



Turning Lives Around

Rehabilitation and cutting reoffending

Liberal Democrat spokespeople's paper
by Jonathan Marks and Mike German

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1. Introduction

1.1 The primary purpose of the penal system must be to build communities that are free from crime, by making sure that ex-offenders go on to lead lives free from crime. Prisons are necessary to protect the public from serious and dangerous offenders, but the main focus of the criminal justice system must be on stopping re-offending – so that fewer people become victims of crime.

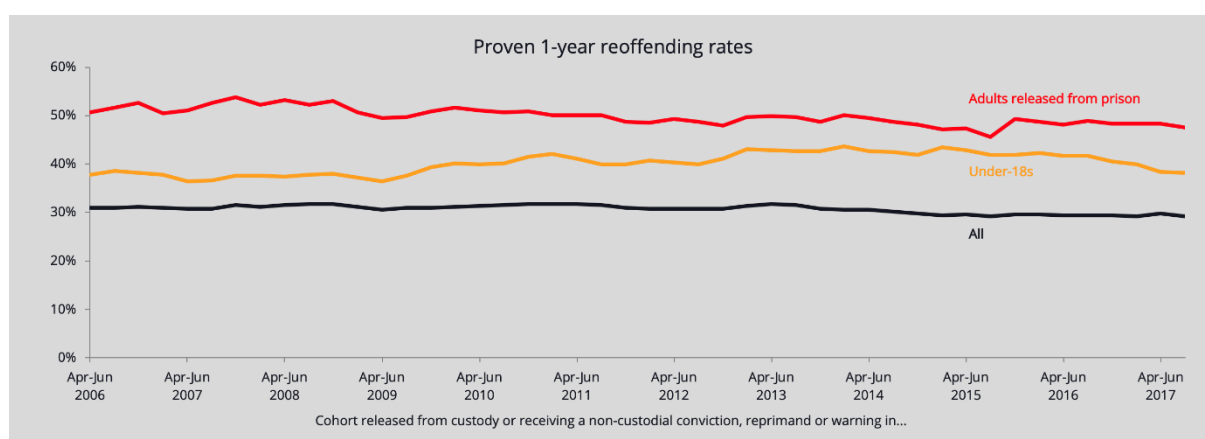
1.2 That objective requires people to be given appropriate sentences; prisons to provide for rehabilitation, recovery, learning and work, with suitable treatment, education and work available to all prisoners; and services in both prison and the community to help turn people away from crime, including housing, education and training, healthcare and treatment for addiction.

1.3 Britain's current penal system falls far short of that standard. Prisons are overcrowded and understaffed; prisoners spend too much time locked in their cells, unable to engage in productive activity or receive rehabilitative services; and rates of violence, drug use, self-harm and suicide are far too high and rising.

1.4 'Through the Gate' resettlement services and community supervision are failing badly. In particular, the Community Rehabilitation Companies responsible for people deemed low- or medium-risk have failed to achieve reductions in re-offending rates, largely because the Government has underfunded and mismanaged the 'payment-by-results' contracts. The Ministry of Justice has been forced to end these contracts early and renationalise the probation system as a whole.

1.5 The provision of services in the community is also inadequate. Many ex-offenders are not able to find work, and the financial support they receive is often not enough to cover even basic necessities. Far too many prisoners become homeless upon release from prison. Physical and mental health care and addiction treatment are often inconsistent and insufficient.

1.6 Put simply, our rehabilitation system is unsuccessful and uncivilised. Re-offending rates are far too high: 29% of ex-offenders are convicted of committing at least one new offence within a year of leaving custody or receiving a non-custodial sentence, a reprimand or a warning.¹ For under-18s, the rate is even higher, at 38%. These rates have remained essentially unchanged for more than a decade.



1.7 These failings impact certain people particularly acutely: people from Black, Asian and minority ethnic backgrounds, who are overrepresented throughout the criminal justice system; women in the criminal justice system, who are more likely to have mental ill health and substance misuse disorders, and to have experienced childhood abuse and domestic abuse; and

¹ Ministry of Justice, [Proven reoffending statistics: July to September 2017](#)

children, whose whole lives can be blighted if they are unnecessarily criminalised or denied a proper education.

1.8 The Liberal Democrats believe that we must significantly reduce the prison population, which is the largest in Western Europe, including by making greater use of tough, effective community sentences – especially in place of short prison sentences, which have proved particularly ineffective – and ending the imprisonment of people for possession of drugs for personal use.

1.9 We must also radically transform prisons themselves: building rehabilitation and recovery into their design, dramatically improving conditions and ensuring more time is spent in purposeful activity. That includes meaningful work, education and training, and access to good leisure and sports facilities. Prisoners should have access to IT and digital skills training.

1.10 However, tackling re-offending requires a more radical approach to penal reform. At the heart of the problem is a lack of co-ordination and continuity of services. We therefore propose a radically new, holistic approach to rehabilitation, spanning sentencing, prisons and community supervision and including a full range of rehabilitative services.

1.11 We would give responsibility to local co-ordinating bodies to ensure the proper supervision of each ex-offender in their area. These bodies would commission the services they need for rehabilitation, both in prison and in the community.

1.12 The Government must also think differently about the costs and benefits of rehabilitation. Improving staffing and conditions in prisons, the quality of supervision in the community and the provision of services will all require significant investment. However, against this must be set against the huge societal and financial benefits of reducing reoffending – including less crime and therefore fewer victims of crime, fewer people in prison, and more people in work. The current budgetary process does not account for these savings to the public purse.

1.13 In this paper, we set out our proposal for a new system of co-ordinating the work of all bodies in the public, private and voluntary sectors which have either a responsibility for rehabilitation or simply a willingness to help ex-offenders turn their lives around. We also detail the myriad problems that blight our prison and probation services and set out a number of further proposals to address them.

2. A new holistic approach

2.1 The core of our proposal is a new model centred on individuals and their rehabilitative needs.

2.2 Local, public co-ordinating bodies would be given responsibility for commissioning all services for people convicted of crimes, from the point of sentencing all the way through prison or any community sentence and post-sentence supervision.

2.3 These new co-ordinating bodies would be funded directly by the Ministry of Justice and charged with commissioning services from a range of providers depending on the needs of the individual.

2.4 But central direction from the Ministry of Justice cannot possibly deal with the many different essential services needed for different individuals. Services have to be provided locally and they should therefore be co-ordinated by a local body which can build strong relationships with providers in their area. We believe there should be flexibility for local authorities to decide the geographical areas that each co-ordinating body should cover, and would expect differences between urban and rural areas.

2.5 In order to prevent a postcode lottery from developing, we would set a national policy framework, approved by Parliament, that local bodies would be accountable to the Ministry of Justice for delivering.

2.6 Each co-ordinating body would have a mandate to ensure that courts, prison governors, the probation service, police forces, local authorities, housing associations, the Department for Work & Pensions, the National Health Service, providers of treatment for addiction and third-sector providers all work closely together to co-ordinate and provide all the services an individual might need to rebuild a life free from crime. The co-ordinating bodies would include local representation and expertise in each of the relevant services.

2.7 This would enable the third sector to strengthen its role in supporting the work of rehabilitation – one of the aims of *Transforming Rehabilitation*, the Coalition Government's 2013 white paper. There are many good examples of successful third-sector organisations who are making a real difference in people's lives. Our proposal would provide sufficient funding for these organisations to scale up their services.

2.8 We would also want to see private-sector employers willing to provide training and employment to ex-offenders in close contact with the co-ordinating bodies. There are increasing numbers of employers who are dedicated to giving ex-offenders training and employment and their role in rehabilitation is extremely important.

2.9 These co-ordinating bodies should be low-cost operations, based in the offices of other services with relatively small staffs, diverted from other parts of the justice system if possible.

2.10 To ensure that all agencies are focused on rehabilitation, we will align objectives across the penal system. The co-ordinating bodies, the Prison Service and the National Probation Service (NPS) will all have clear objectives to reduce reoffending rates, increase employment rates among ex-offenders, eliminate homelessness among prison leavers, and ensure individuals receive the rehabilitative services they need.

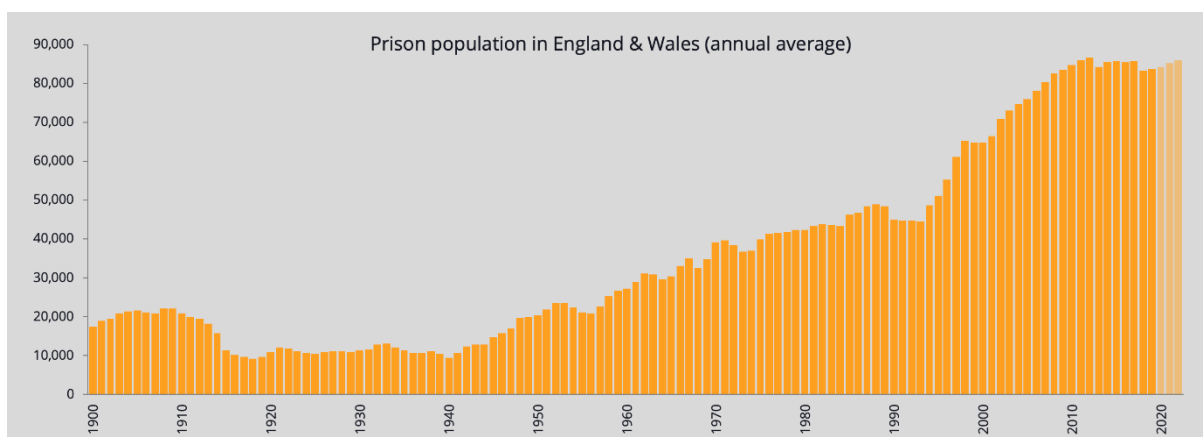
To create a new holistic approach centred on individuals, Liberal Democrats will:

- Create new, local, public co-ordinating bodies to commission services to support individuals from sentencing to the end of supervision.
- Give these bodies responsibility for arranging prison, supervision, healthcare and addiction treatment, education and training, housing and employment services, all as appropriate for the individuals concerned.
- Set a national policy framework and hold the local bodies to account for following it.
- Strengthen the role of third-sector organisations in providing all rehabilitative services, and the role of private-sector employers in providing employment and training.
- Align objectives across different providers, with clear goals to reduce reoffending, eliminate homelessness among prison leavers, and guarantee rehabilitative services.

3. Reducing the prison population

3.1 The prison population almost doubled between 1993 and 2010. It peaked at 88,000 in 2011, although it has fallen by 6% since then, to 83,000² – thanks partly to the abolition of indefinite ‘Imprisonment for Public Protection’ (IPP) sentences by the Liberal Democrats in government.

3.2 Nevertheless, the UK still imprisons more people – both in absolute terms and as a proportion of the total population – than any other country in Western Europe.³ The Ministry of Justice projects that the prison population will grow steadily over the coming years, rising to 86,000 by the end of 2022.⁴



3.3 Too many people are currently being sent to prison who shouldn't be there. A third of all those convicted of indictable or triable-either-way offences are sentenced to prison – most of them for non-violent offences.⁵

3.4 The majority of people sentenced to prison are given sentences of less than a year.⁶ However, the Ministry of Justice's own analysis shows that these sentences are "are associated with higher levels of reoffending than sentences served in the community":

"The one year reoffending rate following short term custodial sentences of less than 12 months was higher than if a court order had instead been given (by 4 percentage points), with this impact being similar regardless of whether the court order was a community order or a suspended sentence order."⁷

3.5 The use of short prison sentences has decreased in recent years – by 24% between 2010 and 2018 for sentences of less than a year – but use of the more effective community-based sentences (whether community orders or suspended sentences) has declined even more steeply: by 44% in the same period.⁸

3.6 The Liberal Democrats will introduce a presumption against short prison sentences and increase the use of tough, non-custodial punishments including weekend and evening custody, curfews, community service and GPS tagging.⁹ The Scottish Liberal Democrats have successfully campaigned for a presumption against sentences of less than 12 months in Scotland and, based

² House of Commons Library, [UK Prison Population Statistics](#) & Ministry of Justice, [Population and Capacity Briefing for Friday 2nd August 2019](#)

³ Institute for Criminal Policy Research, [World Prison Population List: 12th edition](#)

⁴ Ministry of Justice, [Prison Population Projections 2018 to 2023](#)

⁵ Ministry of Justice, [Criminal Justice System statistics quarterly: December 2018](#), Table Q5.1b

⁶ Ministry of Justice, [Criminal Justice System statistics quarterly: December 2018](#), Table Q5.4

⁷ Ministry of Justice, [The impact of short custodial sentences, community orders and suspended sentence orders on reoffending](#)

⁸ Ministry of Justice, [Criminal Justice System statistics quarterly: December 2018](#), Tables Q5.1b & Q5.4

⁹ [2017 Manifesto](#)

on the evidence of their effects on re-offending rates, we believe that the same policy should be introduced in England and Wales.

3.7 We will stop imprisoning people for the possession of drugs for personal use¹⁰ and establish a framework for the legal regulation of cannabis in the UK.¹¹ As well as reducing the harms caused by drugs, both of these policies would significantly reduce the number of people needlessly sentenced to prison.

3.8 We also support greater use of restorative justice, both in place of and alongside other sentences, which has been demonstrated both to reduce reoffending and to help victims come to terms with the offences committed against them and their perpetrators. The Liberal Democrats will give victims the right to request restorative justice rather than a prison sentence as part of a Victims' Bill of Rights, and promote community justice panels and restorative justice that brings victims and wrongdoers together to resolve conflict, reduce harm and encourage rehabilitation.¹²

3.9 People from Black, Asian and minority ethnic (BAME) backgrounds are over-represented throughout the criminal justice system. For example, a black person convicted of a crime is more likely to be sentenced to prison than a white person of the same age.¹³ As a result, black people make up 13% of the prison population,¹⁴ despite being less than 4% of the general population.¹⁵

3.10 If all ethnic groups had the same imprisonment rates as white people, the prison population would be 15% smaller, equating to 12,000 fewer prisoners. The Ministry of Justice has estimated that the over-representation of BAME people in prisons costs the economy more than £200 million a year.¹⁶

3.11 We will reduce the overrepresentation of individuals from a BAME background at every stage of the criminal justice system¹⁷ and ensure true equality before the law, including by:

- Redacting, as far as possible, all information about ethnicity on cases that are passed to the Crown Prosecution Service.
- Improving the diversity of the judiciary and the police.
- Ensuring that the police use Stop and Search powers proportionately.
- Gathering data on ethnicity in a uniform manner across the criminal justice system.¹⁸

3.12 In recent years there has been an increase in the use of mandatory short prison sentences for non-violent offences. Section 28 of the Criminal Justice and Courts Act 2015 – which the Liberal Democrats opposed – introduced mandatory sentences for anyone convicted of a second offence of carrying a knife: at least four months for 16- to 17-year olds, and at least six months for those aged 18 or over.

3.13 This policy has clearly failed to tackle knife crime, which has increased by 77% since 2015.¹⁹ Despite this, the Conservative Government replicated these mandatory sentences for a second conviction for the new offence of possession of a corrosive substance in a public place in Section 8 of the Offensive Weapons Act 2019. We will repeal these ineffective laws.

¹⁰ [Policy Paper 118: Doing What Works to Cut Crime](#)

¹¹ Spring Conference 2016, [E7: Regulatory Framework for Cannabis](#)

¹² [2017 Manifesto](#)

¹³ GOV.UK Ethnicity facts and figures, [Sentences and custody](#)

¹⁴ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison Population 30 June 2019 Table 1.4

¹⁵ Office for National Statistics, [Ethnicity and National Identity in England and Wales: 2011](#)

¹⁶ Ministry of Justice, [An exploratory estimate of the economic cost of Black, Asian and Minority Ethnic net overrepresentation in the Criminal Justice System in 2015](#)

¹⁷ [2017 Manifesto](#)

¹⁸ Policy Paper 135: [Eradicating Race Inequality](#)

¹⁹ Office for National Statistics, [Crime in England and Wales: year ending March 2019](#)

3.14 Although the Coalition Government abolished new IPP sentences of in 2012, it did not abolish them for those prisoners already serving them. As of the end of June 2019, there were 2,315 prisoners serving IPP sentences, 92% of whom have been kept in prison beyond their tariff expiry date.²⁰

3.15 We will conditionally release all prisoners on indeterminate sentences who have served their minimum term.²¹ We would achieve this by reversing the burden of proof, as suggested by the then-Chair of the Parole Board, Professor Nick Hardwick, in 2016.²² This would mean that IPP prisoners will be released unless there is evidence that they are a danger to the public, rather than the prisoner having to prove that they are not.

3.16 Sentence inflation has also exacerbated the problem of prison overcrowding. A desire to appear tough on crime has led successive governments to legislate for and encourage longer and longer custodial sentences, without any evidence that they deter people from committing crimes or help to improve public safety. This must stop.

3.17 The Liberal Democrats will establish a full review of criminal sentencing.²³ This review will be conducted by a Royal Commission, with the explicit goal of reducing excessively long sentences. The review should also seek to identify other unnecessary mandatory prison sentences for abolition.

3.18 A further cause of prison overcrowding comes before sentencing. There were 49,880 remand admissions to prison in 2018: 30,166 prior to a verdict and 19,714 after conviction but before sentencing.²⁴ At the end of June 2019, there were 9,145 people in prison on remand: 5,996 who had not been convicted and a further 3,149 who had been convicted but not yet sentenced.²⁵

3.19 The number of people held on remand and the amount of time they are held for must be kept to a minimum. Remand prisoners who are released into the community – either because they are not convicted or because they do not receive an immediate custodial sentence – must receive any support they need to rebuild family ties and find work and suitable accommodation.

3.20 Similarly, far too many people are recalled to prison after release. The imposition and enforcement of supervision requirements plays an important role in rehabilitation. However, relatively minor breaches of licence requirements too often result in people being returned to prison, damaging their prospects for rehabilitation and contributing to the problems of prison overcrowding.

3.21 The number of people recalled to custody has increased in recent years. 24,075 people were returned to custody after licence recall in 2018, compared to 21,289 in 2015.²⁶ At the end of June 2019, there were 7,435 people in prison on recall – a 22% increase since May 2015.²⁷ The majority of these are recalled for licence breaches alone, not for having committed new offences.

3.22 The improvements to rehabilitation services we are proposing will help to reduce the number of people facing recall. However, we also believe that probation services and the courts should take a more graduated approach to sanctioning people for breaching their licence conditions, returning them to prison only as a last resort.

²⁰ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison Population 30 June 2019 Table 1.9a

²¹ Spring Conference 2017, [F5: Tackling Overcrowding in the Prison System](#)

²² Parole Board, [‘Statement on IPP prisoners from Parole Board Chairman’](#)

²³ [Policy Paper 118: Doing What Works to Cut Crime](#)

²⁴ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison receptions Table 2.4a

²⁵ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison Population 30 June 2019 Table 1.1

²⁶ Ministry of Justice, [Offender management statistics quarterly: October to December 2015 & October to December 2018](#), Licence recalls Table 5.1

²⁷ Ministry of Justice, [Offender management statistics quarterly: October to December 2015 & January to March 2019](#), Prison Population Table 1.1

To reduce the number of people unnecessarily in prison, Liberal Democrats will:

- Legislate for a presumption against prison sentences of less than 12 months.
- Stop imprisoning people for the possession of drugs for personal use.
- Give victims the right to request restorative justice rather than a prison sentence.
- Reduce the overrepresentation of people from BAME backgrounds in the criminal justice system.
- Repeal mandatory sentences for possession of knives and corrosive substances.
- Reverse the burden of proof so that prisoners on indeterminate sentences who have served their minimum term are released unless there is evidence that they remain a danger to the public.
- Conduct a full review of criminal sentencing with the goal of reducing excessively long sentences.
- Reduce the number of people in prison on remand.
- End the use of recall to prison for minor breaches of licence conditions.

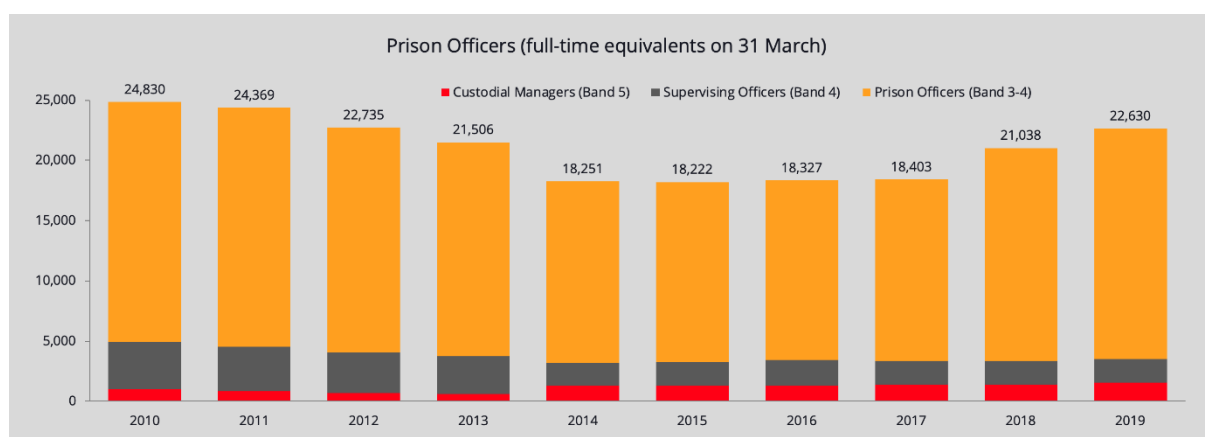
4. Making prisons fit for purpose

4.1 Our prisons are in crisis. They are grossly overcrowded and badly understaffed. Many are badly maintained and in terrible condition. Riots, drug use, suicide and extreme violence – including homicides and serious assaults by prisoners on staff and other prisoners – have all become far too common.

4.2 As of June 2019, 58% of all prisons in England and Wales were overcrowded, including eight that were over capacity by more than 50%.²⁸ This means that many prisoners are forced to share cells only big enough for one. We will make it our explicit policy to end overcrowding in prisons.

4.3 The number of prison officers, supervising officers and custodial managers fell by a quarter between 2010 and 2014, from 24,830 to 18,251. The number of prison officers has partially recovered recently, with a net increase of 4,228 between 2017 and 2019.²⁹

4.4 However, operational staff numbers are still well below what they were in 2010 and the number of officers leaving the service increased by 26% in 2018-19, meaning that the remaining workforce is increasingly inexperienced.³⁰



4.5 We will increase prison officer levels and other staff beyond the additional resource promised by the current Government to reach a safe prisoner-to-officer ratio and to increase the quality and effectiveness of work done with prisoners.³¹

4.6 In 2018 and 2019, HM Chief Inspector of Prisons has issued Urgent Notification letters setting out significant concerns about five local prisons: Nottingham, Exeter, Birmingham, Bedford and Bristol. Many others have also received very critical inspection reports. The situation at HMP Birmingham deteriorated so badly – leading, among other things, to a 14-hour riot in December 2016 – that the Ministry of Justice was forced to step in and take over running the prison from G4S.

4.7 Deaths, assaults and self-harm incidents in prisons have all risen to shockingly high numbers.³² In particular:

- There were 309 deaths in custody in the 12 months to June 2019, a 25% increase on the 247 deaths in the 12 months to June 2015. The past five years have all seen the

²⁸ Ministry of Justice, [Population bulletin: monthly June 2019](#) (Capacity = in-use Certified Normal Accommodation)

²⁹ Ministry of Justice, [National Offender Management Service workforce statistics bulletin: December 2016](#) and [HMPPS workforce statistics bulletin: March 2019](#), Table 3

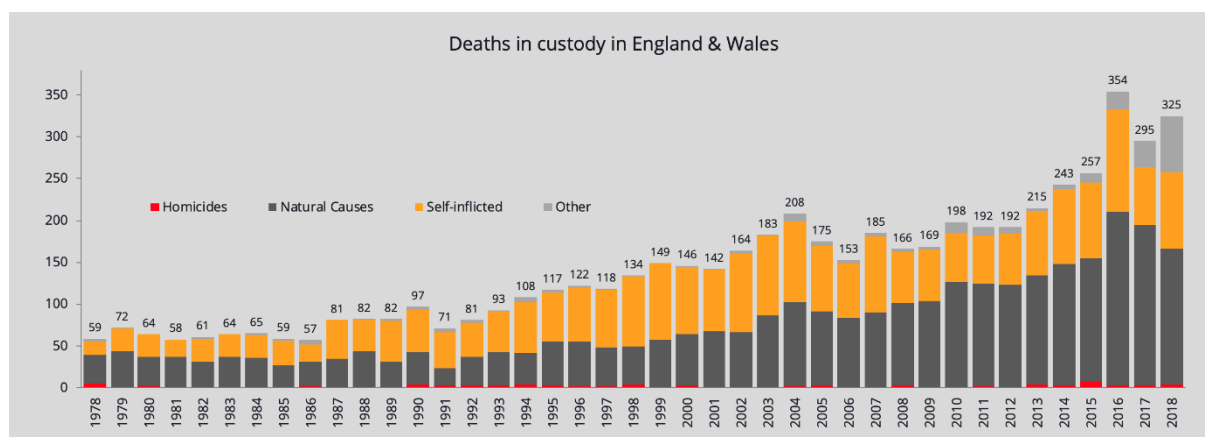
³⁰ Ministry of Justice, [HMPPS workforce statistics bulletin: March 2019](#), Tables 4 & 8c

³¹ Spring Conference 2017, E5: [Tackling Overcrowding in the Prison System](#)

³² Ministry of Justice, [Safety in Custody quarterly: update to March 2019](#)

highest rates of prison deaths since records began in 1978. Those 309 deaths include 86 suicides.

- 57,968 incidents of self-harm were recorded in 2018-19, the largest 12-month total on record and more than double the 27,315 in 2014-15.
- 34,425 assaults were recorded in 2018-19 – a record high and more than double the 16,885 in 2014-15. That includes 3,949 serious assaults and 10,311 assaults on prison staff – in both cases also the largest annual totals on record.



4.8 Extensive drug abuse is endemic in prisons. 18% of all random mandatory drug tests are positive.³³ Psychoactive Substances such as Spice and Black Mamba are now the most common drugs in prisons, although use of cannabis and opiates has also increased. Excluding Psychoactive Substances (for which tests have only been carried out since September 2016), 10% of drug tests were positive in 2018-19 – up from 7% in 2014-15.

4.9 As these appalling trends make clear, prison conditions are well below what is acceptable. HM Chief Inspector of Prisons has described them as:

“some of the most disturbing prison conditions we have ever seen – conditions which have no place in an advanced nation in the 21st century.”³⁴

4.10 We will legislate for statutory minimum standards to apply to all prisons, including standards for occupancy levels, safety, cleanliness and hygiene.

4.11 Understaffing and overcrowding causes prisoners to spend far too much time locked in their cells and far too little in purposeful activities such as work, education and training.

4.12 24% of prisoners spend more than 22 hours a day locked in their cells, and only 10% are out of their cells for more than 10 hours a day. As a result, 65% of prisons were graded “poor” or “not sufficiently good” for purposeful activity in 2018-19, up from 49% in 2016-17.³⁵

4.13 The provision of healthcare, education, training, work opportunities in prisons must improve, as must access to sport, art and music. Prisoners should also have access to IT, subject to appropriate content controls.

4.14 Overcrowding also means that prisons often have no capacity to take in new prisoners, so that many are moved between prisons for reasons that have nothing to do with their risk or rehabilitation but are driven by the need to use all available space across the prison estate. These disruptive transfers set back prisoners’ rehabilitation and make continuity of services –

³³ Ministry of Justice, [HMPPS Annual Digest 2018/19](#)

³⁴ HM Chief Inspector of Prisons for England and Wales, [Annual Report 2017-18](#)

³⁵ HM Chief Inspector of Prisons for England and Wales, [Annual Report 2017-18](#) and [2018-19](#)

particularly education, training and treatment for mental ill health and addiction – far more difficult.

4.15 As a result, 48% of adults leaving prison are convicted of committing at least one new offence within a year.³⁶

4.16 Too many prisoners are held for too long in solitary confinement – whether in a segregation unit or a close supervision centre. In the first quarter of 2014, almost 10% of the prison population spent at least one night in segregation, with 9% of them held in solitary confinement for more than 12 weeks. The number of prisoners in closed supervision centres averaged 50, and the average length of stay was 40 months.³⁷

4.17 Prolonged periods of solitary confinement are very damaging to mental health and in 2015 the Supreme Court ruled that, under the Prison Rules, the Secretary of State was required to approve any period of segregation longer than three days.³⁸ However, the Government responded by amending the rules to allow prison governors to authorise segregation for up to 42 days without the Secretary of State’s approval. We believe the maximum period of segregation without external review should be reduced.

4.18 There has been a dramatic increase in the imposition of additional days of imprisonment as punishments for prisoners. The number of additional days imposed more than doubled between 2014 to 2017, from 159,497 to 359,081 – 983 years of additional prison time.³⁹

4.19 The Scottish Prison Service has abolished the use of additional days of imprisonment, because it found no evidence that it improved prisoner behaviour. This change has not led to an increase in violence or a deterioration of behaviour, but has actually been accompanied by improvements in prison safety.⁴⁰ We believe that, in England and Wales, the number of additional days imposed should be dramatically reduced and they should only be imposed as a last resort.

4.20 Suitable prisoners can be released early on Home Detention Curfews (HDCs), with electronic tagging. Early release is an important aid to rehabilitation and reduces prison overcrowding. In early 2018, the Government ordered prison governors to review cases of prisoners refused HDCs, leading to a large increase in their use. As a result, 3,769 prisoners were released on HDCs between January and March 2018, up 63% on the same period in 2017. However, that number has subsequently declined by 16%, to 3,177 between January and March 2019.⁴¹ We support greater use of HDCs.

4.21 Release from prison is a process, not an event. We therefore support greater use of release on temporary licence (ROTL) where appropriate, particularly for prisoners nearing the end of their sentence. ROTL is explored in greater detail in Section 7.

4.22 We believe that, as far as possible, prisoners should be located in prisons near to their homes. Not only does this allow the prisoners to maintain strong family relationships, it is also important for continuity of rehabilitative services in prison and in the community post-release. The long-term development of the prison estate should aim to ensure a suitable mix of prison types in each locality.

4.23 Richard Steer has proposed a number of recommendations on how to “build in” opportunities for rehabilitation and reform” when constructing new prisons.⁴² This includes

³⁶ Ministry of Justice, [Proven reoffending statistics: July to September 2017](#)

³⁷ Prison Reform Trust, [Deep Custody: Segregation Units and Close Supervision Centres in England and Wales](#)

³⁸ *R (on the application of Bourghass and another) v Secretary of State for Justice* [2015] UKSC 54

³⁹ Howard League for Penal Reform, [The rising tide: Additional days for rule-breaking in prison](#)

⁴⁰ Howard League for Penal Reform, [Out of control: Punishment in prison](#)

⁴¹ Ministry of Justice, [Offender management statistics quarterly: January to March 2018](#) and [January to March 2019](#), Prison releases Table 3.4i

⁴² Richard Steer, [Rehabilitation by Design](#)

Nordic-style 'normalised' housing, better use of natural light and good lines of sight. We support these principles for new prisons and, as far as possible, for the renovation of existing prisons.

To transform prisons into places of rehabilitation and recovery, Liberal Democrats will:

- End overcrowding in prisons.
- Recruit more prison officers to reach a safe prisoner-to-officer ratio.
- Legislate for statutory minimum standards for prison conditions.
- Improve the provision of healthcare, education, training, work opportunities and access to sport, art and music.
- Ensure that prisoners have access to IT, subject to content controls.
- Limit the use of solitary confinement, including by reducing the maximum period of segregation without external review to 72 hours.
- Restrict the use of additional days of imprisonment to a punishment of last resort.
- Reverse the burden of proof to enable the conditional release of all prisoners on indeterminate sentences who have served their minimum term.
- House prisoners in prisons near to their homes as far as possible.
- Build rehabilitation and recovery into prison design.

5. Effective supervision in the community

5.1 Since 2015, probation provision has been split between the NPS, which is responsible for supervising 'high-risk' individuals, and 21 Community Rehabilitation Companies (CRCs), which have responsibility for those deemed 'low- and medium-risk'.

5.2 The NPS is generally performing reasonably well, although staff shortages mean that probation officers often have to contend with very high workloads and are therefore not able to give individuals the attention they need. Officers are subjected to considerable stress, which has markedly sapped morale in the service.

5.3 The CRCs, on the other hand, are failing badly and have come nowhere near meeting their objectives. Inspections have revealed a range of problems, including:

- "Insufficient contact, a lack of meaningful contact and poor continuity of contact with those under probation supervision", with many CRCs supervising individuals by telephone only. This can make it impossible for CRCs to enforce probation requirements properly.
- "Insufficient purposeful activity", with more than one in ten people receiving no purposeful activity at all.
- "Very poor Through the Gate services," with one in ten people released from prison without a roof over their heads.
- A lack of services to meet individuals' needs, with people sometimes left waiting many months for services or not receiving them at all.⁴³

5.4 Based on these inspections, HM Inspectorate of Probation has concluded that:

*"there has been little innovative work to reduce reoffending, voluntary sector involvement in probation services is ever diminishing and resettlement services provided to prisoners before release are poor."*⁴⁴

5.5 Trade unions warn that morale of probation officers, in both the NPS and CRCs, is at an "all-time low".⁴⁵ We believe that probation officers perform an important public duty and must be properly recognised and supported in their work. We are concerned that low morale will make it harder both to retain experienced officers and to recruit new ones.

5.6 In 2018, the House of Commons Public Accounts Committee found that "the extent of involvement of the third sector in delivering probations services has been woeful" – partly because of the under-funding of CRC contracts, and partly because "many third-sector organisations are withdrawing from probation services because the support they provided is now part of government probation supervision".⁴⁶

5.7 The Justice Select Committee found that "CRC performance in reducing reoffending, particularly the number of times an offender reoffends, has been disappointing" and concluded that "we do not think that the payment by results mechanism provides sufficient incentives to providers to reduce reoffending".⁴⁷

5.8 The Committee also highlighted problems resulting from the split of probationers between the NPS and CRCs based on risk, including "co-ordination challenges" and the fact that

⁴³ House of Commons Justice Committee, [Written evidence from HM Inspectorate of Probation](#)

⁴⁴ *Ibid.*

⁴⁵ House of Commons Justice Committee, [Transforming Rehabilitation](#)

⁴⁶ House of Commons Public Accounts Committee, [Government contracts for Community Rehabilitation Companies](#)

⁴⁷ House of Commons Justice Committee, [Transforming Rehabilitation](#)

“the risk of harm an individual poses can change over time”.⁴⁸ The Howard League for Penal Reform argues that the “two-tier system” created by this split “is the central flaw corrupting the whole edifice” and that it should be reintegrated into a single service.⁴⁹

5.9 In July to September 2018, the Ministry of Justice consulted on proposals to end the current CRC contracts early (in 2020 rather than 2022); replace the current system of 21 CRCs and seven NPS districts with 11 probation regions; and introduce a requirement that individuals are seen face-to-face at least once a month during the first year of supervision.⁵⁰ However, in May 2019 the Government instead announced that it would reverse the split in probation, abolishing the CRCs and bringing all supervision under the NPS.⁵¹

5.10 Reforms to the current system – including ending the existing CRC contracts early and reunifying the probation system – are clearly necessary. However, we do not believe these will go nearly far enough to address the major problems in probation.

5.11 Our proposal of local bodies with responsibility for all of an individual’s probation and rehabilitative services would solve the “co-ordination challenges” identified by the Justice Select Committee. Well-resourced local commissioning would enable a proper multi-agency approach, including public bodies and third-sector providers.

5.12 Under Section 2 of the Offender Rehabilitation Act 2014, anyone leaving prison after a sentence of more than a day but less than two years is subject to a mandatory supervision period of at least 12 months. The Act specifies that “The purpose of the supervision period is the rehabilitation of the offender”.

5.13 We support the mandatory supervision of ex-offenders after their release from prison. However, we do not believe that all those released from prison will need to be supervised for a full year. The period of supervision should be determined upon release, based on an assessment of the individual’s rehabilitative needs and their risk of reoffending.

5.14 As set out in Section 3, we also believe that greater use should be made of tough community-based sentences involving supervision, as an alternative to prison. But they must be made to work effectively – and that means the deployment of additional resources.

To ensure the effective supervision and rehabilitation of ex-offenders in the community, Liberal Democrats will:

- Unify probation by ending Community Rehabilitation Company contracts and bringing all supervision under the National Probation Service.
- Improve the quality of supervision, with more and better contact between ex-offenders and their probation officers.
- Increase involvement of specialist voluntary sector organisations in providing supervision and mentoring services.
- Repeal the mandatory 12-month supervision period for prison-leavers and tailor the length of supervision to the individual.

⁴⁸ *Ibid.*

⁴⁹ Frances Crook, [‘One last restructuring that probation staff would welcome’](#)

⁵⁰ Ministry of Justice, [‘Strengthening probation, building confidence’](#)

⁵¹ Ministry of Justice, [‘Justice Secretary announces new model for probation’](#)

6. Education at the core of the youth justice system

6.1 Criminalising and imprisoning young people is particularly damaging, acting as a barrier to the education, jobs, housing and relationships required to prevent re-offending. Article 37 of the United Nations Convention on the Rights of the Child states that children must only be arrested or imprisoned “as a measure of last resort”, and we believe that more children should be diverted away from the criminal justice system entirely.

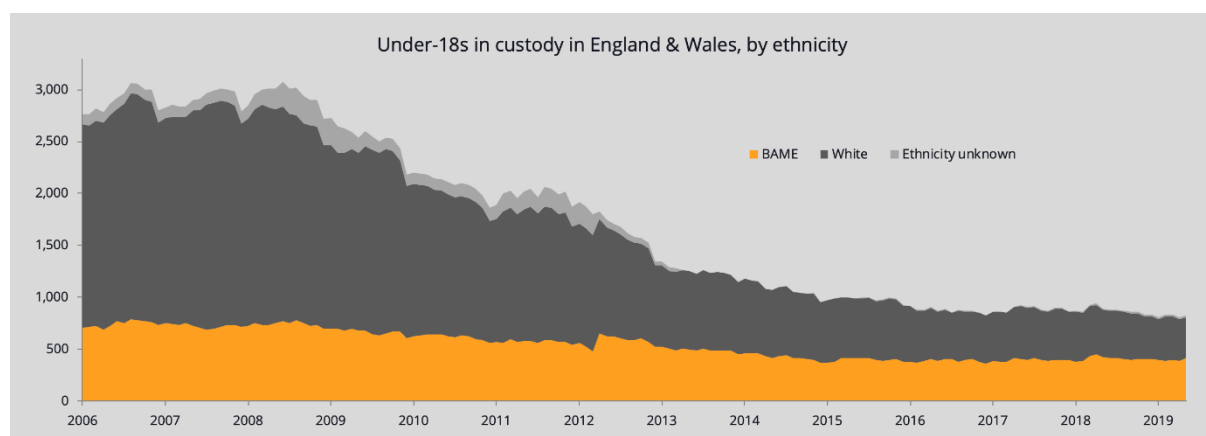
6.2 The evidence shows that criminalising children has adverse effects throughout their lives, including making them more likely to commit offences as adults.⁵² The United Nations Committee on the Rights of the Child, the Equality and Human Rights Commission,⁵³ the Law Society, the Children’s Commissioners, the Royal Society, the Royal College of Psychiatrists and the All Party Parliamentary Group for Children have all called for the age of criminal responsibility to be raised.

6.3 We agree. The Liberal Democrats will increase the age of criminal responsibility from 10 to 14.⁵⁴ As a first step, the Age of Criminal Responsibility Bill 2017-19, a Liberal Democrat Private Members’ Bill sponsored by Navnit Dholakia and Wera Hobhouse, would raise it to 12. It has been passed by the House of Lords and is currently awaiting its second reading in the Commons.

6.4 The party’s policy working group on crime and policing has also proposed making youth diversion a statutory duty of Youth Offender Teams, so that every part of the country has a pre-charge diversion scheme for young people up to the age of 25. We support this proposal.

6.5 The reduction in the number of children in custody has been one of the few successes in the penal system over the last ten years, with 830 under-18s in custody in May 2019, just under a third of the number in May 2009.⁵⁵

6.6 However, the reduction in BAME children in custody (39% over the past decade) has been much slower than that for white children (77%). As a result, BAME children in custody outnumbered white children in May 2019, for the first time ever.⁵⁶ We will urgently tackle the over-representation of BAME children in the youth justice system.



6.7 In 2015-16, Charlie Taylor conducted a review of the youth justice system for the Government. In his final report, he unequivocally recommended that education should be at the core of our youth justice system and that ‘Secure Schools’ should replace Young Offender

⁵² Parliamentary Office of Science & Technology, [Age of Criminal Responsibility](#)

⁵³ ‘Age of criminal responsibility in England and Wales “too low” says watchdog’, *The Independent*, 6 May 2019

⁵⁴ Spring Conference 2011, [F7: Taking Responsibility \(Youth Justice Policy Paper\)](#)

⁵⁵ Youth Custody Service, [Monthly Youth Custody Report – May 2019](#), Table 2.1

⁵⁶ Youth Custody Service, [Monthly Youth Custody Report – May 2019](#), Table 2.6

Institutions.⁵⁷ We agree. More and better education and training, as individually focused as is needed, is essential to enable children to escape the cycle of criminality that threatens so many.

6.8 However, Charlie Taylor also pointed out that we need to ensure that a broad spread of caring services is available to address the particular issues of young people within the youth justice system. Too often mental ill health and drug abuse go unaddressed. He wrote:

“Almost all of the causes of childhood offending lie beyond the reach of the youth justice system. It is vital that health, education, social care and other services form part of an integrated, multi-agency response to a child’s offending, but it is more desirable that these same services intervene with at-risk children and families before their problems manifest themselves in offending. I believe this is best achieved by devolving greater freedoms and responsibility for the youth justice system to local authorities who otherwise hold the statutory accountability for educating and protecting children.”⁵⁸

6.9 Apart from his proposal to hand responsibility for children in the criminal justice system to local authorities, Charlie Taylor’s approach is very similar to ours. Our proposed co-ordinating bodies would each have at least one youth specialist responsible for commissioning education, training and other services for the children in their area.

To put education at the core of the youth justice system, Liberal Democrats will:

- Raise the age of criminal responsibility to 14 and divert more children away from the criminal justice system entirely.
- Replace Young Offender Institutions with Secure Schools and Secure Children’s Homes, small enough to assure individual care.
- Require each co-ordinating body to have at least one youth specialist responsible for commissioning services for the children in their area.

⁵⁷ Charlie Taylor, [Review of the Youth Justice System in England and Wales](#)

⁵⁸ *Ibid.*

7. Addressing the specific needs of women

7.1 Women make up less than 5% of the prison population,⁵⁹ but they are more likely than male prisoners to be serving short sentences for non-violent offences.⁶⁰ The majority experienced childhood abuse⁶¹ and many are victims of domestic abuse.⁶² They are more likely than male prisoners to report poor mental health⁶³ and problems with alcohol and drugs.⁶⁴

7.2 Self-harm is far more prevalent in women's prisons, with 2,828 incidents per 1,000 prisoners in the 12 months to March 2019, compared to 596 per 1,000 in men's prisons.⁶⁵

7.3 Two thirds of women in prison are mothers of dependent children, and at least a third of these are single parents. Around 17,000 children are separated from their mothers by imprisonment each year and the vast majority of them are moved out of their homes as a result.⁶⁶ This has a strong detrimental effect on their development and wellbeing and a harsh impact on the welfare of their mothers, going far beyond the impact of the imprisonment itself.

7.4 The Liberal Democrats will establish a Women's Justice Board to replicate the success of the Youth Justice Board and legislate for the best interests of dependent children to be considered at sentencing.⁶⁷

7.5 In 2006-07, Baroness Corston conducted a review of women with particular vulnerabilities in the criminal justice system for the Government. Her report recommended that "custodial sentences for women must be reserved for serious and violent offenders who pose a threat to the public", "women unlikely to receive a custodial sentence should not be remanded in custody" and that women's prisons should be replaced with "suitable, geographically dispersed, small, multi-functional, custodial centres".⁶⁸

7.6 Although the Government accepted these three recommendations in principle at the time, they have not been implemented. They should be.

7.7 Baroness Corston also called for a national network of women's centres, providing a "one-stop-shop" of services that are "appropriate and coordinated to meet the profiled needs of local women", including BAME women. Women in or at risk of entering the criminal justice system can be referred to these centres by the police, the courts, probation services, GPs and others.

7.8 Women's centres have proven effective. A Ministry of Justice analysis of 39 women's centres in 2015 found that an ex-offender who receives support from a women's centre is less likely to be convicted of a new offence within a year than one who does not.⁶⁹ However, there are still not enough women's centres, and many are struggling with a lack of sustainable funding.⁷⁰ The All-Party Parliamentary Group on Women in the Penal System has warned that "There is a real risk that women's centres will be a thing of the past unless action is taken."⁷¹

⁵⁹ Ministry of Justice, [Population and Capacity Briefing for Friday 2nd August 2019](#)

⁶⁰ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison Population 30 June 2019 Tables 1.1 & 1.2b

⁶¹ Ministry of Justice, [Prisoners' childhood and family backgrounds](#)

⁶² Prison Reform Trust, ["There's a reason we're in trouble": Domestic abuse as a driver to women's offending](#)

⁶³ HM Chief Inspector of Prisons for England and Wales, [Annual Report 2016-17](#)

⁶⁴ HM Chief Inspector of Prisons for England and Wales, [Annual Report 2017-18](#)

⁶⁵ Ministry of Justice, [Safety in Custody quarterly: update to March 2019](#), Table 3

⁶⁶ Howard League for Penal Reform, [Mothers in prison: The sentencing of mothers and the rights of the child](#)

⁶⁷ [Policy Paper 118: Doing What Works to Cut Crime](#)

⁶⁸ Home Office, [The Corston Report](#)

⁶⁹ Ministry of Justice, [Justice Data Lab Re-offending Analysis: Women's Centres throughout England](#)

⁷⁰ Women in Prison, [Corston+10: The Corston Report 10 Years On](#)

⁷¹ Howard League for Penal Reform, [Is this the end of women's centres?](#)

7.9 We will ensure sufficient and sustainable funding for an enlarged network of women's centres across the country.

7.10 In addition, each local co-ordinating body should be required to appoint a "Women's Champion" to raise awareness of the specific needs of women and ensure they are met – including supported accommodation for those who need it when they leave prison.

7.11 However, this should not be left to Women's Champions alone. All staff in contact with women in the criminal justice system should be given specialist training.

To address the specific needs of women who have committed offences, Liberal Democrats will:

- Establish a Women's Justice Board along the lines of the successful Youth Justice Board.
- Reserve prison sentences for women for those who have committed serious and violent offences and pose a threat to the public, by making community-based sentences the norm.
- Legislate to require the best interests of dependent children to be considered at sentencing.
- Prevent women who are unlikely to receive a prison sentence from being held in custody on remand.
- Replace existing women's prisons with small custodial centres dispersed around the country.
- Establish a national network of women's centres: one-stop-shops providing services and support for women in or at risk of entering the Criminal Justice System.
- Provide supported accommodation for women who need it on release from prison.
- Require each local co-ordinating body to appoint a "Women's Champion", responsible for raising awareness of women's specific needs and ensuring they are met.
- Provide specialist training for all staff in contact with women in the criminal justice system.

8. Rehabilitative services to prevent reoffending

8.1 Suitable housing, stable employment and strong family relationships all help to reduce the risk of reoffending, while drug and alcohol misuse, financial problems and homelessness all increase it. The prison and probation services should therefore be focused on ensuring that individuals receive services that help them achieve the former and avoid the latter.

8.2 We will ensure that the last few months of a custodial sentence are devoted to job-seeking, the securing of accommodation and the creation of the foundations for a law-abiding life post-release.⁷²

8.3 Nacro has highlighted the practice of releasing people from prison on Fridays as a particular barrier to rehabilitation.⁷³ More than a third of prisoners are released on a Friday, in part because this includes those scheduled for release on a Saturday, Sunday or bank holiday Monday. This increases pressure on service providers on Fridays, when many already have reduced capacity. Coupled with the fact that many providers are closed over the weekend, this can make it very difficult for prison-leavers to access housing, healthcare and other essential services.

8.4 We will therefore end the release of prisoners on Fridays, giving the parole board more discretion to spread releases over Monday to Thursday instead.

Housing

8.5 HM Inspectorate of Probation has said that, for many prisoners, “finding somewhere to live on release was their greatest worry”:

“About one in seven short-term prisoners and one in ten longer-term prisoners walked out of the prison gate not knowing where they were going to sleep that night, and only a small number found suitable accommodation on the day of release.”⁷⁴

8.6 Nacro has warned that some local authorities classify ex-offenders as ‘intentionally homeless’ and therefore do not accept their duty to provide them with social housing. Some even operate a policy of refusing to accept homelessness applications from prison leavers.⁷⁵

8.7 Our proposed co-ordinating bodies will be responsible for ensuring that prisoners have suitable housing immediately upon release and throughout their supervision period. This will involve them working closely with both local authorities and housing associations to identify for prisoners, well before their release dates, suitable accommodation that they can afford.

Education and training

8.8 In 2015-16, Dame Sally Coates conducted a review of prison education for the Government. She found that:

“Recognition of the importance of education in prisons appears to have been lost. There are pockets of good practice, with examples of ‘Outstanding’ education provision, but these are isolated. There does not appear to be any systematic way for prisons and Governors to learn from one another.”⁷⁶

⁷² Policy Paper 118: [Doing What Works to Cut Crime](#)

⁷³ Nacro, [Barriers to effective resettlement: Friday prison releases](#)

⁷⁴ HM Inspectorate of Probation, [Annual Report 2017](#)

⁷⁵ House of Commons Justice Committee, [Written evidence from Nacro](#)

⁷⁶ Dame Sally Coates, [Unlocking potential: a review of education in prison](#)

8.9 Only a quarter of prisoners enter employment upon release. In 2016, the Work and Pensions Select Committee concluded that:

“The problem of employment support in prison is partly one of coordination. Over the course of a prisoner’s sentence, various agencies and individuals are responsible for helping them to find work on release. Difficulties occur where responsibility changes or overlaps and there is no continuity... Currently, there is no clear strategy for how different agencies, in different prisons, should work together to achieve the common goal of getting ex-offenders into work. This is partly due to the absence of a single point of responsibility.”⁷⁷

8.10 There is a significant need for more and better training programmes for prisoners while in prison. Importantly, these should include training in using IT. Greater co-ordination is needed between prisons as to the courses they provide. Moves between prisons, for whatever reason, should not lead to prisoners having to give up courses they have started. This means that the courses offered to prisoners require a measure of standardisation.

8.11 ROTL is a good way for prisoners to get back into work with local employers before the end of their prison sentence – as well as to rebuild and maintain important but often fractured family ties. Offending, breaching licence conditions or failing to return while on ROTL is incredibly rare: failures occur in less than 0.2% of cases.⁷⁸ Meanwhile, Ministry of Justice analysis shows that ROTL does reduce the risk of reoffending after release.⁷⁹

8.12 However, eligibility for ROTL was restricted in 2014 and its use has fallen dramatically in recent years: by 27% since 2013.⁸⁰ In May 2019, the Government announced that it is relaxing these restrictions to give prison governors autonomy to grant ROTL to any prisoners in open prisons and women’s prisons, as long as they pass a risk assessment.

8.13 We believe that eligibility for ROTL should be expanded and local employers should be encouraged to recruit eligible prisoners.

Employment

8.14 As well as a lack of training and support in and out of prison, employer attitudes are a significant barrier to ex-offenders finding work. 50% of employers say they would definitely or probably not consider employing people who have committed crimes.⁸¹ For many employers, this is because of fears that doing so would damage the public image of their business.

8.15 There is, however, a significant number of high-profile companies offering employment to large numbers of prisoners, with very successful results. They should be encouraged. We will offer financial incentives to employers who hire prison-leavers, in the form of lower employers’ National Insurance Contributions.

8.16 We will reform the rules around criminal records disclosure, so that people do not have to declare old or minor convictions.

8.17 Business in the Community’s ‘Ban the Box’ campaign encourages employers to remove questions about criminal convictions from job application forms. This does not preclude employers from requiring applicants to disclose any criminal records later in the process, but it

⁷⁷ House of Commons Work and Pensions Committee, [Support for ex-offenders](#)

⁷⁸ Ministry of Justice, [Offender management statistics quarterly: January to March 2019](#), Prison releases Table 3.5

⁷⁹ Ministry of Justice, [The reoffending impact of increased release of prisoners on Temporary Licence](#)

⁸⁰ Ministry of Justice, [Offender management statistics quarterly: January to March 2014 & January to March 2019](#), Prison releases Table 3.5

⁸¹ [YouGov / DWP survey](#), 26th June – 14th December 2015

gives ex-offenders the opportunity to get further into the process before they have to do so, increasing their chances of success.

8.18 The Government has ‘banned the box’ for most civil service jobs. We will extend the ban to all public-sector jobs and make it a requirement for any employer to receive government contracts.

Relationships, health and addiction

8.19 Family visits and home leave both help prisoners to maintain good family relationships, and there is evidence that they reduce the risk of re-offending.⁸² A 2008 study by the Ministry of Justice found that “The odds of reoffending were 39% higher for prisoners who had not received visits [from a partner or family member] compared to those who had.”⁸³

8.20 It is essential that high-quality mental health care is provided to all those who need it, whether in prison or under supervision in the community. Individuals in prison or on probation are more likely to have mental ill health than the general population – although the Government does not collect reliable data about this. We believe the collection of anonymised data about offenders’ mental health should be substantially improved so that agencies can identify and meet their treatment needs.

8.21 The National Audit Office has found that “Prisoners do not routinely receive continuity of care on release, making successful rehabilitation more challenging.”⁸⁴ This is true for both physical and mental health care, and it is vital that all prison leavers are registered with a local GP immediately upon release.

8.22 There is good evidence that drug treatment and testing requirements help to reduce both an individual’s drug misuse and the likelihood that they will reoffend. While prison-based interventions such as cognitive behavioural therapy do reduce reoffending, they are most effective if followed up with community-based interventions after release.⁸⁵

Personal finances

8.23 Financial support for people leaving prison is currently very limited. They receive a £46 discharge grant upon release – an amount that has not been increased since 1995.⁸⁶ We will increase it to ensure that no one leaves prison destitute.

8.24 Even with an increase, the discharge grant is clearly not enough to live on. Prisoners should be required to save some of the money they earn working in prison and on ROTL in a bank account that they can access upon release.

8.25 To make that possible, the minimum wage for work in prison should be increased from the current £4 a week – a rate that has not been increased since 2002 – with deductions taken to fund Victims Support as they are for earnings for work done on ROTL.

8.26 It is also vital that prison leavers receive the benefits they are entitled to from the day they are released. However, the Prison Reform Trust has warned that:

“The delays and lengthy waits for initial benefit payments can have serious consequences for ex-offenders. No money for basic necessities can quickly cause

⁸² Ministry of Justice, [Transforming Rehabilitation: a summary of evidence on reducing reoffending](#)

⁸³ Ministry of Justice, [Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004](#)

⁸⁴ National Audit Office, [Mental health in prisons](#)

⁸⁵ Ministry of Justice, [Transforming Rehabilitation: a summary of evidence on reducing reoffending](#)

⁸⁶ House of Commons Work and Pensions Committee, [Support for ex-offenders](#)

*desperation. This might result in informal borrowing and increases the risk of reoffending.*⁸⁷

8.27 Applications for Universal Credit (UC) must be made online, which is not an option for most people in prison. The Government has said that it eventually intends to support prisoners with UC claims prior to release, but its current solution is to help them apply as soon as they leave prison. Those in “urgent financial need” are able to apply for a Benefit Advance payment worth up to 50% of the first month’s UC payment, but this is a loan that is repaid through deductions from future UC payments.

8.28 We believe prisoners must be able to apply for UC so that they start receiving their full entitlement immediately upon release. This would be just one of many benefits of providing access to IT in prisons and helping prisoners to develop their digital skills.

8.29 Under our proposals, every local co-ordinating body would have a clear responsibility for ensuring that each individual receives the rehabilitative services they need. That would begin at sentencing by assessing not only the risk of reoffending but also the needs that drive their offending. The co-ordinating body’s role would include, for example:

- Working with local authorities and housing associations well before release to put in place suitable, stable accommodation for prison leavers from day one.
- Working with prison governors, local employers and third-sector organisations to help prisoners into work, both in prison and on ROTL.
- Working with the Department for Work & Pensions to ensure that individuals receive the benefits they are entitled to.
- Working with the National Health Service and third-sector providers to ensure prison leavers are registered with a local GP and individuals with mental ill health receive high-quality treatment.

8.30 A crucial part of the co-ordinating body’s mandate would be to ensure continuity of services for prisoners when they are released under supervision.

8.31 Although both the requirements on ex-offenders and the co-ordinating bodies’ responsibility for them would end at the end of the supervision period, individuals should be encouraged and supported to continue to make use of these rehabilitative services for as long as they benefit from them.

⁸⁷ House of Commons Work and Pensions Committee, [Written evidence from the Prison Reform Trust](#)

To help ex-offenders build a life free from crime, Liberal Democrats will:

- Ensure, before release, that all prison-leavers have suitable accommodation, a bank account and employment or training, and are registered with a local GP.
- End the release of prisoners on Fridays.
- Ensure that prisoners can apply for Universal Credit in prison, so that they receive their full entitlement immediately upon release.
- Increase the number of prisoners granted release on temporary licence.
- Offer reduced National Insurance Contributions to employers of prison-leavers.
- Reform criminal records disclosure rules so that people do not have to declare irrelevant old or minor convictions.
- Ban the Box (remove questions about criminal convictions from application forms) for all public-sector jobs and require employers to do the same to receive government contracts.
- Ensure continuity of mental and physical health care and addiction treatment in prison and the community.
- Increase wages for prisoners to a level that enables them to make savings into a bank account for release and contributions to Victims Support.
- Increase the discharge grant to ensure that no one leaves prison destitute.

9. Spending to save

9.1 The Government currently spends £4 billion a year on the prison estate and probation services: £3.2 billion on prisons and £800 million on probation.⁸⁸

9.2 Recruiting more prison and probation officers, improving prison conditions and providing more and better rehabilitative services will all require substantial extra investment. However, against this must be set the benefits of reducing reoffending.

9.3 In the United States, many states have pioneered what they call 'justice reinvestment': funding programmes to prevent crime from the savings made by reducing the prison population. We are proposing a similar philosophy here.

9.4 In 2017-18, the average cost of keeping someone in prison was £37,543,⁸⁹ equivalent to £103 per day. Preventing reoffending would not only reduce those costs, but also avoid other costs in the criminal justice system. If rehabilitated people are gainfully employed, that also means more tax revenue for the Exchequer.

9.5 The Ministry of Justice estimates that the total economic and social cost of reoffending is £18 billion a year.⁹⁰ Quite apart from the direct costs of the criminal justice system, costs to victims, insurers, local authorities and other agencies handling the problems that imprisonment brings for prisoners' families all need to be brought into account. The case for greater spending to reduce reoffending is therefore unanswerable.

9.6 Our new local co-ordinating bodies must be properly resourced to commission a wide range of services. In some cases they will fund providers directly; in others pump-prime; and in others support the funding of other statutory services. Without sufficient core funding, our proposals would be unlikely to succeed.

9.7 The Ministry of Justice and the Treasury should work together to develop a more comprehensive method of assessing the costs and benefits of improving prison and probation and providing rehabilitative services. This is an area where the Government must spend to save.

To fund prisons, probation and rehabilitative services properly, Liberal Democrats will:

- Develop a comprehensive cross-departmental measure of the fiscal, economic and social costs of reoffending.
- Introduce a philosophy of 'spending to save', treating expenditure across the criminal justice system as investment in cutting crime.

⁸⁸ House of Commons Library, [Estimates day: Ministry of Justice spending](#)

⁸⁹ Ministry of Justice, [Economic and social costs of reoffending](#)

⁹⁰ National Audit Office, [Transforming Rehabilitation](#)

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