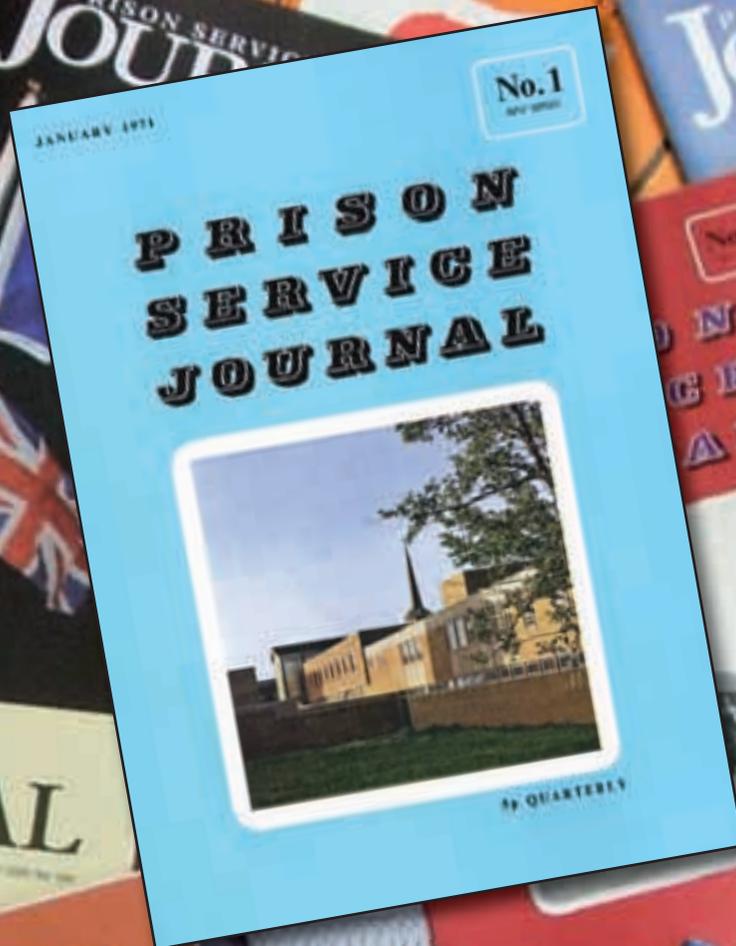


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# Reflections on 'New Careers for Ex-offenders'

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**A deputy governor of Everthorpe Borstal at the time of writing, Rutherford had spent nearly two years in America and had observed how the US had developed the concept of 'new careers for ex-offenders' within 'correctional agencies'. These agencies may be better known in the UK as criminal justice agencies, rehabilitation agencies, or law-enforcement agencies.**

Rutherford identified how many of these agencies had for a long time observed how their clients had difficulties in finding stable employment, and in particular when starting out a new career. The employment of former prisoners by official agencies was, in the US at the time, seen as part of a wider movement which encompassed the principles of self-help and ground level participation in decision making.

## **Self-help / Peer support**

Rutherford identified numerous examples that he had come across in America of solutions that were, in his words, 'from within the social problem rather from external sources'. Of particular interest was the Seventh Step Foundation, which was founded by former prisoners, for former prisoners. Although they did also recruit what they called 'square Johns' (people without a criminal record) onto their board of directors, they remained very much a former prisoners association. Rutherford warned that when 'square Johns' took control, the chapter was likely to disintegrate, and interestingly, having looked at their current work on their website,<sup>1</sup> this appears to be a continuing concern. Indeed, of their current officers and directors, whilst their Treasurer is a former prisoner, their President appears to be a 'square John'. Sadly, the 1960's (the period that Rutherford was reflecting on) seems to have been the heyday for the Foundation, as once the founder, Bill Sands, passed away in 1967, the number of chapters gradually fell away, with only one now remaining to this day, which provides support, friendship and encouragement to those released from Oregon State Penitentiary. There are similar examples of organisations that exist in the UK.

Firstly, there is UNLOCK, the National Association of Reformed Offenders<sup>2</sup>, which I am an employee of. It is a well-established 'ex-offender-led' organisation, having been formed by a group of prisoners in 1999 and becoming a registered charity in 2000. It was formed by a group of people who were frustrated at having to rely on experts and professionals. Instead, together, as a group, they felt they could support others in leaving crime behind. Its aim is equality of opportunities, rights and responsibilities of reformed offenders by seeking to overcome the obstacles that reformed offenders face. It is essentially an advocacy organisation, mixing its work between client-centred advocacy and high-level policy change /campaigning. The majority of its trustees are reformed offenders, and its Chief Executive, Bobby Cummines, served 13 years in prison. He was awarded an OBE in 2011 for services to reformed offenders. Its website is the most comprehensive source of information for people living with a criminal record and attracts approximately 130,000 visits per year, with 6,500 new visitors every month. Of particular relevance to this article is that it has a unique online discussion forum for reformed offenders. This enables this group to be able to provide support to one another, share experiences and ask questions. It performs a critical peer support self-help function, providing a space whereby 24/7, reformed offenders can seek the advice and assistance of others who have been in a similar situation.

Secondly, there is User Voice.<sup>3</sup> User Voice was founded in 2009 and is also led by ex-offenders. Their prisoner council work is discussed elsewhere in this paper, but in addition to this, they work with clients (which are usually organisations) to gain the insights of prisoners, ex-offenders and those at risk of crime. User Voice state on their website that they will always be majority staffed and led by people who have experienced the criminal justice system. They were founded Mark Johnson, an ex-offender and former drug abuser, best-selling author of *Wasted* and social commentator. Mark's experiences of prison, and later as an employer of ex-offenders and consultant, left him convinced of the need to create a model of

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1. [www.7thstep.org](http://www.7thstep.org)  
 2. More information available at [www.unlock.org.uk](http://www.unlock.org.uk)  
 3. More information available at [www.uservoice.org](http://www.uservoice.org)

engagement that is fair and incentive led. His aim was to foster dialogue between service providers and users that is mutually beneficial and results in better and more cost-effective services.

On the face of it, the two organisations appear remarkably similar. However, whilst they are both led by, and employ, former offenders, they are somewhat different in the work that they undertake. User Voice essentially deliver services (primarily engagement<sup>4</sup>) that organisations can take advantage of, as they have established themselves as being known to be able to positively engage with clients in ways that organisations themselves are unable to, partly because they have personal experience themselves. On the other hand, UNLOCK are an advocacy organisation which work to benefit a specific group of people; they are the only organisation in the UK dedicated to supporting reformed offenders.

It is also important to discuss a more recent dramatic attempt to foster self-help between UK prisoners through the attempts to establish the Association of Prisoners. In 2010, Ben Gunn, a renowned prisoner, wrote to numerous organisations enclosing a bundle of papers relating to the Association of Prisoners. Described as 'this generation's attempt to give prisoners the voice we have long attempted to have heard', he was calling on everybody who has an interest in prison reform to support them. Unfortunately, little has been heard of the association since this time, and it is unclear whether the prison authorities managed to suppress any attempts to establish a union; the prison service has long tried to block any attempts to form a national association.

Turning to looking at more established, larger, service delivery organisations, an organisation in the UK began shortly before Rutherford wrote his piece was St Giles Trust,<sup>5</sup> which began in 1962. It has gradually developed over the years, and is now a highly-respected service delivery organisation with a proven track record of employing former prisoners. One example of this is in their SOS Gangs Project, which was the brainchild of

Junior Smart, who is the Team Leader of the project. He developed the idea whilst he was in custody, and since project started running in October 2006, it has helped many individuals break free from gang crime and less than 10 per cent have re-offended, against a national re-offending rate of around 75 per cent for this age group. The key focus of the project is empowerment, providing credible mentors who are properly trained and passionate about what they do. The success of the SOS project has now led to preventative work with young people at risk of gang crime, with the aim of preventing them becoming caught up in this lifestyle. Former prisoners are working with schools in London to inform students on the dangers of getting caught up in gang crime, particularly with regard to weapons.

However, St Giles Trust is just one example. The number of opportunities for former prisoners to get involved in some form of peer support or mentoring role has significantly increased over the last decade. This is perhaps a consequence of squeezed budgets, but also because of a general increase in mentoring more broadly across the criminal justice system as an effective intervention, and a particular business case for using people in these roles who have personal experience. For example, a Princes Trust survey in

2008<sup>6</sup> revealed that 65 per cent of young offenders under the age of 25 felt that a mentor would help them stop offending, and 76 per cent would rather have a mentor who was a former offender. In addition, there has been recognition by Government of the value that such support service can add. Recently, a Ministry of Justice news feature online<sup>7</sup> recognised research that offenders are most influenced to change by those whose advice they respect and whose support they value.<sup>8</sup>

One of the more established peer mentor schemes in the UK is the *Listeners* scheme.<sup>9</sup> Prisoners are six times more likely to take their lives than an average person in the UK. The first 48 hours spent inside a prison are when people are the most vulnerable. The Listener Scheme is a peer support scheme whereby

. . . a Ministry of Justice news feature online recognised research that offenders are most influenced to change by those whose advice they respect and whose support they value.

4. The term 'engagement' is intended to encompass various activities, including prisoner councils, consultations, surveys and research.

5. More information available at [www.stgilestrust.org.uk](http://www.stgilestrust.org.uk).

6. Princes Trust (2008) *Making the case for one to one support for young offenders*.

7. 2nd June 2011, *Information mentoring to help offenders with rehabilitation*, available online at <http://www.justice.gov.uk/news/features/feature020611a.htm>

8. McNeill, F. & Weaver, B. (2010) *Changing Lives? Desistance Research and Offender Management*, Report No.03/2010, available online at [http://www.sccjr.ac.uk/documents/Report%202010\\_03%20-%20Changing%20Lives.pdf](http://www.sccjr.ac.uk/documents/Report%202010_03%20-%20Changing%20Lives.pdf).

9. More information available online at [http://www.samaritans.org/our\\_services/our\\_work\\_in\\_prisons/the\\_listener\\_scheme.aspx](http://www.samaritans.org/our_services/our_work_in_prisons/the_listener_scheme.aspx).

selected prisoners are trained and supported by Samaritans, using their same guidelines, to listen in complete confidence to their fellow prisoners who may be experiencing feelings of distress or despair, including those which may lead to suicide. The objectives of the scheme are to assist in reducing the number of self-inflicted deaths, reduce self-harm and help to alleviate the feelings of those in distress. The first Listener scheme started in HMP Swansea in 1991. Nearly every prison in England, Scotland and Wales now has a Listener scheme with well over 1200 active Listeners across the estate. In 2009, 776 volunteers in Samaritans branches in the UK provided support to 168 prison establishments. Listener statistics collated for the Home Office in 2009 reveal that approximately 1,750 Listeners were trained in 144 establishments in England and Wales. The Listeners responded to approximately 85,000 contacts.<sup>10</sup>

In a similar way, the St Giles Trust *Peer Advice Project* trains serving prisoners to NVQ level 3 in Advice, Information and Guidance and these provide an advice service to other prisoners, usually on housing related matters. Across a 12 month period (between April 2008 — March 2009), 145 prisoners, spanning 18 prisons, obtained this qualification.<sup>11</sup> Following their qualification, they were deployed into voluntary positions in the prison and in the community. One of the main outcomes was how those receiving the advice 'especially appreciate receiving help from someone who has 'walked in their shoes''.

A further example of peer support is the *Insiders* scheme, which is a support scheme for the first 24 hours in custody. The *Insiders* scheme involves trained selected prisoner / trainee volunteers providing basic information and reassurance to new receptions shortly after their arrival in prison and /or during their early period in custody. The first 24 hours in custody are particularly distressing for many prisoners, particularly those new to prison, and the *Insiders* scheme should help reduce the anxiety they experience. This early period is high risk in terms of suicide: providing a peer support scheme where prisoners are trained to help others during this high-risk period will contribute to the

Prison Service's wider suicide prevention strategy. The *Insiders* initiative has two key aims; to offer reassurance to new prisoners and to provide them with key information which will be useful to them in their first few days in custody and beyond.<sup>12</sup>

The above examples primarily look at the use of *prisoners* rather than *former prisoners*. There are certainly many prisoners that gain experience of undertaking roles in peer support that go onto looking at developing a career in the sector. However, Rutherford's article detailed the concerns that some professionals had in the sector of employing former prisoners. These findings underlined how an offender

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becoming a professional is not enough; work also had to be done to ensure that professionals do not see these developments as in some way giving preferential treatment to former prisoners over existing professionals. Of course, there has always been (and always will be) opposition to the involvement of former prisoners for a number of reasons. Rutherford himself discussed how it was workers themselves were the most resistant. It's unclear to what extent these concerns are present in the UK today; indeed. However, it's certainly the case that roles undertaken by former prisoners can be seen as challenging the professionalism

or ability of the existing workforce.

Interestingly, the example given by Rutherford of the Los Angeles Probation Department, which was employing about 100 former probationers at the time, mainly as community workers, is relevant to certain tensions that still exist in the UK today. It was pointed out by Rutherford that there was no easy upward mobility. Whilst there is little quantitative evidence to support this assertion in this applying in the UK today, I have come across plenty of qualitative examples whereby former prisoners are employed as workers in the sector but, because of their criminal record, they struggle to move upwards with their career, either internally or externally. The reasons for this can only be subjective at this stage, without any reliable evidence to support them, but it is asserted that their past criminal record plays a part, not least because that is what their employers see as being what qualifies them to do that

10. Samaritans (2010) *Information resource pack 2010*, available online at <http://www.samaritans.org/PDF/Samaritans%20Information%20Resource%20Pack%202010.pdf>.

11. Boyce, I., Huner, G., and Hough, M. (2009) *St Giles Trust Peer Advice Project: An Evaluation*, Kings College: London

12. PSI 42/2003 — Guidance on the 'Insiders' Peer Support Scheme.

job, and not the one above. Certainly, I have had to advocate for a number of former prisoners who have been refused permission to work in prisons simply because of their criminal record, where there is no clear justification for the decision. Whilst these situations may not be representative of the wider situation, there is certainly an element, particularly in the Prison Service, that are not 100 per cent supportive of the role of former prisoners.

That takes us onto a separate but related point, which is examining the reasons why former prisoners choose a career in the sector. Is it because they see it as their best option in terms of turning what would ordinarily be a negative (a criminal record) into a positive? Rutherford cautioned against the possibility that the contribution of former prisoners is somewhat romanticised, and felt that there was no reason to suppose that large numbers of former prisoners would wish to make a career in the sector. However, as the UK has begun to slowly develop the role of former prisoners in the delivery of services in the sector, it is clear that there is a danger that their role either becomes tokenistic (whereby organisations involve former prisoners simply because they feel it is what they feel they have to be seen to be doing) or becomes a replacement for professionals who have something to offer which isn't based on personal experience.

### Service User Involvement

Having looked at the role of prisoners and former prisoners in peer support and self-help capacities, the role of these groups in seeking improvement to the system will be discussed.

In his original article, Rutherford cited an example of Washington State Penitentiary, where a number of men had asked permission to form their own self-help group with a focus on recidivism.<sup>13</sup> Of course, prisoners at both sides of the Atlantic have long been used within prisons to undertake various mundane and menial roles, not only to save resources, but also to maintain

control and discipline. However, rarely in those days was it common for prisoners to be involved in their own betterment, either in the US or in the UK.

There is, however, limited evidence on the impact, outcomes and efficacy of approaches that involve prisoners, despite a lot of work being done to review the progress of service user involvement.<sup>14</sup> Some examples are, however, discussed below, including details of their effectiveness.

Perhaps the recent work of User Voice in prisoner councils is the most rigorous in terms of ascertaining effectiveness.<sup>15</sup> Some of the most interesting findings include the fact that, since the User Voice Council was set up at HMP Isle of Wight, there has been a 37 per cent reduction in the number of complaints made within the estate and the average time prisoners spend in segregation units has significantly declined from 160 to 47 days, which they conclude is as a result of a reduction in conflict and prisoner satisfaction. The work of User Voice in setting up prisoner councils in the way that they have is perhaps one of the more innovative approaches to the issue of prisoner councils, which have historically been found to lack in decision-making ability.<sup>16</sup> However, due to their success, the User Voice model has been extended to HMP Maidstone, HMP Rye Hill and HMP Wolds. Furthermore, despite a general historical lack of community-based

councils, they are currently piloting the model in four London boroughs. The success behind their model is in enabling participants to have ownership, and for them to be involved in actually making a difference; their personal experience can serve to improve the system for the future.

An example of existing community-based councils is in West Yorkshire Probation Service. They have three separate groups helping to achieve effective offender involvement in their service development, including a Service User Representative Forum, where offenders are votes as representatives to meet with probation staff and treatment agencies. They are represented at a joint commissioning level and can help to influence real changes in offender treatment programmes.

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13. Garabedian, P. (1962) "Legitimate and Illegitimate Alternatives in the Prison Community," *Sociological Inquiry*, 32, No. 2, 172-184.

14. For example, Clinks (2011) *A review of service user involvement in prisons and probation trusts*, London: Clinks.

15. User Voice (2010) *The Power Inside: The role of prison councils*, London: User Voice.

16. Kimmett E and Solomon E. (2004) *Having Their Say: The work of prison councils*, London: Prison Reform Trust.

Rutherford concluded in his article that the UK had done little at that time to look at the role of prisoners in particular in being involved in their own betterment, but felt that if progress was made in former prisoner employment in the sector, more fundamental adjustments could be expected by official agencies in relation to prisoners. Indeed, Rutherford foresaw the need to go further than just adjustments, with perhaps new organisational models needed to take into account, and support, increasingly high levels of participation by prisoners. There is little evidence to show such significant transformations to the ways organisations operate, but there has certainly been a knock-on effect to the recent buzz-words around 'service user involvement'. Offenders, as the largest group in the criminal justice system, should have an important say in the shape and direction of decisions concerning how their time will be spent. Indeed, the basis of the work of User Voice has been that only offenders can stop re-offending, and that by giving them a say in how the system is run, you not only improve the system, but you reduce the risk of them re-offending.

The requirement for service user involvement arises because it is often unclear whether the services being funded are needed. Understanding this need has always been the strength of the voluntary sector in particular, but the criminal justice system more formally has struggled to recognise offenders as customers. However, a competitive — even combative — relationship has developed within the sector in recent years, particularly due to the growing dominance of the commissioner/service-provider model. As a result, there is an increasing pressure to filter the feedback of service users when communicating with commissioners. The danger is that service user involvement becomes nothing more than a way of looking better, rather than actually making things better. It can easily become something that has to be done, without a real understanding of why.

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A recent Guardian article by former prisoner Eric Allison demonstrates the damage of service user involvement implemented for the wrong reasons — damage not to the organisation, but to the individual.<sup>17</sup> Eric cites the example of reformed offenders involved with government-funded rehabilitation agencies. They felt they were 'trundled out as tame ex-cons'. Others felt like the 'token ex-offenders', allowed to work as volunteers but ceaselessly leap-frogged for a promised place on the payroll.

However, increased service user involvement has its dangers. For many reformed offenders, faced with discrimination in society, it can be seen as the only way to turn a negative history into a positive future identity. For some, working in the Criminal Justice System is a genuine choice but the danger is that it is seen as the only way people with convictions can gain recognition, respect and success. Service user involvement has come a long way but must be prevented from becoming no more than another tick in the box. There is a gulf between genuinely involving customers and the tokenism that can pass for it.

#### Why is all this important?

Engaging prisoners, whether serving or former, in voluntary or paid employment has been found to support their civil reintegration.<sup>18</sup> Furthermore, in helping others, it has been found to support offenders in the process of desistance, because it makes a difference to others, promotes pro-social responsibility, and contributes to a sense of community and belonging.<sup>19</sup> It could also be seen as a way for an offender to 'give something back' and help to develop new social networks which are founded on more positive attitudes.<sup>20</sup>

Throughout this paper, whether it be through self-help, mentoring, or prisoner councils, the examples that have been discussed have involved the sharing of experience and expertise from those who have offended, so as to inform and improve the criminal

17. Allison, E., "Not all new starts for ex-offenders are what they seem", *The Guardian*, 10th March 2010 (available at [www.guardian.co.uk/society/joepublic/2010/mar/10/prisoner-rehabilitation-failures](http://www.guardian.co.uk/society/joepublic/2010/mar/10/prisoner-rehabilitation-failures)).

18. Uggen, C., Manza, J. & Behrens, A. (2004) "Less Than the Average Citizen: Stigma, Role Transition and the Civic Reintegration of Convicted Felons" in Maruna, S. and Immarigeon, R. (Eds) *After Crime and Punishment: Pathways to Offender Reintegration*, Willan Publishing: Cullompton, Devon.

19. Edgar, K., Jacobson, J., and Biggar, K. (2011) *Time Well Spent*, Prison Reform Trust: London.

20. Maruna, S. (2001) *Making Good: How Ex-Convicts Reform and Rebuild their Lives*, American Psychological Association Books: Washington DC. at [http://www.sccjr.ac.uk/documents/Report%202010\\_03%20-%20Changing%20Lives.pdf](http://www.sccjr.ac.uk/documents/Report%202010_03%20-%20Changing%20Lives.pdf)

justice system, either on a client-level or at a systemic level. This can help to add credibility and legitimacy<sup>21</sup> and hopefully, by having services or interventions co-created by those who have been, or currently are being, supported by them, they may be more likely to be effective.<sup>22</sup>

Returning to the question that Rutherford posed in his original article in 1971 — Can (or should) ex-prisoners expect to get work in ‘correctional agencies’? — to what extent has this been realised? At the time Rutherford was writing, it was probably true to say former prisoners couldn’t, nor was there a general acceptance that they should be able to, get work in the criminal justice sector, or at least if they did it wasn’t formally recognised that this had happened. However, as this article has demonstrated, there has been significant progress towards former prisoners becoming an integral part in the services that are delivered to prisoners. Indeed, some organisations use the fact that they use former offenders as an argument for why they are most effective. Whether it be in peer support, mentoring, self-help groups or just in the general delivering of services to prisoners, their involvement has certainly increased significantly, perhaps more so in the voluntary sector than in the statutory sector.

However, Rutherford’s question wasn’t just whether they should or shouldn’t. He also asked whether former prisoners should expect to? The

answer at the time he wrote was certainly no, and in my view it should remain that way. If asking whether former prisoners should be allowed, the answer would clearly be yes, subject to the ordinary proviso’s around risk assessments. But should they expect to? In my opinion, they shouldn’t. It would be a perverse outcome of the criminal justice system that a convicted criminal were to expect paid employment at the end of it, especially being involved in the very system that they have just been forced through by the criminal records. Furthermore, there is already a fear, that has been borne out in examples that I’ve come across, where former prisoners have felt that going back and working in the sector is the only option open to them. Certainly, they have value to add, and not only can they achieve more positive outcomes, but they can benefit personally also. However, the system has to remain cautious not to drag people back into a system because of their personal experience, when in fact they would have been able to fulfil their own goals and ambitions through mainstream careers. Nevertheless, the positive fact remains that many former prisoners are now involved in self-help and peer support roles, however small a proportion of the staff they represent, and they continue to make a significant impact in the agencies they work for, and for the offenders they come in contact with they continue to achieve dramatic results.

21. Clinks (2011) *A review of service user involvement in prisons and probation trusts*, London: Clinks.

22. McNeill, F. & Weaver, B. (2010) *Changing Lives? Desistance Research and Offender Management*, Report No.03/2010, available online