

# Resettlement, the *Criminal Justice Act 2003* and NOMS: prospects & problems

Rod Morgan saw the crisis points in prisoner resettlement as Chief Inspector of Probation. Here he identifies the need for immediate reassessment and change under the new National Offender Management Service.

**T**hrough the *Prison Gate* was the first thematic report which I (together with Anne Owers) launched as incoming Chief Inspector of Probation in early autumn 2001. Our report was closely followed by parallel exercises undertaken by the National Audit Office (*Reducing Prisoner Reoffending*, January 2002) and, with an even higher profile, the Social Exclusion Unit (*Reducing Re-offending by Ex-prisoners*, July 2002).

All three reports came to similar, critical conclusions. Short-sentence prisoners, the greatest proportion of prisoner discharges, have the highest level of resettlement needs, present the highest risk of re-offending and have the least done for them, both while in prison and following release. They are not subject to sentence planning, tend to be squeezed into the most overcrowded establishments and are moved about most so that the Prison Service can maximise use of its hard-pressed estate. Under these circumstances imprisonment tends to exacerbate the

facing increased financial problems, over two-fifths lose contact with the families.

Though all three reports identified examples of effective partnership working between the Probation and Prison Services, there was no integrated case management of those medium and long-term prisoners for which the services already have statutory responsibilities. Both services approach the question of risk assessment according to their separate priorities. Information about prisoners' needs and the manner in which those needs had or had not been addressed during pre-trial, custodial, post-release and, for some, recall, phases of their sentences, was frequently not shared. There was consequently a lack of consistency and continuity in the interventions delivered. Crime prevention and public protection was generally ill-served by the system.

I am writing this in early April during my final week as Chief Inspector of Probation and, regrettably, I have to report that the last two and a half years

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socially excluding factors from which a high proportion of prisoners suffer prior to their incarceration. They are typically severely disadvantaged with regards to educational achievement, basic skills and employment, accommodation, financial support and debt. A high proportion come from fractured families and few have stable relationships. Poor physical and mental health characterises many of them. A majority of them abuse alcohol and illegal drugs. Compared to the general population prisoners are: 13 times as likely to have been in care as children and to be unemployed, and 15 times as likely to be HIV positive. Eighty per cent have the writing skills, 65 per cent the numeracy skills and 50 per cent the reading skills at or below the level of an 11 year old child.

Imprisonment makes the situation of many of them worse. A third lose their accommodation, two-thirds lose their employment, over a fifth come out

have seen little or no progress in the dismal prisoner resettlement situation on which we and others reported in 2001-2. There are great aspirational plans – the provisions in the *Criminal Justice Act 2003*, the Carter report, and the Home Office response to Carter – but the practical, operational situation on the ground has, if anything, deteriorated. The position was for me well illustrated by the story I uncovered in an inquiry that Ministers asked me to undertake in December 2003.

The inquiry concerned the death of a police officer in Nottingham at the hands of a prisoner released on licence. The prisoner had more than 50 previous convictions, had served five previous custodial sentences and for the last year or so, leading up to his two year sentence for street robbery was, according to his own account, a 'crackhead'. He participated in no drugs programme during the months he was on remand or following sentence. But, apart from some use of cannabis, his drug tests and disciplinary record



*HMP Wormwood Scrubs*

suggested he kept off heroin and cocaine. He was released early on HDC (Home Detention Curfew) with a drug testing requirement. No information was passed to his probation supervisor about his time in prison and she never found time to visit him while he was inside, even though he was held only a few miles from her office. He wasn't a high priority within her resettlement team which carried many more serious offenders in a caseload of 1200 shared by a team of eight officers. Following his release he was drug tested twice weekly but was intermittently back on opiates within days, failed half his tests, was given an appointment two months hence for a drugs clinic and in the three months before his licence was belatedly revoked saw his supervisor only twice. When eventually cornered by the police, a month after his licence had been revoked, during which period the system attached no priority to his arrest, he drove off, dragging a police officer to his death.

A tragic story illustrative of an overstretched, inadequate police and penal system in which many a practitioner must be saying 'there but for the Grace of God'.

The immediate future? Whatever form NOMS is to take – and at the time of writing that is far from clear – restructuring our penal services will not of itself solve anything. If we continue to overburden our probation and prison services with thousands of offenders whose criminal behaviour does not warrant their involvement, or if we make them respon-

sible for interventions they are not currently equipped to deliver (mental health, drugs programmes, etc) then we will: (a.) squander scarce public resources; and (b.) fail adequately to protect the public. The Sentencing Guidelines Council, even if successful, will take years to make a coherent impact on sentencing patterns. There is a danger that NOMS will sink if overwhelmed by a rising tide of punishment. We need courageous, less punitive rhetoric and more hard-headed honesty about the realities of crime generation and control in the run-up to the forthcoming General Election.

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