of the study was to explore the efficacy of advice services for prisoners, specifically:

- the knowledge gap in the evidence base;
- research required to address this.
- funding/business/policy models to support such research.

This exploratory study was supported by a small grant from the MMU Business Engagement Seed Fund Scheme and received in-kind support from PERU and the ASA.

1.2 ABOUT PERU AND THE ASA

PERU is multi-disciplinary team of evaluators, economists, sociologists and criminologists. Our aim is to make a real-world difference to policy-making by conducting research using innovative methods, co-produced with policy-makers, services and service users. We make a range of resources available to support policy-makers and practitioners. These help people to establish what works, disseminate findings on specific policies and share our insights on innovative methods.

The ASA is the umbrella body for independent advice services in the United Kingdom. The ASA promotes the development of high quality advice services and cooperation between advice organisations. It builds partnerships between members, hold events, conducts research and represent the sector on various boards and to decision makers.

1.3 STRUCTURE OF THIS REPORT

This report is structured in the following way:

- Introduction – this sets out the aim of the study, summary information about the organisations which undertook the study; and the structure of the report.
- Background – which sets out the policy, operational and commissioning context for the provision of advice services in prison and advice provision more broadly.
- Methodology – which describes the data collection methods used for this exploratory study
- Findings – which presents a headline summary of the findings and then details the challenges and potential solutions to the provision of advice services for prisoners
- Evaluating the effectiveness of advice for prisoners – which offers process and impact evaluation options
- Conclusion – which locates advice provision for prisoners in a broader social justice context

2. BACKGROUND

This section sets out the operational, policy and strategic context for the provision of social welfare advice for prisoners in five sections:

- Social welfare advice and prisoners;
- The advice sector;
- What is understood by advice;
- Funding for advice;
- Current challenges facing the advice sector

2.1 SOCIAL WELFARE ADVICE AND PRISONERS

Recent government figures (Ministry of Justice, 2022a) show that almost two thirds of prisoners serving sentences of less than 12 months reoffend in the first 12 months after release from prison. In the absence of broader reform opportunities, social welfare advice is a critical component of resettlement and rehabilitation for people leaving prison. Without it, prisoners may leave custody in debt, homeless and vulnerable, making reoffending much more likely. There is therefore a link between effective social welfare advice provision for prisoners, and broader governmental and societal aims of reducing reoffending and delivering social justice.

Prisoners often enter and leave custody with a variety of complex needs and issues. It is important therefore that they have access to appropriate advice to make informed decisions which can ease the transitions between custody and community (Prison Reform Trust, 2012). Family problems, debt, housing and employment are just a few examples of areas where targeted advice may make the difference between successful and unsuccessful resettlement. A lack of well-informed advice in these areas may lead to unrealistic expectations of life post-release, attitudinal problems that feed into reoffending, and ultimately an inability to adjust to and reintegrate into society. This, alongside complications that may proliferate or emerge during custody, means that the ‘punishment’ meted out to prisoners rarely begins and ends either side of the sentence. The advice sector is well positioned to contribute to social justice by equipping prisoners with the requisite knowledge and skills to successfully and lawfully transition from prison to society.

2.2 THE ADVICE SECTOR

The advice sector is the umbrella term which is used to describe the not-for-profit organisations who provide social welfare legal advice to members of the public, either as the principal service they offer or part of a broader range of services. Organisations included in this sector:

- Citizens Advice
- Law centres
- Independent Advice sectors
- Shelter and other housing advice organisations
- AgeUK, Independent Age and other services working with older people
- Members of Youth Access and student unions
- Legal aid providers

- Disability Rights and Deaf and Disabled People’s organisations

The exact size of the sector is difficult to pin down, although a survey conducted by the Ministry of Justice in 2015 estimated in the region of 1500 separate legal entities provided advice in England and Wales. More recently, research has indicated that as advice needs increase, more services respond by providing advice to their service users.

2.3 WHAT IS UNDERSTOOD BY ‘ADVICE’

The term ‘advice’ refers to legal advice given in the areas of law sometimes referred to as ‘social welfare law’:

- **Welfare benefits:** eligibility and access to welfare benefits, income maximisation (which focuses on promoting the uptake of welfare benefits).
- **Debt:** advice and guidance on how to avoid debt and how to deal with it when it becomes a problem.
- **Immigration:** the provision of advice on immigration issues, which is subject to its own regulatory framework.
- **Employment:** rights at work, for example, around unfair dismissal, unfair treatment, withheld pay.
- **Housing:** access to social housing, advice on housing rights and eviction (including around the management and condition of accommodation), access to assistance when facing or experiencing homelessness.
- **Education:** parents with grievances against local authorities or school governing bodies, issues relating to accessing support for special educational needs, support to study, free school meals and so on.
- **Community care:** social care, community support and services.

Most advice service users (‘clients’) would not necessarily identify their issue as having a legal component, and most people approach advice services with a particular problem which often may cover several areas of social welfare law (for example, a debt problem can also lead to rent arrears). Even though this is, strictly speaking, legal advice, most advice services are delivered by lay people, although some – such as law centres – do employ lawyers.

Most advice agencies will therefore fall outside of regulation. The exceptions are:

- those employing lawyers working in a legal capacity
- those giving advice on immigration and asylum, which must be registered with the Office of the Immigration Services Commissioner (OISC),¹ and
- those giving money advice or financial advice in relation to managing debts, which must be registered with the Financial Conduct Authority (FCA), unless exempt from authorisation.

¹ It is a criminal offence for a person to provide immigration advice or services in the UK unless their organisation is regulated by the Office of the Immigration Services Commissioner (OISC).

2.4 FUNDING FOR ADVICE

There is no statutory basis for the provision of local advice centres. There are, however, two areas of law where local authorities are required to provide access to advice for their local populations:

- The Care Act 2014, and
- The Homelessness Reduction Act 2018.

Local authorities discharge this duty in different ways, although most choose to fund local advice providers, which helps to meet these requirements. Local authority funding still provides the backbone of support for advice services, with other funding sought from central government, trusts and foundations, The National Lottery Community Fund and the Legal Aid Agency.

2.5 CHALLENGES FACED BY THE ADVICE SECTOR

Over the past 10 years, advice services have experienced some major challenges which has resulted in significant changes within the sector. Client needs have increased and become more complex, largely as a result of austerity and now the cost-of-living crisis (Slay and Penny 2013). Cuts in legal aid and in local authority budgets has led to a reduction in face-to-face services, exacerbated by Covid 19 (Butler 2021). The experience of ASA members is that many services now provide advice by telephone or online which has led to concern regarding access to services for those already facing digital poverty and exclusion.

In 2019, the Black Lives Matter movement and the related #charitysowhite identified major failings of advice services to reach people from Black or Ethnic Minority groups, even though such groups have experienced the harshest impacts of austerity and Covid. Likewise, people with convictions are likely to have a range of problems with a social welfare advice solution, as are their families (Whitehead 2016). The experience of ASA members suggests that resolving these issues are linked to enabling desistance and resettlement for prisoners and yet they rarely access these services which can help them. The experience of the ASA indicates that whilst a few advice services have been devised to target prisoners, these are isolated and short-term funded projects often closing despite promising findings which evidence the advice needs and benefits to this client group. For mainstream advice services with more clients than resources, perhaps inevitably, limited effort is made to target services at such clients, many of whom will present a multitude of problems outside of social welfare advice include addictions and mental health problems.

3. METHODOLOGY

This project was an exploratory study which aimed to understand the current state of play of social welfare research for prisoners, or those with recent prison experience.

At the commencement of the project, following a review of the project aims, it was agreed between PERU and the ASA that the focus would be to:

- Obtain an understanding of the advice work for prisoners that has been provided in the past;
- Identify advice work for prisoners that is current and/or planned for; and
- Identify barriers or opportunities for the provision of advice work for prisoners and former prisoners in custody and the community.

To make best use of the limited resource and time available the following data collection methods were deployed:

- An online survey of ASA members;
- An online workshop of ASA members; and
- An in-person workshop of ASA members and other relevant stakeholders.

3.1 ONLINE SURVEY

An online survey was distributed via the ASA to its member organisations in February and March 2022. Reminders to complete the survey were also distributed to the membership, following the initial distribution.

The survey was designed in Qualtrics and consisted of 16 questions which covered the following areas:

- Whether the respondent organisation worked with prisoners and/or other people with convictions;
- If so, what type of services they provided in the custody and/or community;
- How it was funded;
- Awareness and/or information about evidence of the efficacy of advice provision for prisoners and other people with convictions; and
- Whether the respondent organisation would be interested in participating in a workshop concerning advice provision for prisoners and/or other people with convictions.

A total of 40 responses were received.

3.2 ONLINE AND IN-PERSON WORKSHOPS

An online and an in-person workshop was jointly hosted and facilitated by PERU and the ASA.

This built on the responses from the online survey and was designed to engage with individuals working in the advice sector who were delivering advice provision to prisoners in custody and post-release in the community.

The intention for both workshops was to provide a forum where participants could reflect on their knowledge and personal experience and elaborate on the challenges to delivering advice services to this service user group.

The in-person workshop also included policy and research stakeholders who had an interest in advice provision for prisoners.

A total of 8 organisations participated in the two workshops, the online workshop took place on the 28th of April 2022, and the in-person workshop took place at the Bar Council in London on the 27th of May 2022. Participants across the two events included representatives of: SWAMP Glasgow, Salford City Council, Citizens Advice, the Nuffield Foundation, Age UK, Prisoners Advice and the Ministry of Justice.

Notes were taken during the two events which were supplemented and revised following a viewing the audio-visual recording of the online event and an audio recording of the in-person event.

3.3 INTERNAL TEAM WORKSHOP

The joint MMU and ASA project team undertook an internal team workshop to reflect on the findings from the online survey and workshops. This sought to identify the implications of the findings for policy, practice and future relevant research to augment the limited evidence base. These discussions included examining the parameters of advice; the practicalities of advice giving within and outside prison; and what advice is supposed to do for prisoners.

This was an open and often robust discussion, placing the current work of the sector in the context of the politics of austerity and then the pandemic. While some of the team had long histories of working in the sector, others had lived experience of the criminal justice system. Collectively this enabled the team to consider the implications of the findings in relation to policy, practice and commissioning of advice provision and research to develop the evidence base.

The next section draws together the findings from the data and a distillation of the internal team discussion.

3.4 LIMITATIONS

The methodology for this exploratory study was necessarily limited by sampling. The findings are drawn from those organisations and individuals who responded to the survey and participated in the workshops. It is recognised that this cannot represent all views and experience of advice agencies and interested stakeholders across the sector. Nevertheless, it should be noted that based on the ASA's knowledge of the sector, the respondents who were involved in this study were those who had appropriate experience and expertise to contribute to the study.

4. FINDINGS

This section comprises:

- A short summary of the overarching findings from the online survey, online workshop and in-person workshop;
- Problems and challenges in the provision of advice services for prisoners;
- Potential solutions to address the problems and challenges

Respondents is used in this section to describe the individuals/organisations who responded to the online survey and those who participated in the online and in-person workshops.

4.1 SUMMARY

Of the 40 respondent organisations, 22 confirmed that they currently provide advice to prisoners, citing mixed sources of funding. Advice provision occurrence across these organisations was a mixture of before, during and after custody, targeted at a mixture of age ranges, all ethnicities and all genders, with no female-only or male-only (other than circumstantial) advice provision identified.

People on probation, older people and people with complex mental health needs were identified as groups requiring targeted advice provision amongst this demographic. The key issues highlighted by respondents as barriers to advice provision for prisoners were funding, or a lack thereof, sustainability of services and a lack of information and training for staff.

The workshops provided respondents with the opportunity to expand upon the issues identified in the survey, and the key themes that emerged add weight to the argument that advice provision is a crucial component of resettlement and helped to signpost clear avenues for improvement. The two overarching themes that emerged were the funding shortfall, and the need for bespoke services for specific groups.

4.2 PROBLEMS IDENTIFIED

Lack of consistency in provision and funding

Respondents highlighted a general lack of consistency in the advice services available for prisoners. Provision comprises a patchwork of organisations which are stretched too thin and wide to maintain stable operations. This was commonly attributed to a lack of funding. Limited funding also reduces training opportunities for advice staff. This means that it is difficult - even for advice organisations that do offer such services - to be reliable and as effective as they could be.

The withdrawal of funding means that services are paused or discontinued which reduces the likelihood that prisoners will seek out or access these services in the future.

Organisations often rely on grant applications to provide these services, and the lack of consistent, centralised funding means that budgetary constraints often result in the prison population being

overlooked. The financial burden of providing services was frequently cited by respondents as the main impediment to enacting change, whilst other, supplementary barriers were also identified.

Barriers to accessing provision

Respondents identified the following barriers to prisoners accessing provision:

- Lack of trust between people with convictions and service providers, which may in turn play a role in promoting reluctance to access services;
- Lack of trust/confidence between agencies which may contribute to reluctance to promote advice services to people with convictions;
- The Prison Officers Association (POA) have presented challenges to reforms, pursuing their own agenda on behalf of their members but also obstructing attempts to bring advice work into prisons
- Limited access to technology combined with the low technological literacy of people with convictions, especially amongst older prisoners whose sentences predate the internet, means that the availability of online advice is not enough – there needs to be training in the use of technologies

Respondents suggested that these barriers need to be tackled holistically rather than piecemeal, requiring collaborative, inter-organisational efforts to resolve and restore confidence in advice provision.

Structural changes

Respondents reported that prior to the Transforming Rehabilitation (TR) reforms (Ministry of Justice 2013) referral processes for advice services for prisoners (including links to drug and alcohol services) were available.

The TR reforms saw the privatisation of probation services for people with convictions who were assessed as low to medium risk of harm and low to medium risk of reoffending. These included individuals who were entering custody, due to be released from custody, released from custody and those serving community sentences. Respondents reported that the supervision of these individuals by private Community Rehabilitation Companies (CRC's) appears to have resulted in many advice and other support service functions ceasing to be funded. During the TR period (2014 to June 2021) high risk of harm and high risk of reoffending individuals were supervised by the public National Probation Service (NPS)

The new operating model for probation services in England and Wales which came into force in June 2021 (Ministry of Justice, 2021) brought together responsibility for the management of all supervised individuals into a single reformed National Probation Service, integrating CRC and National Probation Service (NPS) delivery. The target operating model is intended to address well-documented deficiencies in the system, including but not limited to improving the assessment of service user needs, risks and characteristics, and improving the quality of pre-sentence advice.

The model promises more spending on probation services, £155m more than the previous annual spend on probation provision. The Dynamic Purchasing Framework element of probation spend

offers a potential source of funding for the targeted advice provision services which respondents identified as lacking in the current system. At least 5 of the services stipulated as available for procurement by Regional Probation Directors under the Dynamic Purchasing Framework could be provided by advice organisations. In particular, specialist advice organisations with expertise in accommodation, education, training and employment, finance, benefits and debt, dependency and recovery, and personal well-being.

This potential avenue of funding for advice provision is discussed in more detail below.

Advice provision for vulnerable groups

Workshop respondents identified particular gaps in social welfare advice provision for vulnerable groups.

There are currently no specific advice services for women in custody. For example respondents reported that 60% of women with convictions are leaving HMP Bronzefield homeless. They suggested that with appropriate advice, this is at least reducible, if not preventable.

Equally, respondents reported there are currently no advice services tailored towards children leaving custody, which poses a significant risk to the wellbeing of children as well as raising the likelihood of reoffending.

Age UK reported that there is no current referral system in place for elderly prison leavers.

Respondents suggested that each of these groups face significant challenges during and after custody. A situation that occurs for less vulnerable people also.

4.3 POTENTIAL SOLUTIONS

The recent Target Operating Model for the unified Probation Service (Ministry of Justice, 2021) clearly lays out an intent to address the challenges identified in the section above, with the promise of more funding for the procurement of advice interventions.

The argument for increased focus on the potential of the advice sector to work with stakeholders and decision makers on resettlement and rehabilitation issues aligns clearly with the Offender Management in Custody (OMiC) framework and the 2015 Enhanced Through the Gate (ETTg) policy (Ministry of Justice, 2021). Together they underpin a revised resettlement strategy for prisoners that aims to provide the most effective and efficient way to support people released from prison.

All workshop respondents exhibited a desire to bring about change and address the barriers and challenges identified in the survey and workshops.

Each of the potential solutions identified by respondents (detailed below) align with the overarching three-dimensional (Assess, Protect, Change) strategy of the Target Operating Model (Ministry of Justice, 2021) to improve the way in which people with convictions are managed and supported, leading to better outcomes for these individuals.

REVISITABLE ADVICE-TRIAGE SERVICE FOR PEOPLE ENTERING CUSTODY

Respondents highlighted that there is a 'one and done' approach to triaging people with convictions as they enter custody. They come away with a booklet of limited value and often inaccurate legal advice, usually retaining little of the information provided during the induction process, which is understandable given the likely traumatic experience of beginning a sentence in prison. One solution to this problem, outside of updating the information given, would be to make the advice-triage service revisitable. Being able to revisit this information throughout the sentence would provide prisoners with a better chance of remembering and making use of it.

SUPPORT FOR NON-ENGLISH SPEAKING PEOPLE ENTERING CUSTODY TO ACCESS ADVICE

There is very limited support available for non-English speaking prisoners. Respondents highlighted that most prisons have no support in place to ensure that when entering custody these individuals are able to access the advice they need. This was generally attributed to a lack of funding. This is an equality issue and signposts the need for services that accommodate non-English speaking users. One potential solution to this issue is to train multilingual prisoners to assist non-English speaking people entering custody and help assess any needs they may have, particularly in regards to contacting family outside of the UK.

TARGETED ADVICE FOR ELDERLY PRISONERS AND 'LIFERS'

'Lifers' and ageing prisoners do not necessarily understand how to use modern technology, given that many entered custody before smartphones had been invented. Effectively, this amounts to digital exclusion. Whilst Age UK has a freephone advice line specifically designed to cater to this group, older prisoners may not understand how a freephone number works or may be reluctant to use their phone credit. This may result in them missing out on support they are entitled to. This may be remedied by a bespoke advice service for older prisoners, made available to existing persons of this group and new, older prisoners on entry into custody.

OUTCOME-FOCUSED HOUSING ADVICE

According to respondents, probation hostels are not adequately meeting the needs of prison leavers. Those in custody on remand who are social housing tenants are entitled to claim housing benefit for 52 weeks whilst in custody. The problem is that this is rarely made clear to prisoners and they may need case worker assistance with processing an application, but this support is not always available and as such much goes unclaimed. This may lead to further housing issues, homelessness and debt on release. This problem could be addressed by having a dedicated team of housing specialists working with remand prisoners on entry and release in order to process housing benefit claims.

HOLISTIC LEGAL ADVICE ON ENTRY

Prisoners need to be able to access lawyers, and approval of legal advice lines often takes a long time. As such, to begin with it would be helpful if all prisoners could be provided with a list of

approved legal advice lines at the beginning of their sentence. This would help to kickstart the rehabilitative process, and ensure prisoners have access to proper legal advice on entry into the system. It is also important that prisoners' legal needs are considered holistically, in a manner that treats them as human beings, as opposed to numbers. Respondents suggested that current legal advice services available to prisoners fail to adequately account for the specific needs of individuals. A holistic approach to legal advice for prisoners would address this by roadmapping individual journeys and stories through the system using a 'legal needs matrix'. Four to five lawyers with different specialisms would assess each case on an individual basis, working together to identify the specific legal advice needs of individual prisoners.

5. EVALUATING THE EFFECTIVENESS OF ADVICE FOR PRISONERS

The study respondents have suggested that the time is right for a research exercise that focuses on 'what works' in advice provision and by extension, for society.

The UK has moved beyond the pandemic emergency, into a *relatively* normal or 'new normal', which includes the widespread adoption of new workplace processes, including but not limited to remote working with Microsoft Teams or Zoom, and also changes to money, housing, employment and other *bread and butter* advice topics (Citizens Advice 2021).

The study respondents and the project team note that prisoners are seldom publicly defined as deserving of assistance, but where policy is geared towards reducing reoffending this can gain great support with the argument that the rest of us (i.e. society in general) will also benefit: as Whitehead (2016) puts it, 'evidence tells us that housing, employment and a stable income are the building blocks of a crime-free life'.

Building on this exploratory work and the previous research in this area, a focus on social welfare advice as an intervention is necessary, looking at both the process and the outcomes or impact.

This and other studies raises awareness of the advice needs of prisoners, however, it is also important to know how advice services work for these individuals, whether they are fit for purpose and, above all, whether the outcomes are different to that which would arise without these services. A study of the process and the impact is required.

5.1 PROCESS

There is a need to understand the process through which prisoners access advisors, come to know their advice needs and receive it, and through which those giving the advice access prisoners. Process evaluations examine what is done, when and how, pointing to what works well and what can be improved. With a suitably designed advice project, an implementation and process evaluation (IPE) approach (see Humphrey et al. 2016) would examine how a service was designed, how it actually operates, how it fits in with the lives of participants and how it responds to demands.

Aligned to this is the requirement to develop a theory of change logic model which articulates the intended outcomes for advice provision and the mechanisms, activities and outputs which lead to the outcomes.

Data collection methods would include observing advice sessions, alongside interviews with advisors and advisees. Important research questions include:

- How does the timing of first contact matter, or who initiates it? On entry to prison, on leaving or some time in between?
- How do staff in prisons or on probation signpost people to advice? Is it always the right direction?
- How do advisor/advisee relationships and conversations proceed? Given that the problems could be emergent, but expertise could be specific, how do advisors hand over cases? How can work be done that approaches the whole person? (see Advice UK 2019)

- How does the emotional life of the advisee work here? Are there issues raised where problems cannot be solved, or where promises do not get fulfilled? As in much work, what about when the relationship ends?
- Are there hierarchies of who gets help, even in the advice agencies? Is the desire to help there?
- How does technology and the organisation of the prison contribute?
- What are the pathways through an advice journey?

Quantitative analysis of monitoring data would also be used to understand the specific needs and characteristics of the individuals seeking advice; the level and type of service

Analysis of case notes would be a further useful source of data, especially where records of problems, solutions, openings and blockages are recorded.

5.2 IMPACT

There is an assumption that the need for advice, and the subsequent response, result in outcomes that differ from those without the advice service. In some senses, this is quite simple to draw from the testimony of prisoners: if an advice service tells someone of a benefit that they did not know about, and it is then claimed successfully, then we can attribute cause and effect.

True impact, however, is harder to judge. This testimony may give us a causal path to outcomes, but the same outcomes could arise in other ways.

At an aggregate level, change can be measured using quantitative methods to analyse management datasets. The least costly method of assessing reduced reoffending as an outcome is to apply to the Ministry of Justice – Justice Data Lab (JDL). The JDL approach would require personal identifying information about individuals receiving advice provision – the intervention cohort and would use propensity score to develop a matched control group. This methodology taken from the JDL website is described below.

‘The counterfactual is estimated by constructing a matched control group of similar offenders to those in the treatment group using a technique known as Propensity Score Matching (PSM). After applying PSM, the only major difference between the characteristics of offenders in the treatment and control groups should be that one group received the intervention whilst the other did not’

Aside from reducing reoffending as an outcome other ‘intermediate outcomes’ which contribute to reducing reoffending could also be assessed (see Wong 2019). These include: finance, housing, work and family relationships. Irrespective of their contribution to reducing reoffending, assessing the extent to which these outcomes are achieved are important in their own right, given the benefits to the individual and wider societal benefits.

6. CONCLUSIONS

Ensuring that prisoners can assert their rights, for example by claiming the benefits they are entitled to, may not be publicly popular policy. Especially where the general population may also find it hard to assert their rights. The complications of even law-abiding lives can mean that individuals (who have not been convicted) may also not be able to access requisite support and help. An argument for better social and welfare advice for prisoners is more broadly an argument for better advice (and access to advice) for the general population too: prisoners were all non-prisoners prior to being sentenced.

While acknowledging this broader need, in this report we have identified that there are a set of specific problems that are particular to, or magnified in the cases of prisoners. The usual advice topics – housing; benefits, money and debt; employment; family conflict; health and health support; the law – are present but are reconfigured due to the imprisonment *and* any potential uncertainty of sentence or release. Life does not stop when individuals enter custody: the student loans system can still send requests, prisoners still age and may need social care or reach the end of life, bills still need paying, family arrangements continue. Further, the correlation between criminal justice experience – whether as victim or perpetrator – and poverty further magnifies or makes problems more likely (Low Commission 2014; Gibbons and Foster 2014). In many instances, those with least resources find themselves in a prison situation where they have even fewer resources.

The benefits of providing timely advice for prisoners are potentially higher than the benefits of providing advice to the population at large. The evaluation of the CASS+ service² conducted by CREST Advisory includes a cost-benefit analysis that points to a wide range of ‘fiscal and public value’ benefits of advice (Crest Advisory 2022). Most obviously, if advice addresses criminogenic needs and so makes re-offending less likely, then the cost to the criminal justice system (prison or probation supervision, police and court time) will be reduced, as well as the improvements for other people in terms of safety or victimisation. Beyond this, benefits for the wider population also apply. For example where the provision of advice helps a housing arrangement continue, this can result in a reduction of costs that would be related to statutory homelessness.

‘Fixing things’ at an early stage is likely to be better for both the individual and society. Nowhere is this more obvious than in personal finance and debt: where, for example, payments for work or benefits are delayed or not received. In such an instance an individual will be more likely to take on debt instead, and where this is payday lending it is then more likely to result in debt cycling³. Likewise, helping someone to hold on to a tenancy means avoiding the greater costs of moving house or emergency accommodation. The disruption at the start of a custodial sentence of entering prison and then on completion of the sentence of re-entering society creates at least two moments

² CASS+ works alongside courts in Devon and Cornwall, supporting offenders and victims (see <https://www.cassplus.org/>)

³ Where people borrow money ahead of their expected payday (whether employment or benefits) and then have to pay back with interest after payday, they are then in the same position of being likely to run out of money before the next payday.

where this might happen, and it seems likely that advice and the assertion of rights at this point could help avoid greater costs further down the line.

Advice services can also aim to bridge the gap between prisoners and employment. Studies suggest that employment is a protective factor against reoffending, although the degree to which this is true may depend on the quality of the job in terms of stability, prestige and any continuity with previous work (Ramakers et al 2017). While this may be most obviously a role for careers advisors, an advice sector that can help unblock legal, social and administrative barriers to employment will add extra help. For example, an advisor could reassure a prospective employee or employer where the criminal record is or is not a barrier to a particular post. This may also help employers find workers in a tight labour market, especially where the advice sector can be working with the employer and the employee in working through possible options. This has synergies with the Employment Advisory Boards, which should be ‘up and running in all 91 ‘resettlement’ prisons in England and Wales by April 2023’ (Ministry of Justice, 2022b), and link prisons and employers.

Finally, and most importantly, social welfare advice contributes to social justice. That is, the prison sentence and the deprivation of liberty is supposed to be the punishment: ‘the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.’ (UN Standard Minimum Rules). Further, the UN Standard for Minimum Rules for the Treatment of Prisoners state that ‘prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available’, with the aim of ‘the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.’ It is not right that new injustices should arise, due to the complications of life in or after prison, and the advice sector can address this.

The information gleaned from the workshop participants, survey respondents and relevant published literature suggests that the advice sector does work to solve these problems. While ‘prison culture disempowers’, sometimes prisons and advice organisations work together to ameliorate this, although the respondents described this as a more piecemeal than integrated picture. Some organisations specialise with regards to cohort (age, women) and others specialised with regards to the topic. Workshop participants suggested that the prisoner with needs should have a holistic diagnosis, with an ongoing discussion to reveal needs. For this, some form of ‘joined up’ activity, run by partnerships of multiple organisations, is required.

There are opportunities, both due to the pandemic’s shift to the online delivery of services, and the desire to help prisoners into work that is prompting the use of technology *and* new spaces inside prisons⁴. Those hub spaces that are to be used for employment recruitment could also be used by multiple advice services, at the same time, so creating an ‘advice fair’ type environment. Further, where such spaces can also accommodate online meetings – as can be used for recruitment interviews – these could also be used for advice meetings. The headline message from this exploratory study is that policy makers, commissioners and practitioners should strive for a future

⁴ As reported both by participants in this research, and in the authors’ other work on prisons, education and employment.

where, in one way or another, prisoners can receive the same service as the rest of the population outside the prison.

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