



# Literature review

Commissioning voluntary  
throughcare and mentoring  
services

December 2023

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# Key findings

## Background and context

- Community Justice Scotland (CJS) is tasked with commissioning voluntary throughcare and mentoring services for people leaving prison funded directly by the Scottish Government (SG), as currently provided by three third sector public social partnerships (PSPs).
- For the purposes of understanding needs and identifying good practice to inform the development of throughcare services, this review provides an overview of literature relevant to Scotland, the UK and internationally, split into three chapters: theories of reintegration; needs that require to be supported on release from prison; and the current situation of throughcare in Scotland.

## Theories of reintegration

- Reintegration is a term used to describe the processes involved in transitioning out of prison.<sup>1</sup> In order to reduce the likelihood of reoffending, it is important that a person who is released from prison has the necessary support to overcome the barriers and issues they might face, and to reintegrate successfully into the community.
- A strengths-based approach to reintegration in which a person has a sense of earning a place in society may increase the likelihood of positive reintegration.<sup>2</sup> Restorative practices and a sense of community and re-socialisation may also increase this.<sup>3</sup>
- Resettlement, or how we address the practical problems that individuals face on release from prison, includes considering factors such as employment and accommodation. Key principles of resettlement relate to the practitioner relationship with the individual and the need for them to care about and be committed to them; to be able to access a wide network of community resources; and, where applicable, to balance the management and monitoring components of their role with support for resettlement.<sup>4</sup>
- Research suggests that pre-release planning and 'through-the-gate' support is good practice for successful resettlement as it can remove barriers and issues found in models designed purely in prison or in community settings.<sup>5</sup>
- Desistance, the long-term abstinence from criminal behaviour, requires personal changes for individuals, including maturing, gaining control of life chances, obtaining

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<sup>1</sup> McIvor, G., Graham, H. and McNeill, F. (2018). 'Prisoner resettlement in Scotland' in Pruin, I., Dünkel, F. and Storgaard, A. (eds.) Prisoner resettlement in Europe, London: Routledge. Source: <https://core.ac.uk/download/pdf/132200214.pdf>

<sup>2</sup> [The Inside Out Trust](#)

<sup>3</sup> Dandurand, Y. (2016). Alternative approaches to preventing recidivism: restorative justice and the social reintegration of offenders. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/01/DESIGNED-Academic-Insights-Cracknell-Jan-23.pdf>

<sup>4</sup> Cracknell, M. (2023). Effective practice in resettlement. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/01/DESIGNED-Academic-Insights-Cracknell-Jan-23.pdf>

<sup>5</sup> Ibid.

skills and employment, and understanding their criminality.<sup>6</sup> Social resources and networks, including family, friends and work colleagues, are a key part of desistance.<sup>7</sup> Further, desistance can be impacted by factors such as forming a family, moving away from peer groups who were involved in criminality, and having stable employment.<sup>8</sup>

- Where there are legal<sup>9</sup> or practical barriers to reintegration, psychological support alone, such as support that aims to change behaviours to reduce the likelihood of reoffending, cannot address rehabilitation and desistance.<sup>10</sup>
- Models of reintegration put forward alternative explanations for offending behaviour and methods of support for desistance. One conceptual model of reintegration suggests, ultimately, that reoffending relates to those with poor personal life situations, and that desistance relates to those with positive life situations.<sup>11</sup>
- A risk-need-responsivity (RNR) model sets out principles for successful rehabilitation and reintegration to the community, including principles of involvement of social relationships, intervention duration and frequency, psychosocial needs, continuity, and communication.<sup>12</sup> As an alternative to this, the Good Lives Model (GLM) uses a strengths-based and restorative model of rehabilitation that reduces criminogenic needs by encouraging personal fulfilment.<sup>13</sup>
- Person-centred services fundamentally put the individual using a service at the centre of that service.<sup>14</sup> These are not as developed within justice as they are in health and social care approaches, and there is limited evidence of their effectiveness. There is a need to carefully consider the definition of person-centred support to ensure that it is meaningful and practical for justice users. Person-centred justice is likely to become more meaningful when we commit to measuring it, and this measurement should focus on improving rather than proving person-centred outcomes.<sup>15</sup>

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<sup>6</sup> Kirkwood, S. and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source:

[https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>7</sup> Ibid.

<sup>8</sup> Laub, J.H. and Sampson, R.J. (2003). in Weaver, B (2019). Understanding desistance: a critical review of theories of desistance. Source:

[https://strathprints.strath.ac.uk/66399/1/Weaver\\_PCL2018\\_Understanding\\_desistance\\_a\\_critical\\_review\\_of\\_theories\\_of\\_desistance.pdf](https://strathprints.strath.ac.uk/66399/1/Weaver_PCL2018_Understanding_desistance_a_critical_review_of_theories_of_desistance.pdf)

<sup>9</sup> Legal barriers might include, for example, impact of disclosure of criminal records on opportunities for employment.

<sup>10</sup> Kirkwood, S. and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source:

[https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>11</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source:

<https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

<sup>12</sup> Jeglic, E.I., Maile, C and Calkins-Mercado, C. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation: Sage Publications.

<sup>13</sup> Andrews, D. Bonta, J and Wormith, J. (2011). The risk-need-responsivity (RNR) model - does adding the Good Lives Model contribute to effective crime prevention? Source:

<https://journals.sagepub.com/doi/epdf/10.1177/0093854811406356>

<sup>14</sup> Armstrong, S. McCulloch, T., Weaver, B. and Reed, D. (2020). Measuring justice: defining concepts, developing practice. Source:

[https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring\\_Justice\\_Defining\\_Concepts\\_Developing\\_Practice\\_Report\\_2020\\_1.pdf](https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring_Justice_Defining_Concepts_Developing_Practice_Report_2020_1.pdf)

<sup>15</sup> Ibid.

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## Needs

- People transitioning from prison into the community may face multiple issues and barriers to successful reintegration. Support must be available for people's basic needs and to enable people to thrive.
- Often, the experience of being remanded or having served a short-term sentence is disruptive and creates barriers for individuals who may be marginalised and who find it difficult to reintegrate successfully into their community.<sup>1617</sup>
- Support in prison, before a person is released, is key to supporting reintegration.<sup>18</sup> Research also suggests that a person requires support for at least six months following release, during which time their needs, although they may change, are most pronounced.<sup>19</sup>
- Papers produced by New Routes and Shine, current PSPs, list common needs identified by most participants in their programmes, including finance, employment, mental health and accommodation. Many participants also require support with substance use, education and training, relationships, and physical health.<sup>2021</sup> These findings resonate with other national and international research, with findings suggesting that these needs are the most important to resolve.<sup>2223</sup>
- Needs experienced by someone leaving prison are often inter-related, particularly obtaining suitable accommodation, substance misuse treatment, employment, and support from a social network.<sup>24</sup> These are:
  - Financial: rapid and unplanned release from custody, often experienced by those who have been remanded or who have served a short-term sentence, often means less opportunity for planned support in securing benefits, accommodation,

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<sup>16</sup> Scottish Government. (2020). Extended presumption against short sentences: monitoring information July 2019 – December 2019. Source: [https://www.gov.scot/publications/extended-presumption-against-short-sentences-monitoring-information-july-2019-december-2019/pages/2/#:~:text=The%20presumption%20against%20short%20sentences%20\(%20PASS%20\)%20was%20extended%20from%20three,Imprisonment%20\(Scotland\)%20Order%202019.](https://www.gov.scot/publications/extended-presumption-against-short-sentences-monitoring-information-july-2019-december-2019/pages/2/#:~:text=The%20presumption%20against%20short%20sentences%20(%20PASS%20)%20was%20extended%20from%20three,Imprisonment%20(Scotland)%20Order%202019.)

<sup>17</sup> Community Justice Scotland. (2019). Sentenced to smart justice: a report on proposed extension of the Presumption Against Short Sentences. Source: <https://communityjustice.scot/wp-content/uploads/2019/06/Sentenced-to-Smart-Justice-A-report-on-the-proposed-extension-of-the-Presumption-Against-Short-Sentences-v8.pdf>

<sup>18</sup> United Nations Office on Drugs and Crime. (UNODC) (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>19</sup> Glaser, D. (1969); Rosenfeld, R., Wallman, J. and Fornango, R. (2005). within Durnescu, I. (2019). Pains of reentry revisited. Source: [https://www.researchgate.net/publication/331143706\\_Pains\\_of\\_Reentry\\_Revisited](https://www.researchgate.net/publication/331143706_Pains_of_Reentry_Revisited)

<sup>20</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: [https://strathprints.strath.ac.uk/83555/1/FAI\\_2022\\_Rehabilitating\\_Scotland\\_Exploring\\_the\\_Impact.pdf](https://strathprints.strath.ac.uk/83555/1/FAI_2022_Rehabilitating_Scotland_Exploring_the_Impact.pdf)

<sup>21</sup> Shine (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>22</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>23</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>24</sup> United Nations Office on Drugs and Crime. (UNODC) (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

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networks and treatment. Support to apply for benefits, if appropriate, is required prior to release from custody.<sup>25</sup>

- Employment: aside from generating income, employment benefits the individual by providing structure, routine and social contact.<sup>26</sup> People with convictions are more likely to have to rely on temporary, informal or insecure employment.<sup>27</sup>
- Education and training: research suggests that people in prison have limited access to digital technology, and are unable to acquire and maintain skills that are essential for successful reintegration into society.<sup>28</sup>
- Accommodation: research shows links between homelessness and reoffending, particularly within one year of release from custody,<sup>29</sup> and between inadequate accommodation and resumption of drug use for those who have served a short-term sentence.<sup>30</sup> Many people lose accommodation or a tenancy when entering prison and/or are uncertain about where they will reside on release.<sup>31</sup> Research also suggests that a lack of housing is an 'easy way' of connecting with former anti-social acquaintances, drugs and crime.<sup>32</sup>
- Individual and social needs: women are particularly burdened by labels and stigma arising from time spent in prison, which can affect reintegration.<sup>33</sup> They are particularly vulnerable at the point of release, requiring 'through-the-gate' support.<sup>34</sup> Research in England suggests that male black and minority ethnic prisoners report poorer experiences in aspects related to the rehabilitative culture of prison.<sup>35</sup> People who experience prison at a young age are often impacted throughout their lives by accumulated disadvantages.<sup>36</sup>
- Substance use: CJS (2019) research found that more than half of participants stated that drug use was a contributing factor in their offending to some extent.<sup>37</sup>

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<sup>25</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source:

<https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>26</sup> United Nations Office on Drugs and Crime. (UNODC) (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>27</sup> Weaver, B. and Jardine, C. (2022). Citizenship on probation: understanding the labour market exclusion of criminalised people in Scotland. Source: <https://journals.sagepub.com/doi/pdf/10.1177/02645505221105400>

<sup>28</sup> Rubio Arnal, A. (2019). Improving post-prison re/integration in Scotland through collaboration. Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019-1.pdf#page=44>

<sup>29</sup> Bozkina, M. and Hardwick, N. (2021). Preventing homelessness amongst former prisoners in England and Wales. Source: <https://lhf.org.uk/wp-content/uploads/2021/08/preventing-homelessness-amongst-former-prisoners-in-england-and-wales-final.pdf>

<sup>30</sup> Scottish Government. (2015). What works to reduce reoffending. Source: <https://www.gov.scot/publications/works-reduce-reoffending-summary-evidence/>

<sup>31</sup> Scottish Prison Service. (2019). 17<sup>th</sup> Prisoner Survey. Source:

<http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>32</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source: <https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

<sup>33</sup> Heimer, K. and DeCoster, S. (1999). The gendering of violent delinquency. *Criminology* 37(2), 277–318

<sup>34</sup> Scottish Government. (2012). Commission on women offenders. Source:

<https://webarchive.nrscotland.gov.uk/3000/https://www.gov.scot/Resource/0039/00391828.pdf>

<sup>35</sup> HM Inspectorate of Prisons. (2020). Minority ethnic prisoners' experiences of rehabilitation and release planning: a thematic review by HM Inspectorate of Prisons. Source: <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/Minority-ethnic-prisoners-and-rehabilitation-2020-web.pdf>

<sup>36</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Source: *Rethinking corrections: rehabilitation, re-entry and rehabilitation*: Sage Publications.

<sup>37</sup> Community Justice Scotland. (2019). Sentenced to smart justice: a report on proposed extension of the Presumption Against Short Sentences. Source: <https://communityjustice.scot/wp-content/uploads/2019/06/Sentenced-to-Smart-Justice-A-report-on-the-proposed-extension-of-the-Presumption-Against-Short-Sentences-v8.pdf>

Addressing substance misuse issues within prison is particularly difficult for those on remand, who often are not in prison for long enough to access support services but are particularly vulnerable on release.<sup>38</sup>

- Physical and mental health: the prison population is at greater risk of poorer mental health than the general population. People who have a history of imprisonment have higher rates of chronic physical conditions and negative health behaviours.<sup>39</sup>
- Social support: research suggests the importance of strong relationships in relation to increased desistance, lower drug and alcohol use, and increased likelihood of finding employment post-release.<sup>40</sup> Having positive familial relationships prior to entering prison may also increase the likelihood of desistance on release.<sup>41</sup> Being a mother increases the likelihood of desistance for women.<sup>42</sup>

### Throughcare in Scotland

- In Scotland, throughcare and mentoring support is delivered on either a statutory or voluntary basis.
- People who have served a long-term prison sentence (over four years) and those who have been convicted of a sexual offence (and received either a short (less than four years) or long-term sentence) are automatically provided with statutory throughcare. This is organised and managed, and often delivered, by justice social work (JSW) in each local authority area. JSW may refer on to another service to provide support, while continuing to oversee and manage the throughcare support.
- People who have received a short-term sentence can be offered voluntary throughcare and mentoring support while in custody or within 12 months of their release.<sup>43</sup> This voluntary support is currently organised by three PSPs which receive grant funding from the SG for this purpose. Other local areas independently fund other third sector organisations to provide voluntary throughcare. JSW also works with small numbers of people to provide voluntary throughcare support: in 2020-21 the number of voluntary throughcare cases was 1,800.<sup>44</sup>
- Currently, only women and young people<sup>45</sup> who are on remand or who have recently been released from remand are offered voluntary throughcare support through the PSPs. Adult men who are on remand or who have recently been released from remand

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<sup>38</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source:

<https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>39</sup> Semenza, D.C. and Link, N.W. (2019). How does re-entry get under the skin? Cumulative reintegration barriers and health in a sample of recently incarcerated men. Source:

<https://www.sciencedirect.com/science/article/abs/pii/S0277953619306136>

<sup>40</sup> Visher, C., Knight, C., Chalfin, A. and Roman, J. (2009). The Impact of marital and relationship status on social outcomes for returning prisoners. Source: <https://www.urban.org/research/publication/impact-marital-and-relationship-status-social-outcomes-returning-prisoners>

<sup>41</sup> La Vigne, N.G. and Mamalian, C. (2004). Prisoner reentry in Georgia. Washington DC: The Urban Institute.

<sup>42</sup> La Vigne, N.G., Lloyd, T. and Debus-Sherrill, S. (2009). One year out: tracking the experiences of male prisoners returning to Houston. Source: <https://www.urban.org/research/publication/one-year-out-tracking-experiences-male-prisoners-returning-houston-texas>

<sup>43</sup> For young people, this applies to only those leaving HMYOI Polmont and returning to the west of Scotland and the Highlands.

<sup>44</sup> Scottish Government. (2023). Justice Social Work Statistics in Scotland: 2021-22. Source:

<https://www.gov.scot/publications/justice-social-work-statistics-scotland-2021-22/documents/>

<sup>45</sup> Only young people leaving HMYOI Polmont and returning to the west of Scotland and the Highlands.

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are not eligible for this. People leaving remand can request support from JSW on release.

- Research highlights the positive benefits of a mentoring relationship, with a focus on the individual and a sense of no judgement being placed on them.<sup>46</sup>
- There are three PSPs funded by SG to provide throughcare and mentoring services. Between them they share £3.8m funding annually:
  - New Routes provides a mentoring service to adult men serving/leaving a short-term prison sentence.
  - Shine supports adult women on/leaving remand, serving/leaving a short-term prison sentence or serving a community sentence.
  - Moving On Scotland supports young men aged 18 to 21 leaving HMP Polmont and returning to the Highlands or west of Scotland.

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<sup>46</sup> Scottish Government. (2016). Evaluation of the Reducing Reoffending Change Fund. Source: [https://www.gov.scot/publications/evaluation-reducing-reoffending-change-fund-research-findings/#:~:text=The%20independent%20evaluation%20of%20the%20Reducing%20Reoffending%20Change,the%20continuation%20and%20expansion%](https://www.gov.scot/publications/evaluation-reducing-reoffending-change-fund-research-findings/#:~:text=The%20independent%20evaluation%20of%20the%20Reducing%20Reoffending%20Change,the%20continuation%20and%20expansion%20)

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## Key considerations

There are several key considerations for CJS commissioning of voluntary throughcare and mentoring services arising from this literature review. These key considerations are a synthesis of information from across the literature to reflect what might be good practice for future voluntary throughcare and mentoring arrangements:

- It will be important to consider the language and terminology used around throughcare (reintegration, resettlement, rehabilitation and so on) and to ensure clarity and consistency in use and definition.
  - A 'through-the-gate' model should be considered to provide people with support while in prison and throughout their transition to the community.
  - Services should consider using strengths-based approach(es) and restorative practices to increase the likelihood of successful reintegration.
  - Drawing on theories discussed in this report, any new model should consider support for a range of interconnected factors, including legal, practical and psychological barriers to successful reintegration.
  - Any new service design should consider how best individuals' needs can be identified and prioritised, including when these needs are identified while the individual is in prison.
  - Any new service design should also consider how these needs are supported, including the timeline for support while the individual is in prison and continuing support while in the community.
  - Any new service design should consider the support which should/could be offered to primary and secondary networks, especially if the person leaving prison is returning to a household with other people.
  - Any new service model should consider who is eligible for support, including the legal status (sentenced, remand) of men, women and young people.
  - The funding model should be considered, including how funding is allocated and whether there should be flexibility to allow services to respond to changing needs.
  - Any new service model should ensure that delivery partners provide consistent, detailed information and data on the delivery of services to allow scrutiny and accountability checks.
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# Methodology

## Research framework

We designed a research framework that allowed for systematic search for relevant journal papers to inform this literature review. This included identifying specific topics within relevant chapters, and associated key words/terms to be searched. We used a spreadsheet to track search results and articles.

## Evidence gaps/limitations

Through the research framework, several evidence gaps were identified in the literature that have not been fully addressed in this report. Should this research be expanded in future, the following should be considered:

- Theories of restorative resettlement activities suggest that the positive treatment of people while in prison encourage them to engage further in the process of reintegration on and after release. But evidence for this is lacking. Further research should look at the treatment of individuals and the delivery of activities and education and so on in prison, and how these might prepare individuals for a positive life on and after release.
  - While theories of reintegration are described, there is little discussion of motivation to change and longer-term reintegration. These should be explored and developed in further research.
  - Although desistance is discussed, theories and explanations of recidivism are not explored, except where these are directly relevant within other sections. These should be explored further should the research be expanded.
  - When considering individual needs, there is little discussion of the experience of minority ethnic prisoners in Scotland. Further research should consider the specific barriers or issues that might be faced by minority ethnic prisoners being released from remand or a short-term sentence. There is little discussion of the experience of transgender or non-binary people within the academic literature used to inform this paper. Further research should consider the specific barriers or issues that might be faced by transgender/non-binary prisoners being released from remand or a short-term sentence.
  - There is a lack of data and information relating to ethnicity in Scottish prisons, including data on uptake of throughcare services by ethnic identity. Similarly, there is a lack of information on age and the impact of short-term prison sentences and periods of remand, and on deaths soon after release from prison in Scotland. Further research should consider these data gaps.
  - Detailed and comprehensive information about PSP delivery of voluntary throughcare and mentoring, including service model information and data profiles for service delivery, has not been used to inform this research. There are, therefore, limitations in the examination of the PSP model, and the determination of strengths, challenges and improvement opportunities.
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- Similarly, this research has not been informed by comparable and consistent information about the impact of and outcomes resulting from current PSP service delivery. This has made it difficult to examine the current PSP model, and to determine strengths, challenges and improvement opportunities.
- This research has not extensively considered international service delivery models and programmes. Should the research be expanded, a broader examination of international work would allow consideration of advantages and disadvantages of different models.

# Introduction

Community Justice Scotland (CJS) is tasked with commissioning voluntary throughcare and mentoring services for short-term prisoners funded directly by the Scottish Government (SG), as currently provided by three third sector public social partnerships (PSPs).

Work to understand and measure the current service provision, the needs of people accessing services, and the strategic context of existing and future services, is crucial to provide the foundation on which the planning and delivery of future throughcare and mentoring services can be built. Simply, CJS must ensure that the services that are delivered are designed to meet outcomes and to address people's needs. To do this, a robust evidence base has been established on which to build and design services.

Research and analysis, including a review of existing literature, will aid preparation and understanding for CJS, the SG Community Justice Division and stakeholders. It illustrates need across relevant cohorts of people, identifies and analyses gaps, and makes evidence-based recommendations for service design and delivery.

A suite of research and analysis products has been developed by CJS to provide this evidence base, including this literature review, lived/ing experience interviews and focus groups, a professional stakeholder survey, process mapping, service mapping, demographic analysis, and strategic context analysis and horizon scanning.

This review provides an overview of existing literature relevant to Scotland, the UK and internationally, split into three chapters. The first chapter focuses on theories of reintegration, including an overview of reintegration, resettlement and desistance, and models of reintegration and rehabilitation. The second chapter reviews the needs that require to be supported on release from prison for people leaving a short-term sentence or period of remand. Finally, the third chapter outlines the current situation of voluntary throughcare in Scotland, including strengths and challenges in service delivery and opportunities for improvement.

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# Chapter 1: Theories of reintegration

## 1.1 Overview

Reintegration, or resettlement, is the re-entry of individuals who are returning to society after serving time as a prisoner. It presents many complexities and hurdles..

This chapter considers the theory and principles of reintegration, resettlement, desistance and rehabilitation, putting forward theoretical explanations and arguments, and conceptual models.

Across the body of literature that has informed this paper, authors have used various terms, often interchangeably, when discussing the process of an individual transitioning from prison and into their community, including 'throughcare', 'reintegration' and 'resettlement'. These terms are used throughout this paper when referring to the academic literature.

## 1.2 Key points

- Reintegration is a term used to describe the processes involved in transitioning out of prison.<sup>47</sup> In order to reduce the likelihood of reoffending, it is important that a person who is released from prison has the necessary support to overcome the barriers and issues they might face and to reintegrate successfully into the community.
- A strengths-based approach to reintegration, in which a person has a sense of earning a place in society, may increase the likelihood of positive reintegration.<sup>48</sup> Restorative practices and a sense of community and re-socialisation may also increase this.<sup>49</sup>
- Resettlement, or how we address the practical problems that individuals face on release from prison, includes considering factors such as employment and accommodation. Key principles of resettlement relate to the practitioner relationship with the individual and the need for practitioners to care about and be committed to individuals, to be able to access a wide network of community resources and, where applicable, to balance the management and monitoring components of their role with support for resettlement.<sup>50</sup>
- Research suggests that pre-release planning and 'through-the-gate' support is good practice for successful resettlement as it can remove barriers and issues found in models designed purely in prison or in community settings.<sup>51</sup>
- Desistance, the long-term abstinence from criminal behaviour, requires personal changes for individuals, including maturing, gaining control of life chances, obtaining skills and

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<sup>47</sup> McIvor, G., Graham, H. and McNeill, F. (2018). 'Prisoner resettlement in Scotland' in Pruin, I., Dünkel, F. and Storgaard, A. (eds.) *Prisoner Resettlement in Europe*, London: Routledge. Available at: <https://core.ac.uk/download/pdf/132200214.pdf>

<sup>48</sup> [The Inside Out Trust](#)

<sup>49</sup> Dandurand, Y. (2016). Alternative approaches to preventing recidivism: restorative justice and the social reintegration of offenders. Source: [http://www.antonioacasella.eu/restorative/Dandurand\\_2016.pdf](http://www.antonioacasella.eu/restorative/Dandurand_2016.pdf)

<sup>50</sup> Cracknell, M. (2023). Effective practice in resettlement. Source:

<https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/01/DESIGNED-Academic-Insights-Cracknell-Jan-23.pdf>

<sup>51</sup> Ibid.



employment, and understanding their criminality.<sup>52</sup> Social resources and networks, including family, friends and work colleagues, are a key part of desistance.<sup>53</sup> Further, desistance can be impacted by factors such as forming a family, moving away from peer groups who were involved in criminality, and having stable employment.<sup>54</sup>

- Where there are legal<sup>55</sup> or practical barriers to reintegration, psychological support alone, such as support that aims to change behaviours to reduce the likelihood of reoffending, cannot address rehabilitation and desistance.<sup>56</sup>
- Models of reintegration put forward alternative explanations for offending behaviour and methods of support for desistance. One conceptual model of reintegration suggests, ultimately, that reoffending relates to those with poor personal life situations and that desistance relates to those with positive life situations.<sup>57</sup>
- A risk-need-responsivity (RNR) model sets out principles for successful rehabilitation and reintegration to the community, including principles of involvement of social relationships, intervention duration and frequency, psychosocial needs, continuity, and communication.<sup>58</sup> As an alternative to this, the Good Lives Model (GLM) uses a strengths-based and restorative model of rehabilitation that reduces criminogenic needs by encouraging personal fulfilment.<sup>59</sup>
- Person-centred services fundamentally put the individual using a service at the centre of that service.<sup>60</sup> These are not as developed within justice as they are in health and social care approaches, and there is limited evidence of their effectiveness. There is a need to carefully consider the definition of person-centred support to ensure that it is meaningful and practical for justice users. Person-centred justice is likely to become more meaningful when we commit to measuring it, and this measurement should focus on improving rather than proving person-centred outcomes.<sup>61</sup>

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<sup>52</sup> Kirkwood, S and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source:

[https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>53</sup> Ibid.

<sup>54</sup> Laub, J.H. and Sampson, R.J. (2003). in Weaver, B (2019). Understanding desistance: a critical review of theories of desistance. Source:

[https://strathprints.strath.ac.uk/66399/1/Weaver\\_PCL2018\\_Understanding\\_desistance\\_a\\_critical\\_review\\_of\\_theories\\_of\\_desistance.pdf](https://strathprints.strath.ac.uk/66399/1/Weaver_PCL2018_Understanding_desistance_a_critical_review_of_theories_of_desistance.pdf)

<sup>55</sup> Legal barriers might include, for example, impact of disclosure of criminal records on opportunities for employment.

<sup>56</sup> Kirkwood, S. and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source:

[https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>57</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source:

<https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

<sup>58</sup> Jeglic, E.I., Maile, C. and Calkins-Mercado, C. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>59</sup> Andrews, D., Bonta, J. and Wormith, J. (2011). The risk-need-responsivity (RNR) Model – does adding the Good Lives Model contribute to effective crime prevention? Source:

<https://journals.sagepub.com/doi/epdf/10.1177/0093854811406356>

<sup>60</sup> Armstrong, S., McCulloch, T., Weaver, B. and Reed, D. (2020). Measuring justice: defining concepts, developing practice. Source:

[https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring\\_Justice\\_Defining\\_Concepts\\_Developing\\_Practice\\_Report\\_2020\\_1.pdf](https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring_Justice_Defining_Concepts_Developing_Practice_Report_2020_1.pdf)

<sup>61</sup> Ibid.

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### 1.3 Reintegration

'In Scotland, different terms are employed to describe the processes involved in transitioning through and out of prison, including **throughcare, reintegration** and **resettlement**.'<sup>62</sup>

Mclvor et al. (2018) state that 'reintegration' can be a problematic term as it suggests that the individual was at one point already integrated, which is often not the case.<sup>63</sup> The aim may be for the individual to reintegrate within the community, or perhaps to integrate for the first time.

It is not common for those released from prison to fully reintegrate into society at all due to the vulnerability and temporariness involved for them.<sup>64</sup> These factors, in addition to what McNeill (n.d.) explains as a 'penal paradox', are somewhat negative in relation to the possible outcomes for individuals. The 'penal paradox' can become a cycle for individuals – failure to reintegrate (disintegration) leads to the individual reoffending and subsequently being treated punitively which causes further disintegration and a cycle of reoffending.<sup>65</sup>

McNeill emphasises that reintegration should be a central social function of punishment and the penal system, and should be measured in terms of whether individuals are enabled to address their needs and whether the penal system assists in removing the barriers that prevent this.<sup>66</sup>

#### Strengths-based approach

Suggested reforms to reintegration in recent years have focused on 'deficit' models, particularly those that are risk- and needs-based. A more strengths-based approach (with a focus on repair, reconciliation and community partnership) is suggested. This treats individuals being released from prison as community assets. It is also suggested that earning a place in society is required for reintegration purposes, and that giving specific work and opportunities to allow individuals to do this is helpful. These include community regeneration schemes and other strengths-based work, for example, schemes offered by the Inside Out Trust<sup>67</sup> (for example refurbishment of goods for donation to charity). This allows the individual to experience the role of helper, to have a sense of accomplishment, and to have purpose and structure.

The theory of restorative resettlement activities suggests that the positive treatment of people while in prison encourages them to engage further in the process of reintegration on and after release. Communities are, in turn, more likely to have a positive role in reintegration. For example, one Citizens Advice Bureau partnered with a low security open prison to recruit a team of six telephone advisers. This resulted in many positives,

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<sup>62</sup> Mclvor, G., Graham, H. and McNeill, F. (2018). 'Prisoner resettlement in Scotland' in Pruijn, I., Dünkel, F. and Storgaard, A. (eds.) Prisoner resettlement in Europe, London: Routledge. Source: <https://core.ac.uk/download/pdf/132200214.pdf>

<sup>63</sup> Ibid.

<sup>64</sup> Miller, R. (2021). within McNeill, F., Crockett Thomas, P., Cathcart Frödén, L., Collinson Scott, J., Escobar, O. and Urie, A. (2023). Time after time: imprisonment, re-entry and enduring temporariness. Source:

[https://www.researchgate.net/publication/365037079\\_Time\\_After\\_Time\\_Imprisonment\\_Re-entry\\_and\\_Enduring\\_Temporariness](https://www.researchgate.net/publication/365037079_Time_After_Time_Imprisonment_Re-entry_and_Enduring_Temporariness)

<sup>65</sup> McNeill, F. (n.d.). Reducing reoffending and enabling reintegration. Source:

[https://unafei.or.jp/publications/pdf/14th\\_Congress/10\\_Dr.Fergus\\_McNeill.pdf](https://unafei.or.jp/publications/pdf/14th_Congress/10_Dr.Fergus_McNeill.pdf)

<sup>66</sup> Ibid.

<sup>67</sup> [The Inside Out Trust](#)

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including prisoners reacclimatising to the world of work; updating, refreshing and learning new transferable skills; establishing a routine; and forming habits of daily employment.<sup>68</sup> There are learning points from this case study, however, including disclosure of criminal records and the barriers this creates; the need to rediscover a self-identity distinct from 'prisoner' or 'offender' labels; and tensions with stakeholders and the public.

## Restorative justice and reintegration

Restorative justice provides an opportunity for a person who has harmed to recognise the impact of their behaviour and to make amends, and for the victim to achieve closure. The SG defines restorative justice as 'a process of independent, facilitated contact, which supports constructive dialogue between a victim and a person who has harmed (whether this be an adult, a child, a young person or a representative of a corporate or other body) arising from an offence or alleged offence'.<sup>69</sup> There are five accepted principles of restorative justice: relationship, respect, responsibility, repair and reintegration.<sup>70</sup> Here, reintegration refers to how a community allows an individual who has caused harm to accept their role in that harm and to reintegrate back into the community with trust.

Dandurand (2016) suggests that the 'community' aspect is central to restorative justice and social reintegration.<sup>71</sup> It is not enough for the community to welcome back the individual, however. The re-socialisation aspect of restorative practices, in which individuals learn the principle that conflict is a natural part of life and methods for dealing with this conflict, can further support the reintegration of individuals into communities. The value of restorative practices as part of transition from custody to community should be explored to understand the opportunities to support successful reintegration.

## Reintegrative shaming<sup>72</sup>

The theory of reintegrative shaming suggests that some societies have lower reoffending rates due to their methods of communication about the crime. If the shame of having committed a particular crime is not communicated well, the society experiences higher levels of that crime. This communication must be effective (with respect for the individual and with the view that they, a good individual, committed a bad deed) and must not result in stigmatising the individual as this increases crime levels.

Reintegrative shaming by those who are seen to be important to the individual is suggested as gendered, with men being less likely to conform and desist than women. Research from 2019 suggests that parent shame does not influence desistance, but peer shaming does have an influence.<sup>73</sup>

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<sup>68</sup> Burnett, R. and Maruna, S. (2006). The kindness of prisoners: strengths-based resettlement in theory and in action. Source: <https://journals.sagepub.com/doi/10.1177/1748895806060668>

<sup>69</sup> Scottish Government. (2017). Delivery of restorative justice in Scotland: Guidance. Source: <https://www.gov.scot/publications/guidance-delivery-restorative-justice-scotland/pages/2/>

<sup>70</sup> Restorative solutions (2023). The 5 'R's of restorative justice: are they always applicable? Source:

<https://www.restorativesolutions.org.uk/news/the-5-r-s-of-restorative-justice-are-they-always-applicable>

<sup>71</sup> Dandurand, Y. (2016). Alternative approaches to preventing recidivism: restorative justice and the social reintegration of offenders. Source: [http://www.antonioacasella.eu/restorative/Dandurand\\_2016.pdf](http://www.antonioacasella.eu/restorative/Dandurand_2016.pdf)

<sup>72</sup> Braithwaite, J. (n.d.). Reintegrative shaming. Source: [http://johnbraithwaite.com/wp-content/uploads/2016/05/2000\\_Reintegrative-Shaming.pdf](http://johnbraithwaite.com/wp-content/uploads/2016/05/2000_Reintegrative-Shaming.pdf)

<sup>73</sup> Fitch, C. and Nazaretian, Z. (2019). Examining gender differences in reintegrative shaming theory: the role of shame acknowledgement. Source: <https://link.springer.com/article/10.1007/s10611-019-09835-8>

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Research notes that Japan relies on reintegrative shaming and has a low crime rate and low rate of imprisonment<sup>74</sup>. This practice commences in schools using conferences attended by parents, students, teachers and sometimes, depending on the situation, the police, using restorative principles.

## 1.4 Resettlement

'...**rehabilitative** interventions typically set out to challenge antisocial thinking and attitudes and to help prisoners build and sustain motivation to change, while **resettlement** work is largely concerned with addressing the immediate practical problems they will face on release.'<sup>75</sup>

### Resettlement and role of penal system

Maguire and Raynor (2019) suggest that resettlement involves addressing the more immediate practical problems of release. However, these elements (stable housing and employment and so on) are complemented by an individual's determination and resilience – these must interconnect the practical elements within the resettlement process. Historically, almost all penal systems have been unable to achieve effective rehabilitation and resettlement of prisoners. Although we now know what is required, this is hampered by issues such as prison overcrowding and shortage of staff, limited facilities and resistance to change.<sup>76</sup>

### Principles of resettlement

An academic insights paper produced for the Justice Inspectorate in 2023 outlined six principles of effective resettlement support based on a review of available literature.<sup>77</sup> These principles relate to the practitioner's relationship with the individual, and the need for them to genuinely care about the individual and to demonstrate their commitment to them; to be able to access a wide network of community resources and know about these resources; and to balance the management and monitoring components of their role with support for resettlement in the areas of reintegration and rehabilitation. Two of the principles relate to 'through-the-gate' pre-release planning. The principles relate to the current system of probation in England and Wales and, therefore, differ from that which is offered by voluntary throughcare services in Scotland. However, principles from this work could be useful to incorporate into any new model in Scotland.

These principles are:

- Identifying needs early and providing 'through-the-gate' support to individuals leaving prison. Ideally, planning begins at the start of the sentence, allowing for plans to be in place and to commence or to continue on liberation. A 'through-the-gate' model is seen as best practice for resettlement for the individual as it removes issues found in models designed purely in prison or in community settings. This model also allows for

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<sup>74</sup> Braithwaite, J. (n.d.). Reintegrative shaming. Source: [http://johnbraithwaite.com/wp-content/uploads/2016/05/2000\\_Reintegrative-Shaming.pdf](http://johnbraithwaite.com/wp-content/uploads/2016/05/2000_Reintegrative-Shaming.pdf)

<sup>75</sup> Maguire, M. and Raynor, P. (2019). Preparing prisoners for release: current and recurrent challenges. Source: <https://www.taylorfrancis.com/chapters/edit/10.4324/9781315102832-47/preparing-prisoners-release-mike-maguire-peter-raynor>

<sup>76</sup> Ibid.

<sup>77</sup> Cracknell, M. (2023). Effective practice in resettlement. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/01/DESIGNED-Academic-Insights-Cracknell-Jan-23.pdf>

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continuity and for relationships to be formed between the individual and those they will work with on and after release.

- Co-producing plans and focusing on resettlement in addition to risk is important for higher-risk individuals who require risk management plans to be in place on release in addition to their resettlement plans. The principle highlights the importance of plans being produced collaboratively between the individual and practitioner; that the whole process can be undermined by any failure to meet basic welfare needs; and that effective risk management can impact on resettlement.
- A consistent practitioner-individual supportive relationship should be continuous throughout the sentence and in the community. Ideally, one single practitioner should provide this support throughout or there is a risk that the individual could become confused and/or frustrated at having to start again with new workers. This can make the process fragmented for the individual. The relationship with professionals on release works best when this is trusting; genuine care is shown; lapses are recognised as being common (and not treated punitively); and a flexible approach to these is taken. Without these elements, there is a risk that the individual will cycle between prison and community.
- Community practitioners need good links with external resources. They are ideally placed as 'community connectors' whose role involves linking individuals due for release from custody with support networks and resources, and advocating with families and community. Research has suggested the importance of social capital in desistance.<sup>78</sup> 'Resettlement capital' has been described as the resources that an individual can make use of to resettle. This not only involves community services and families and partners (and wider networks), but also what the individual can do for themselves. Additionally, resettlement involves therapeutic and motivational work to reinforce the practical support offered to individuals.
- Practitioners require to be aware of, and to help navigate, the different challenges faced by certain groups when reintegrating. This includes, for example, how resettlement is affected by ethnicity, gender, class and age – all of which can lead to discrimination at the point of resettlement.
- Ideally, to be most effective, a restorative and strengths-based approach should be used within the resettlement process. While supporting and monitoring an individual are requirements, practitioners must recognise and enable the individual to use their own skills and abilities to shape their next steps. The importance of community involvement is key. Practitioners can connect the individual to community organisations and provide the necessary support to create opportunities for the individual to 'give something back' to the community. This can directly affect an individual's post-custodial identity and how they are 'labelled'.

In addition to the above, Maguire and Raynor (2019) propose that the prison environment should have a rehabilitative culture; staff should have sufficient time and resource to work with individuals; staff should be skilled practitioners; and practical elements of

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<sup>78</sup> Albertson, K. (2021). Social capital building supporting the desistance process. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/06/Academic-Insights-Albertson-KM-design2-RM.pdf>

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resettlement should be complemented by psychological aspects of managing emotions, attitudes and offending behaviours.<sup>79</sup>

## 1.5 Desistance

**Desistance** is 'the long-term abstinence from criminal behaviour among those for whom offending has become a pattern of behaviour'<sup>80</sup>

Desistance has been said to be the absence of criminal behaviour in the long term in those for whom offending is a part of their lives and has become a pattern. However, a precise definition and measure of desistance have not been agreed. Some view desistance to be a permanent state while others see it as a process which may involve lapses and relapses (McNeil et al., 2012).<sup>81</sup> Maruna and Immarigeon (2004) suggest that there are two phases of desistance: primary desistance which relates to any crime-free gaps in a criminal history; and secondary desistance, which relates to the individual no longer offending and also to their identity and life role having changed so that the individual is now considered a changed person.<sup>82</sup>

To be free from offending, individuals require to be more than merely open to changing. Former prisoners require to allow themselves to change in a way that involves making sense of their past, by envisioning a 'solid replacement self' for the future. Those who see themselves as being unable to change (having a 'condemnation script') are less likely to desist from offending.<sup>8384.</sup>

Desistance requires personal change for individuals, such as maturing, gaining control of life chances, obtaining skills and employment, and understanding their criminality. In addition, there is a requirement for social capital – the social resources available to a person through their formal and informal social networks, including family members, friends and work colleagues, to allow societal participation.<sup>85</sup>

Maturation reform theory<sup>86</sup> was considered in the 1930s as a possible explanation for desistance: that individuals 'grow out' of crime as they mature. However, this was criticised due to its simplicity as it did not appear to be the case that once a person stops offending they have matured. That said, desistance theories since then have included elements of maturation, one of which is an age-crime curve. Here, it is said that crime

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<sup>79</sup> Maguire, M. and Raynor, P. (2019). Preparing prisoners for release: current and recurrent challenges. Source: <https://www.taylorfrancis.com/chapters/edit/10.4324/9781315102832-47/preparing-prisoners-release-mike-maguire-peter-raynor>

<sup>80</sup> McNeil et al. (2012). in Sparkes, A.C. and Day, J. (2016). Aging bodies and desistance from crime: insights from the life stories of offenders. Journal of aging studies, 36. 47–58. Source: <https://www.taylorfrancis.com/chapters/edit/10.4324/9781315102832-47/preparing-prisoners-release-mike-maguire-peter-raynor>

<sup>81</sup> Sparkes, A.C. and Day, J. (2016). Aging bodies and desistance from crime: insights from the life stories of offenders. Journal of aging studies, 36. 47–58. Source: <https://www.taylorfrancis.com/chapters/edit/10.4324/9781315102832-47/preparing-prisoners-release-mike-maguire-peter-raynor>

<sup>82</sup> Maruna, S. and Immarigeon, R. (2004). Ex-offender reintegration: theory and practice (from After crime and punishment: pathways to offender reintegration). Source: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/ex-offender-reintegration-theory-and-practice-after-crime-and>

<sup>83</sup> Maruna, S. (2001). Making good: how ex-convicts reform and build their lives. Washington DC: American Psychological Association.

<sup>84</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>85</sup> Kirkwood, S. and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source: [https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>86</sup> Maruna, S. (1997). Desistance and development: the psychosocial process of 'going straight'. Source: <https://britsoccrim.org/volume2/003.pdf>

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decreases as age increases, regardless of other factors. This has also been criticised for not including factors such as social relationships in behaviour reform.

Other social theories were proposed in the 1990s such as social control theory. This involves social processes experienced throughout life (such as employment, marriage, involvement in education and other key life transitions, particularly in early adulthood) as being major factors in desistance.<sup>87</sup> These theoretical explanations, however, may over-generalise desistance. Life events such as employment, marriage or having children may be linked to but not cause desistance.<sup>88</sup>

Identity theory is said to involve a willingness to change on the part of the individual, and also being presented with and reacting well to transition opportunities. This appeals to an individual's idea of a suitable replacement to their current self and activities/actions. It is argued that psychosocial changes in addition to an individual's general view of criminal behaviour influence desistance.<sup>89</sup>

Research was conducted with 16 individuals in prison or on probation licence, some of whom considered themselves to have desisted from crime (for at least one year); some to be 'stuck' – they continue to be criminally active; and others 'transitioning' – trying to transform in the community or in prison due to be released.<sup>90</sup> Participants gave examples that could be described as age-related, (such as feeling tired and slowing down, or that 'crime is a young person's game'), suggesting that older age could be a component in desistance. However, this needs viewed not only biologically, but also psychologically and socially, to fully understand the impact of ageing. Time was seen as an ambiguous concept for some. Comments related to time standing still while in prison, and that chronological age did not match maturational age.

Some participants thought that time spent in prison had been wasted, that they had missed out on a lot; and that their time was running out to 'make something' of their lives.<sup>91</sup>

Research conducted under the Edinburgh Study of Youth Transitions and Crime suggests that desistance is associated with the characteristics of the neighbourhood where a young person lived; and that desistance is less common in deprived neighbourhoods and those seen to be disorderly, and more common in advantaged neighbourhoods. Further, parental involvement in schooling and positive bonds between young people and parents and teachers increases desistance.<sup>92</sup> Further research drawing on findings from the Edinburgh Study of Youth Transitions and Crime shows that the further a young person is drawn into the formal criminal justice system, the less likely they are to desist from

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<sup>87</sup> Laub, J.H. and Sampson, R.J. (2003). in Weaver, B. (2019). Understanding desistance: a critical review of theories of desistance. Source: <https://britsoccrim.org/volume2/003.pdf>

<sup>88</sup> Weaver, B. (2019). Understanding desistance: a critical review of theories of desistance. Source: <https://britsoccrim.org/volume2/003.pdf>

<sup>89</sup> Paternoster, R., Bachman, R., Kerrison, E., O'Connell, D. and Smith, L. (2016). Desistance from crime and identity: an empirical test with survival time. Source: <https://journals.sagepub.com/doi/abs/10.1177/0093854816651905?download=true&journalCode=cjbb#:~:text=Theories%20of%20desistance%20from%20crime,processes%20such%20as%20one%27s%20identity>

<sup>90</sup> Sparkes, A.C. and Day, J. (2016). Aging bodies and desistance from crime: Insights from the life stories of offenders. *Journal of aging studies*, 36. 47–58. Source:

<https://eprints.leedsbeckett.ac.uk/id/eprint/2255/3/Aging%20bodies%20and%20desistance%20from%20crime.pdf>

<sup>91</sup> Ibid.

<sup>92</sup> Smith, D.J. (2006). Social inclusion and early desistance from crime. *The Edinburgh Study of Youth Transitions and Crime, Research Digest*, 12. Source: <https://www.edinstudy.law.ed.ac.uk/wp-content/uploads/sites/36/2019/10/12Desistance.pdf>

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offending. The key to reduce reoffending is in minimal intervention and maximum diversion.<sup>93</sup>

## 1.6 Models of reintegration

### Model for those previously in custody

Kirkwood and McNeill (2015) proposed a model of reintegration for those previously in custody: four forms of offender rehabilitation.<sup>94</sup>

They argued that debates about benefits and forms of psychological rehabilitation (they note that this is the promotion of individual-level change that develops motivation, skills and capacities) are not enough: that other forms of rehabilitation, including legal (in relation to criminal record and associated stigma can be set aside), moral and social rehabilitation, must also be considered due to their importance in desisting from crime.

Kirkwood and McNeill explain that where there are legal and practical barriers to reintegration, any level of psychological support alone, such as support that aims to change behaviours to reduce the likelihood of reoffending, cannot address all rehabilitation and desistance requirements. Additionally, moral and social barriers exist that might require an individual to pay back to restore their social position and to earn redemption.

Kirkwood and McNeill add that there are 'reciprocal duties' in moral rehabilitation – some of which are the duty of the 'offender'; some belong to the community; and others to the state. Those belonging to the community and state relate to their requirement to accept the duty to support the reintegration of the 'offender'.

In relation to social rehabilitation, this concerns the 'restoration of the individual's social status' and acceptance that the individual is reformed. It is suggested that this is an issue for the possibilities of rehabilitation overall.

### Conceptual model of reintegration

A study from Norway<sup>95</sup> looked at a small sample of nine individuals who had been in custody on multiple occasions (between two and 20), and whose current sentence ranged from one month to one year. They found that, despite differences in justice systems across countries, participants within the Norwegian study matched those in other countries, suggesting that there are universal experiences and struggles affecting those leaving prison.

The authors proposed a conceptual framework of reintegration based on their findings and those found in other research. They note that the Norwegian criminal justice system believes in offering adequate support to enable individuals who are leaving prison to both rehabilitate and to reintegrate into society. To do this, the Norwegian system offers continuity of support from both prison and community for an extended period.

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<sup>93</sup> McAra, L. and McVie, S. (2007). Youth justice? The impact of system contact on patterns of desistance from offending. *European Journal of Criminology*, 4(3), 315-345. Source: <https://doi.org/10.1177/1477370807077186>

<sup>94</sup> Kirkwood, S. and McNeill, F. (2015). Integration and reintegration: comparing pathways to citizenship through asylum and criminal justice. Source: [https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration\\_and\\_reintegration.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/18549324/Integration_and_reintegration.pdf)

<sup>95</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source: <https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

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Common issues experienced by individuals (such as mental health issues and the cycle of substance misuse and crime) are often reported throughout the process of rehabilitation.

The authors propose a model (see Figure 1) in which an individual's life circumstances range from positive to negative, as well as the level of support available. Ultimately, reoffending relates to those with poor personal life situations, and desistance relates to those with positive life situations. A transition is desirable from high to low system support (vertical axis) to become independent. However this is not always possible. Four quadrants are created within this model: quadrant one is for those who experience positive life chances and a high level of effort from the system; quadrant two involves those with negative life circumstances with a high system level; quadrant three is positive life circumstances with a low system effort; and quadrant four is both a negative life circumstance and a low system effort.

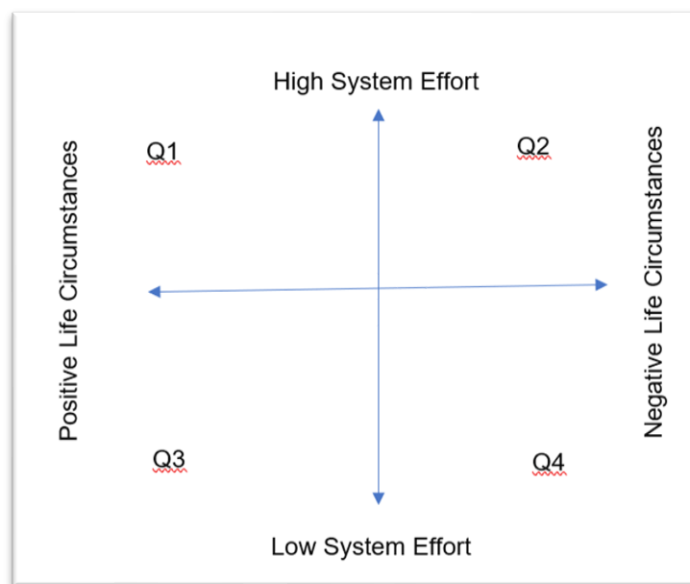


Figure 1: Life circumstances vs. system effort

Participants in this study were plotted on to the model. The authors proposed that many participants struggle to obtain independence from the welfare system (Q3) and require increased support from the system to do so. Some participants required high levels of support from the system, but due to a vulnerability such as substance misuse issues, might continue to require this. Some participants may require lifelong support with this so may be unable to transition to low system support. So, the authors suggest that this should be accepted, and individuals considered as having a long-term disability and treated equally to those in the community who have a physical disability.

Experiences of support from welfare services particularly varied across participants, some of whom were affected by the gap between support from prison and community as they transitioned. Using the matrix above, eight of the nine participants in this research experienced a shift from quadrants one and two to quadrant four. While they were motivated to change, they were failed by the welfare system upon their re-entry to society. Issues related to employment, economic support, and housing. Participants highlighted

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that a lack of housing is an 'easy way' of connecting with former anti-social acquaintances, drugs and crime.

## 1.7 Models of rehabilitation

Rehabilitation is often seen as being a key aim of prison, and early research from the 1950s and 1960s suggested that some treatment interventions worked to decrease rates of recidivism. However, this debate continued, and from the 1970s, suggested that these interventions did *not* work which led to a change in approach to criminal justice from rehabilitation to punishment<sup>9697</sup>.

### Risk-Need-Responsivity model

Research has tried to establish why there was such a mixed picture when it came to treatment interventions. A key piece of research was the Risk-Need-Responsivity (RNR) model for evaluating programme effectiveness in offender treatment programmes using three principles: risk (intensity of programme should match risk level of individual); need (particular criminogenic needs should be targeted within the programme); and responsivity (the individual's learning style and abilities should guide the style of intervention given).<sup>9899</sup> In programmes that follow the principles of this model, there was evidence of reduced recidivism for those receiving the intervention.

### Principles for successful community reintegration

Following this, in 2004, Taxman, Young and Byrne laid out the principles for successful reintegration into the community (see below) based on the RNR model.<sup>100</sup> In Scotland, however, while RNR programmes are invested in, the population receiving these tends not to include short-term prisoners or those on remand.

#### **Principle 1: Involvement of social relationships**

Importance of including emphasis on, and enlisting of, individuals with whom the participant has an informal social relationship (to reduce the risk of reoffending).

#### **Principle 2: Duration**

Interventions are lengthy and require to be so to change behaviour. Interventions that commence in prison should continue in the community. These may require 12 to 24 months to allow participants to learn the required skills.

#### **Principle 3: Dosage**

Interventions should meet the intensity and frequency required by the individual based on their levels of risk and needs.

#### **Principle 4: Psychosocial needs**

<sup>96</sup> Jeglic, E.I., Maile, C. and Calkins-Mercado, C. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>97</sup> Martinson, R. (1974). What works? Questions and answers about prison reform. The public interest, 35, 22 – 54

<sup>98</sup> Andrews, D.A., and Bonta, J. (1998). The psychology of criminal conduct (2<sup>nd</sup> ed). Cincinnati, OH. Source: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/psychology-criminal-conduct-second-edition>

<sup>99</sup> Andrews, D., Bonta, J. and Wormith, J. (2011). The risk-need-responsivity (RNR) Model – does adding the Good Lives Model contribute to effective crime prevention? Source:

<https://journals.sagepub.com/doi/epdf/10.1177/0093854811406356>

<sup>100</sup> Jeglic, E.I., Maile, C. and Calkins-Mercado, C. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.



The service should meet the psychosocial needs of the individual. This includes the flexibility and comprehensiveness of the intervention.

**Principle 5: Continuity**

Interventions that commence in prison must be continued in the community.

**Principle 6: Communication**

To ensure accountability, the responsibility and expectations of participants should be clearly communicated.

**Additional consideration: Being a stakeholder in one's own treatment**

To increase accountability, individuals should be a part of any decision making and treatment and reintegration planning.

## Good Lives Model

The Good Lives Model (GLM) is an alternative to the RNR model. It has become popular in sexual offending treatment programmes. It uses a strengths-based and restorative model of rehabilitation which is suggested as leading to further reduction in criminogenic needs due to encouraging personal fulfilment.<sup>101</sup> A key component in GLM is that criminal behaviour is a result of the way in which an individual attempts to attain their 'primary human goods' (for example how they find happiness, spirituality or relationships and friendships). It is important to establish what these are for the individual, and then to work on those that relate to offending in some way. Here, criminogenic needs are seen as blockers to the pro-social attainment of primary human goods.

There have been indications of improvement in engagement and reduction in attrition rates within programmes following the GLM. Some research indicates that, where integrated appropriately, GLM can enhance the outcomes of cognitive-behavioural, RNR treatment programmes by better engagement and by providing activities to attain life goals in pro-social ways.<sup>102</sup>

### 1.8 Person-centred services

Person-centred support approaches are seen commonly in health and social care settings. While a variety of language is used in discussion, these approaches put the individual using a service at the centre of that service.<sup>103</sup>

Research conducted by Armstrong et al. in 2020 provides a detailed summary of person-centred services, examples of underlying principles, person-centred approaches in criminal justice, and the measurement of person-centred support.<sup>104</sup> The research finds that person-centred ideas are not as developed within justice when compared to health

<sup>101</sup> Andrews, D., Bonta, J. and Wormith, J. (2011). The risk-need-responsivity (RNR) Model - does adding the Good Lives Model contribute to effective crime prevention? Source: <https://journals.sagepub.com/doi/epdf/10.1177/0093854811406356>

<sup>102</sup> Prescott, D. (n.d.). The Good Lives Model (GLM) in theory and practice. Source: [https://www.unafei.or.jp/publications/pdf/RS\\_No91/No91\\_10VE\\_Prescott.pdf](https://www.unafei.or.jp/publications/pdf/RS_No91/No91_10VE_Prescott.pdf)

<sup>103</sup> Armstrong, S., McCulloch, T., Weaver, B. and Reed, D. (2020). Measuring justice: defining concepts, developing practice. Source: [https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring\\_Justice\\_Defining\\_Concepts\\_Developing\\_Practice\\_Report\\_2020\\_1.pdf](https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring_Justice_Defining_Concepts_Developing_Practice_Report_2020_1.pdf)

<sup>104</sup> Ibid.

and social care settings, reflecting the fact that person-centred support is yet to become embedded within justice practices.

A person-centred approach is considered to have similarities with desistance and GLMs of justice, specifically in relation to shared understanding of social citizenship and the importance of relationships, co-production and communities.<sup>105</sup>

Armstrong et al. report that there is limited evidence of the effectiveness of person-centred approaches in justice. However, discussion typically relates to service or system perspectives rather than person-centred approaches.<sup>106</sup> The research reports six key implications for consideration:

- There is a need to carefully consider how to describe and define person-centred support so that it is meaningful and practical for justice users.
- There is clear evidence of a relationship between advances in the understanding and application of person-centred support and sustainable efforts to measure it. Person-centred justice is likely to become meaningful when we commit to measuring it.
- Understanding, measuring and improving the experience of person-centred justice requires us to understand the experience and performance of the justice system from the person's perspective, recognising that justice persons are plural.
- Advancing person-centred care and support in health requires sustained and targeted investment, the co-creation of an enabling infrastructure and the creation of bodies, networks and communities with capacity to support in meaningful ways. This is likely to be the same for justice.
- Measurement of person-centred support should focus on improving rather than proving person-centred outcomes. This is a new lens for justice services.
- Barriers to advancing and measuring person-centred justice are significant but may be more universal than assumed.

## 1.9 Key considerations

There are several key considerations for CJS commissioning of voluntary throughcare and mentoring services. These key considerations are a synthesis of information from across the literature to reflect what might be good practice for future voluntary throughcare and mentoring arrangements:

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<sup>105</sup> Fox et al. (2016). in Armstrong, S., McCulloch, T., Weaver, B. and Reed, D. (2020). Measuring justice: defining concepts, developing practice. Source: [https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring\\_Justice\\_Defining\\_Concepts\\_Developing\\_Practice\\_Report\\_2020\\_1.pdf](https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring_Justice_Defining_Concepts_Developing_Practice_Report_2020_1.pdf)

<sup>106</sup> Fox et al. (2013) and Renauer et al. (2003). in Armstrong, S., McCulloch, T., Weaver, B. and Reed, D. (2020). Measuring justice: defining concepts, developing practice. Source: [https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring\\_Justice\\_Defining\\_Concepts\\_Developing\\_Practice\\_Report\\_2020\\_1.pdf](https://discovery.dundee.ac.uk/ws/portalfiles/portal/70198869/Measuring_Justice_Defining_Concepts_Developing_Practice_Report_2020_1.pdf)

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- It is important to consider the language and terminology used in throughcare (reintegration, resettlement, rehabilitation and so on) and to ensure clarity and consistency in use and definition.
- A 'through-the-gate' model should be considered to provide people with support while in prison and throughout their transition to the community.
- Services should consider using strengths-based approach(es) and restorative practices to increase the likelihood of successful reintegration.
- Drawing on theories discussed in this chapter, the new model should consider support for a range of interconnected factors, including legal, practical and psychological barriers to successful reintegration.

#### 1.10 Evidence gaps/limitations

There are limitations with this research, which give rise to gaps in evidence gaps. Should this research be expanded in future, the following factors should be considered:

- Theories of restorative resettlement activities suggest that the positive treatment of people while in prison encourages them to engage further in the process of reintegration on and after release, but evidence for this is lacking. Further research should look at the treatment of individuals, and the delivery of activities and education in prison, and how these might prepare individuals for a positive life on and after release.
  - While theories of reintegration are proposed, there is little discussion of motivation to change and longer-term reintegration. These should be explored and developed in further research.
  - Although desistance is discussed, there is little discussion of theories and explanations of recidivism, unless directly relevant to other sections. These should be explored in further research.
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# Chapter 2: Needs

## 2.1 Overview

While reintegration to the community after serving a prison sentence (or being held in prison without being sentenced, on remand, often for similar lengths of time as short-term prisoners) may appear to be a simple step for many, there are complications that make this far from the case for many of those who are released from prison each year. This has implications for individuals, their extended networks, for the community and for society.

This chapter explores the needs of those leaving prison who require support on and after release. It describes these needs, the barriers to addressing them, and the effects of failing to address them for successful reintegration. It draws on research from Scotland and further afield to explore whether these needs tend to be consistent and how they can be supported.

## 2.2 Key points

- People transitioning from prison into the community may face multiple issues and barriers to successful reintegration. Support must be available for people's basic needs to enable individuals to thrive.
- Often, the experience of being remanded or having served a short-term sentence is disruptive and creates barriers for individuals who may be marginalised and find it difficult to reintegrate successfully into their community.
- Support in prison before a person is released is key to supporting reintegration.<sup>107</sup> Research suggests that a person also requires support for at least six months following release, during which time their needs, although they may change, are most pronounced.<sup>108</sup>
- Papers produced by New Routes and Shine, current PSPs, list common needs identified by most participants in their programmes, including finance, employment, mental health and accommodation. Many participants also require support with substance use, education and training, relationships, and physical health.<sup>109</sup><sup>110</sup> These findings resonate with other national and international research, with findings suggesting these needs as being the most important to resolve.<sup>111</sup><sup>112</sup>

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<sup>107</sup> United Nations Office on Drugs and Crime. (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>108</sup> Glaser, D. (1969); Rosenfeld, R., Wallman, J. and Fornango, R. (2005). within Durnescu, I. (2019). Pains of reentry Revisited. Source: [https://www.researchgate.net/publication/331143706\\_Pains\\_of\\_Reentry\\_Revisited](https://www.researchgate.net/publication/331143706_Pains_of_Reentry_Revisited)

<sup>109</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: [https://strathprints.strath.ac.uk/83555/1/FAI\\_2022\\_Rehabilitating\\_Scotland\\_Exploring\\_the\\_Impact.pdf](https://strathprints.strath.ac.uk/83555/1/FAI_2022_Rehabilitating_Scotland_Exploring_the_Impact.pdf)

<sup>110</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>111</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>112</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

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- Needs experienced by someone leaving prison are often inter-related, particularly obtaining suitable accommodation, substance misuse treatment, employment, and support from a social network.<sup>113</sup> This chapter discusses these common needs in turn:
  - Financial: rapid and unplanned release from custody, often experienced by those who have been remanded or have served a short-term sentence, often means less opportunity for planned support in securing benefits, accommodation, networks and treatment. Support to apply for benefits, if appropriate, is required prior to release from custody.<sup>114</sup>
  - Employment: aside from generating income, employment benefits the individual by providing structure, routine and social contact.<sup>115</sup> People with convictions are more likely to have to rely on temporary, informal or insecure employment.<sup>116</sup>
  - Education and training: research suggests that people in prison have limited access to digital technology and are unable to acquire and maintain skills that are essential for successful reintegration into society.<sup>117</sup>
  - Accommodation: research shows a link between homelessness and reoffending, particularly within one year of release from custody<sup>118</sup> and between inadequate accommodation and resumption of drug use for those who have served a short-term sentence.<sup>119</sup> Many people lose accommodation or a tenancy when entering prison and/or are uncertain where they will reside on release.<sup>120</sup> Research also suggests that a lack of housing is an 'easy way' of connecting with former anti-social acquaintances, drugs and crime.<sup>121</sup>
  - Individual and social needs: women are particularly burdened by labels and stigma arising from time spent in prison, which can impact on reintegration.<sup>122</sup> They are particularly vulnerable at the point of release, requiring 'through-the-gate' support.<sup>123</sup> Research in England suggests that male black and minority ethnic prisoners report poorer experiences in areas related to the rehabilitative culture of

<sup>113</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>114</sup> Scottish Government (2022). Prison population: substance use and wider support needs.

<https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>115</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>116</sup> Weaver, B. and Jardine, C. (2022). Citizenship on probation: understanding the labour market exclusion of criminalised people in Scotland. Source: <https://journals.sagepub.com/doi/pdf/10.1177/02645505221105400>

<sup>117</sup> Rubio Arnal, A. (2019). Improving post-prison re/integration in Scotland through collaboration. Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019-1.pdf#page=44>

<sup>118</sup> Bozkina, M. and Hardwick, N. (2021). Preventing homelessness amongst former prisoners in England and Wales. Source: <https://lhf.org.uk/wp-content/uploads/2021/08/preventing-homelessness-amongst-former-prisoners-in-england-and-wales-final.pdf>

<sup>119</sup> Scottish Government. (2015). What works to reduce reoffending. Source: <https://www.gov.scot/publications/works-reduce-reoffending-summary-evidence/>

<sup>120</sup> Scottish Prison Service (2019). 17<sup>th</sup> Prisoner Survey. Source: <http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>121</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source: <https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

<sup>122</sup> Heimer, K. and DeCoster, S. (1999). The gendering of violent delinquency. *Criminology* 37(2), 277-318.

<sup>123</sup> Scottish Government. (2012). Commission on women offenders. Source: <https://webarchive.nrscotland.gov.uk/3000/https://www.gov.scot/Resource/0039/00391828.pdf>

prison.<sup>124</sup> People who experience prison at a young age are often impacted throughout their lives by accumulated disadvantages.<sup>125</sup>

- Substance use: CJS (2019) research found that more than half of participants stated that drug use was a contributing factor in their offending to some extent.<sup>126</sup> Addressing substance misuse issues within prison is particularly difficult for those on remand, who often are not in prison for long enough to access support services but are particularly vulnerable on release.<sup>127</sup>
- Physical and mental health: the prison population is at greater risk of poorer mental health. People who have a history of imprisonment have higher rates of chronic physical conditions and negative health behaviours.<sup>128</sup>
- Social support: research suggests the importance of strong relationships in relation to increased desistance, lower drug and alcohol use, and increased likelihood of finding employment post-release.<sup>129</sup> Having positive familial relationships prior to entering prison may also increase likelihood of desistance on release.<sup>130</sup> Being a mother increases the likelihood of desistance for women.<sup>131</sup>

### 2.3 Needs that require to be supported on release from prison

People leaving prison are more likely to reoffend if they are not successfully supported to resettle into their community, for example if they have nowhere to live, no job or other income, and have poor continuity of healthcare.<sup>132</sup> HM Prison and Probation Service (HMPPS) suggests that, while in custody, staff should regularly assess an individual's needs and risks, and that there should be handovers between prison- and community-based staff before someone leaves prison. During and following release, support should be available to an individual to help them address their needs and known barriers to resettlement.

To support individuals to reintegrate in their communities following release from prison, there must be provision that not only supports them to meet their basic human needs, but also enables them to thrive and to rehabilitate. It should give individuals a chance to

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<sup>124</sup> HM Inspectorate of Prisons (2020). Minority ethnic prisoners' experiences of rehabilitation and release planning: a thematic review by HM Inspectorate of Prisons. Source: <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/Minority-ethnic-prisoners-and-rehabilitation-2020-web.pdf>

<sup>125</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>126</sup> Community Justice Scotland. (2019). Sentenced to smart justice: a report on proposed extension of the Presumption Against Short Sentences. Source: <https://communityjustice.scot/wp-content/uploads/2019/06/Sentenced-to-Smart-Justice-A-report-on-the-proposed-extension-of-the-Presumption-Against-Short-Sentences-v8.pdf>

<sup>127</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>128</sup> Semenza, D.C. and Link, N.W. (2019). How does re-entry get under the skin? Cumulative reintegration barriers and health in a sample of recently incarcerated men. Source: <https://www.sciencedirect.com/science/article/abs/pii/S0277953619306>

<sup>129</sup> Visher, C., Knight, C., Chalfin, A. and Roman, J. (2009). The Impact of marital and relationship status on social outcomes for returning prisoners. Source: <https://www.urban.org/research/publication/impact-marital-and-relationship-status-social-outcomes-returning-prisoners>

<sup>130</sup> La Vigne, N.G. and Mamalian, C. (2004). Prisoner reentry in Georgia. Washington DC: The Urban Institute.

<sup>131</sup> La Vigne, N.G., Lloyd, T. and Debus-Sherrill, S. (2009). One year out: tracking the experiences of male prisoners returning to Houston. Source: <https://www.urban.org/research/publication/one-year-out-tracking-experiences-male-prisoners-returning-houston-texas>

<sup>132</sup> National Audit Office. (2023). Improving resettlement support for prison leavers to reduce reoffending. Source: <https://www.nao.org.uk/wp-content/uploads/2023/05/improving-resettlement-support-for-prison-leavers-to-reduce-reoffending.pdf>

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desist and to live and enjoy life rather than actively hindering this. Those who are released from prison, particularly those who have been sentenced to short-term prison sentences, are often marginalised and experience great difficulty in integrating in society.<sup>133</sup> There needs to be improvements across several areas: criminal justice practice, law, governmental and societal motivation, and in available resource and co-ordination of this.<sup>134</sup>

Common areas of need appear in the research evidence. These can be divided into challenges that are immediate for those who have been released from custody: where and how to obtain sustenance, accommodation and healthcare. Once these have been catered for, longer-term reintegration needs, such as employment and accessing community services, can be met. Resolving these issues can be difficult, and additional barriers are often experienced. These have been described as a further 'invisible' sentence. They can include the restrictions that exist for some types of sentences; stigma and discrimination; and policies and resource limitations which restrict individuals from accessing services and employment opportunities.<sup>135</sup>

Despite the needs of people being released from prison, and the limited support offered to them, the expectation of prisoners to succeed in maintaining a crime-free life on release from prison exists. But the ability to do this is 'beyond the comprehension' of many of them.<sup>136</sup> Therefore, the expectations placed on them are unrealistic.<sup>137</sup>

## 2.4 The disruption of the short sentence and high reoffending rates

In 2011, the SG introduced a Presumption Against Short Periods of Imprisonment Order in an attempt to influence sentencers to decrease the use of sentences of three months or less. This was then extended in the Presumption Against Short Periods of Imprisonment (Scotland) Order 2019 to sentences of 12 months or less.<sup>138</sup> The aim of this was to reduce the number of sentences in place for the period of less than 12 months other than when the court believes that there is no other appropriate means of dealing with an individual.

Ahead of this extension, CJS conducted research to establish what the potential increase in community disposals being used for this population could mean for community organisations.<sup>139</sup> Part of this involved conducting surveys and interviews with individuals who were serving sentences of less than one year, and with those who had been given a community order, to establish the needs of this group to understand the potential increase

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<sup>133</sup> McIvor, G., Graham, H. and McNeill, F. (in press, 2018). 'Prisoner resettlement in Scotland' in Pruin, I., Dünkel, F. and Storgaard, A. (eds.) Prisoner resettlement in Europe. London: Routledge.

<sup>134</sup> McNeill, F. and Schinkel, M. (2016) within McIvor, G., Graham, H. and McNeill, F. (in press, 2018) 'Prisoner Resettlement in Scotland' in Pruin, I., Dünkel, F. and Storgaard, A. (eds.) Prisoner Resettlement in Europe. London: Routledge.

<sup>135</sup> Frazier, B. D. (2011). Faith-based prisoner reentry within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>136</sup> Taxman, F.S., Douglas, Y. and Bryne, J.M. (2002). Offenders' views of reentry: implications for processes, program and services. New Orleans, LA: Bureau of Governmental Research.

<sup>137</sup> Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>138</sup> Scottish Government (2020). Extended presumption against short sentences: monitoring information July 2019 – December 2019. Source: [https://www.gov.scot/publications/extended-presumption-against-short-sentences-monitoring-information-july-2019-december-2019/pages/2/#:~:text=The%20presumption%20against%20short%20sentences%20\(%20PASS%20\)%20was%20extended%20from%20three%20months%20to%2012%20months%20\(%20SCS%20\)%20Order%202019.](https://www.gov.scot/publications/extended-presumption-against-short-sentences-monitoring-information-july-2019-december-2019/pages/2/#:~:text=The%20presumption%20against%20short%20sentences%20(%20PASS%20)%20was%20extended%20from%20three%20months%20to%2012%20months%20(%20SCS%20)%20Order%202019.)

<sup>139</sup> Community Justice Scotland. (2019). Sentenced to smart justice: a report on proposed extension of the Presumption Against Short Sentences. Source: <https://communityjustice.scot/wp-content/uploads/2019/06/Sentenced-to-Smart-Justice-A-report-on-the-proposed-extension-of-the-Presumption-Against-Short-Sentences-v8.pdf>

in demand for support services in local areas following an extension to the Presumption Against Short Sentences.

The findings from this research suggested that those sentenced to a prison sentence of 12 months or under reported being affected by three main issues prior to sentencing. These were: mental health issues, money worries and drug use.

Table 1 shows the issues that had affected respondents 'quite a lot' or 'a significant amount'.

<b>Issue</b>	<b>Percentage responding</b>
Affected mental health	55%
Financial	55%
Drug use	45%
Employment worries	35%
Alcohol	31%
Affected by physical health	31%
Housing worries	27%
Difficulties with everyday skills	24%

Table 1: Issues that people were affected by 'quite a lot' or 'a significant amount'

When asked what would help them to desist from offending in the future (see Table 2), a statistically higher proportion of people in prison (than sentenced to a community payback order) said support on their release from prison for their mental health, substance use and accommodation issues.

<b>Issue</b>	<b>Percentage responding</b>
Mental health	58%
Substance use	52%
Housing	51%
Money	46%
Employment	44%
Social activities	29%
Learning/life skills	29%
Physical health	25%

Table 2: Support that would help desistance

Research published by New Routes, listed the most common needs identified in participants throughout its programme (2020 to 2021 cohort). This is echoed by a Shine impact assessment of its service.<sup>140</sup> The most common needs relate to finance (91%), employment (86%), mental health (81%), and accommodation (81%). Over 50% of the cohort had needs in managing attitudes and behaviour, addictions, education and training, relationships and physical health.<sup>141</sup>

<sup>140</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>141</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: [https://strathprints.strath.ac.uk/83555/1/FAI\\_2022\\_Rehabilitating\\_Scotland\\_Exploring\\_the\\_Impact.pdf](https://strathprints.strath.ac.uk/83555/1/FAI_2022_Rehabilitating_Scotland_Exploring_the_Impact.pdf)

An evaluation of Scottish Prison Service (SPS) throughcare conducted in 2017 found that some issues faced by individuals on release from prison relate not only to their basic needs for accommodation and healthcare, but also to service challenges in the availability and quality of the accommodation; a lack of continuity of care between prison and community healthcare provision, particularly in prescribing required medication; service provision being inconsistent across the country; and waiting times for benefits and appointments. Further difficulties are experienced in getting home, particularly if home is distant from the prison, and when required appointments on release involve considerable travel.<sup>142</sup>

Scottish research has highlighted challenges in throughcare and onward referral faced by individuals on release from prison which have related to which local authority area is involved, and the time of release. This includes accessing accommodation and basic care on release. Individuals interviewed for this research emphasised the assistance that was provided to them by support organisations (including public and third sector community reintegration services, and SPS Throughcare Support Officers) in supporting them to refrain from engaging in substance use, to support psychosocial needs, accompanying individuals from the point of release from prison to protect them against immediate substance use relapse, and helping with obtaining accommodation, benefits, guidance on training and employment.<sup>143144</sup>

Planned support received for practical assistance at the point of release from custody and transition to the community is viewed as imperative for individuals. It requires an extension to provision and co-ordination of the currently available statutory and non-statutory services in Scotland. This planning, when comprehensive, is seen to be best practice. Failure can lead to increased risk of overdose or death for those leaving prison particularly for those whose release is unplanned, and who do not receive continuity in prescribing.<sup>145</sup>

## 2.5 Timeline of needs on release from prison

Research from Australia has highlighted the importance of support being received in the weeks preceding and following release in determining the success of social reintegration. It suggests that moderate psychological distress is commonly experienced in the run up to release.<sup>146</sup> The psychological distress element is supported by the interviews that CJS commissioned for the voluntary throughcare and mentoring project with people serving short-term sentences and particularly people on remand.<sup>147</sup>

Durnescu (2019) explored a sample of individuals who had been released from a Romanian prison and focused on the stages and issues that are commonly experienced in

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<sup>142</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>143</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>144</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>145</sup> Scottish Government (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>146</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>147</sup> Community Justice Scotland and Progressive Partnerships Ltd. (2023). Voluntary throughcare and mentoring support research. Source: <https://communityjustice.scot/wp-content/uploads/2023/05/Commissioning-Voluntary-Throughcare-and-Mentoring-Primary-research-findings-Full-final-Apr-2023.pdf>

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the six months after release from prison. This period is often claimed to be the most important in terms of reducing the likelihood of recidivism.<sup>148</sup>

Within the first six months of release, the following issues (see Figure 2) are commonly experienced more so than at other times, with health issues being discussed in participant narratives soon after release. After this point, at the time that individuals may commence an employment search, they can find themselves facing instability and being affected by the stigma of having been in prison.

First month of release	Months two to three	After month three
<p>←</p> <p>pain of adaptation            pain of fighting            bureaucracy            poor health            pain of social isolation</p>	<p>poverty            justice and temptation</p>	<p>→</p> <p>stigma            pain of instability</p>

Figure 2: Issues commonly experienced within the first six months of release

### Stages of prisoner re-entry

Durnescu conducted research with 58 'conditionally released' prisoners (who were recruited prior to their release). Interviews were conducted prior to release, one-week post-release, one month, three months, six months and one year post-release. Findings showed that the first six months post-release are key.

The research suggests stages of prisoner re-entry to society:

- The first stage is in anticipation of release, with the experience of hope, anxiety and uncertainty in addition to optimism of having a 'second chance'.
- The second stage occurs within the first two weeks of release, when those released often spend time with family and do not travel far. Some tended to remain at home during this time to adapt to no longer being in prison. Some felt dizzy and confused throughout this time. Others experienced flashbacks of their time in prison, and medical conditions (stomach pains, insomnia and so on) that they believed were related to prison conditions.
- The third stage occurs around weeks three and four. This stage sees individuals beginning to consider options for employment, often through social networks, if available. Pressure to become economically active is often felt from families at this stage. When not employed in a paid position, many are expected to become the head of the family again or to work around the house (painting and decorating and so on). At this stage, life is no longer dominated by conversations about prison: as people become more useful to their families, they no longer describe themselves as prisoners. Durnescu describes this stage as one when 'the honeymoon is over'.

<sup>148</sup> Glaser, D. (1969); Rosenfeld, R., Wallman, J. and Fornango, R. (2005). within, Durnescu, I. (2019). Pains of reentry revisited.. Source: [https://www.researchgate.net/publication/331143706\\_Pains\\_of\\_Reentry\\_Revisited](https://www.researchgate.net/publication/331143706_Pains_of_Reentry_Revisited)

However, for those that are more socially isolated, there is less chance of finding employment within the first month of release and thoughts about prison experience remain.

- The fourth stage occurs after week four. This is when individuals often consolidate a new identity and self-respect. They see their experiences that led to imprisonment as the result of an 'exception' in their lives or from being immature, whereas now they would think twice. However, those who do not have social capital and/or who have been unable to secure employment may have exhausted their reserves (assistance and finances from family and friends) and may be feeling helpless. The individual often reunites with former friends and can often return to crime.

## 2.6 Categories of need

Barriers to successful reintegration often relate to accommodation and employment, but also to support for health and social problems, and societal pressures. This includes stigma, and personal issues such as depression, anxiety relative deprivation and goal failure.

Research into improving reintegration from prison highlight the importance of having various essentials in place for the individual before liberation: accommodation, benefits and banking, and healthcare.<sup>149</sup> These variables for successful reintegration are inter-related: obtaining suitable accommodation, substance misuse treatment, employment, and support from their social network. If support is unavailable, the likelihood of entering a cycle of release and rearrest is heightened. It is, therefore, essential for community safety that interventions are available for individuals to reintegrate to communities on release. These may also involve supervision, parole, if appropriate, or assistance to facilitate the transition.<sup>150</sup>

The main needs are categorised and discussed below. These include financial, employment, education and training, accommodation, individual and social, substance use, physical and mental health, and social support.

### Financial

A review of throughcare in Scotland was conducted in 2015.<sup>151</sup> A key finding from this related to the inability to apply for housing benefits prior to release from custody, meaning that money might not be available for up to six weeks. Furthermore, service access itself is often difficult due to requirements for identification documents, a telephone number with access and a contact address. These are not always available or known to applicants prior to release. Therefore they are unable to progress with their application.<sup>152</sup>

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<sup>149</sup> Rubio Arnal, A. (2019). Improving post-prison re-integration in Scotland through collaboration. Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019-1.pdf#page=44>

<sup>150</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>151</sup> Scottish Government. (2015). What works to reduce reoffending. Source: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/05/works-reduce-reoffending-summary-evidence/documents/works-reduce-reoffending-summary-evidence/works-reduce-reoffending-summary-evidence/govscot%3Adocument/00476574.pdf>

<sup>152</sup> Ibid.

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The introduction of Universal Credit as part of the Welfare Reform Act 2012 was the biggest change to the welfare state in 60 years. Individuals who are sentenced or remanded can claim the housing element of Universal Credit provided they were entitled to the benefit before entering custody; they received an award for accommodation costs; and their time in prison is not expected to exceed six months (including time on remand). If accepted, the accommodation cost element of Universal Credit will be paid. How much an individual receives is dependent on their circumstances. This payment can be backdated by one month only. So it is crucial that individuals apply as soon after admission as possible to prevent arrears or possible eviction.<sup>153</sup>

Research into improving reintegration from prison highlights that, for benefits, there are issues with Employment Support Allowance related to long-term health conditions (that are unlikely to improve): individuals must reapply after liberation to be placed on a basic rate. This was said to take several weeks. Then an assessment is required to place the individual back on the rate they received prior to entering prison. (This had stopped on entry to prison.) While, at the time of this research, it was possible for some aspects of these issues to be addressed prior to release in some prisons (such as the ability to open a bank account, search for employment and explore housing options), this was not the case across the prison estate, nor did this go far enough (for example being unable to use the bank account to apply for benefits while in prison).<sup>154</sup> This is allowed for those who have been in prison on remand. In findings from SG research in 2022, it is noted that the rapid and unplanned release from prison means less opportunity for planned support in securing benefits, accommodation, networks and treatment. Furthermore, there is a lack of opportunity for this population to access programmed work or continuity planning for case management which leads to the provision of crisis and short-term management only.<sup>155</sup>

## Employment

Research has consistently shown that obtaining employment is a key challenge faced by those leaving prison.<sup>156</sup> It has also been suggested that individuals who are in employment are less likely to commit crimes than those who are not. The benefit of obtaining employment, therefore, has a direct impact on public safety and poverty due to the links with breaking the cycle of offending, reducing return to custody, and benefits for children and families and the economy overall.<sup>157</sup>

Employment is also a key factor for reintegrating successfully to society. Aside from generating income, employment benefits the individual by providing structure, routine, social contact and reconnection with parts of the community – all of which can lead to positive psychological benefits.<sup>158</sup>

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<sup>153</sup> Scottish Prison Service. (2017). SHORE standards: housing advice, information and support for people in and leaving prison; sustainable housing on release for everyone. Source:

<https://www.sps.gov.uk/Corporate/Publications/Publication-5363.aspx>

<sup>154</sup> Rubio Arnal, A. (2019). Improving post-prison re-integration in Scotland through collaboration. Source:

<https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019-1.pdf#page=44>

<sup>155</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source:

<https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>156</sup> La Vigne, N.G. and Kachnowski, V. (2005). Texas prisoners' reflections on returning home. Source:

<https://www.urban.org/research/publication/texas-prisoners-reflections-returning-home>

<sup>157</sup> Tarlow, M.S. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>158</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

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Further research suggests that the quality of the job is key to recidivism rather than the individual obtaining any employment, with opportunities to volunteer and to become active citizens being important for acquiring new skills, earning the trust of others, increasing capacity for responsibility and contributing to society.<sup>159</sup>

There are common barriers to obtaining employment. These relate to restrictions imposed on certain job roles for which those with any past conviction, or specific types of convictions, which are found via a criminal record check, may be excluded. Research from the US in 2001 found that a majority of employers (over 60%) were not likely to employ individuals with a past conviction.<sup>160</sup> However, a study of employers in the US from 2008 suggested that not offering employment to individuals with a past conviction is the result of a requirement by law to conduct criminal background checks and to restrict employment. Those who conducted the checks, but who were not actually required to do so by law, appeared to hire in the same way as employers who did not conduct any checks at all.<sup>161</sup> Other reasons given by employers resistant to hiring those with past convictions related to concerns of trustworthiness and dependability in addition to issues related to legal liability.

Research conducted in Scotland in 2019 resonates somewhat with the above and with other research which finds that people with convictions may have to rely on temporary, informal or insecure employment as they may find it difficult to compete with higher-quality roles.<sup>162</sup> Similar concerns were also found, and were realised by participants: most who were in work were employed in temporary or zero-hours roles, despite some having a history of more secure employment.<sup>163</sup>

Respondents generally agreed that their criminal record had at least some impact on the type and quality of job they might get. When asked about the barriers to gaining employment, participants listed several issues, reporting a mean of 4.4 barriers.<sup>164</sup> Barriers are shown in Table 3 below.

<b>Barrier to employment</b>	<b>Percentage (%) responding</b>
Criminal record	62%
Being on order or licence	41%
Lack of employment opportunities	41%
Disclosure process/requirements	38%
Attitude of employer	38%
Impact of COVID-19	38%
Lack of work experience	31%
Explaining gaps in employment	31%
Lack of support	31%
Lack of training opportunities	28%
Family commitments/caring responsibilities	28%

<sup>159</sup> Ibid.

<sup>160</sup> Holzer, H., Raphael, S. and Stoll, M. (2001). Will employers hire ex-offenders? Employer preferences, background checks and their determinants. Working paper series, Center for the study of urban poverty. Los Angeles: University of California.

<sup>161</sup> Stoll, M.A. and Bushway, S.D. (2008). The effect of criminal background checks on hiring ex-offenders. *Criminology and Public Policy*, 7(3) 371–404.

<sup>162</sup> Augustine, L. (2019). in Weaver, B. and Jardine, C. (2022). Citizenship on probation: understanding the labour market exclusion of criminalised people in Scotland. Source:

<https://journals.sagepub.com/doi/pdf/10.1177/02645505221105400>

<sup>163</sup> Weaver, B. and Jardine, C. (2022). Citizenship on probation: understanding the labour market exclusion of criminalised people in Scotland. Source: <https://journals.sagepub.com/doi/pdf/10.1177/02645505221105400>

<sup>164</sup> Ibid.

Lack of educational opportunities	21%
Lack of childcare	10%

Table 3. Barriers to employment

Those who participated in educational or employment programmes within prison in the US increased their chances of obtaining employment within the first year of release. This likelihood is increased again for those who were in employment prior to entry to prison and using their prior connections to obtain work.<sup>165</sup> A series of studies from the US between 2004 and 2010 found that approximately half of the former prisoners who participated in the research found employment within a year of release<sup>166167</sup>.

## Education and training

Research often focuses on the educational needs of prisoners: those in prison tend to be the least educated individuals with high levels of literacy issues being experienced. The 2019 SPS Prisoner Survey indicated that, of those who responded, almost a quarter experienced problems in using a computer; a little under one-fifth had issues with writing and numeracy; and around three-quarters indicated that they would like support in these and related areas.<sup>168</sup>

Research into reintegration needs of prisoners in Glasgow included several discussions involving a group of people from varied professional backgrounds and those with convictions. A key message emerging was the importance of digital inclusion of prisoners. This group was said to have very limited access to digital technology while in prison. Therefore, they are unable to acquire and maintain skills that are essential for re/integrating into society. The benefits of digital inclusion relate to strengthening existing social ties; making new connections; and accessing information about, and registering for, supports and services which are increasingly online. In some cases, it is now not possible to explore the availability of services or to register with these in any way other than online.<sup>169170</sup> Some participants noted that training for such skills would decrease their pre-release anxiety and would support them to maintain contact with family members.

The provision of education in Scottish prisons is contracted out to Fife College.<sup>171</sup> Educational opportunities are offered for all prisoner groups. However, uptake is variable. Longer-term and protected prisoners are far more likely to opt for educational opportunities and are far more likely to continue to attend when they do. Untried prisoners are not eligible to attend educational programmes. For most prisoners, learning activities meet educational needs. There are limited opportunities, however, for those with basic

<sup>165</sup> La Vigne, N.G., Lloyd, T. and Debus-Sherrill, S. (2009). One year out: tracking the experiences of male prisoners returning to Houston. Source: <https://www.urban.org/research/publication/one-year-out-tracking-experiences-male-prisoners-returning-houston-texas>

<sup>166</sup> Ibid.

<sup>167</sup> Visher, C., Yahner, J. and La Vigne, N.G. (2010). Life after prison: tracking the experiences of male prisoners returning to Chicago. Source: <https://www.urban.org/research/publication/life-after-prison-tracking-experiences-male-prisoners-returning-chicago-cleveland-and-houston>

<sup>168</sup> Scottish Prison Service. (2019). 17<sup>th</sup> Prisoner Survey. Source: <http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>169</sup> Rubio Arnal, A. (2019). Improving post-prison re-integration in Scotland through collaboration. Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019-1.pdf#page=44>

<sup>170</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>171</sup> Education Scotland.(2020). Summary of inspection findings: Education Scotland HM Inspectors' contribution to the inspection of prisons in Scotland 2016 to 2020. Source: <https://education.gov.scot/media/toned05w/prisoninspectionfindings2020.pdf>

literacy and numeracy needs to get the individual attention required. Having no internet access within prison limits the education that can be offered, particularly information and communications technology classes.

## Accommodation

A report produced by the National Audit Office in 2023 suggested that less than half of the prison leavers in England and Wales who are provided with temporary homes by a government scheme go on to find permanent accommodation.<sup>172</sup> A link has been found between homelessness and reoffending, with 68% of prisoners released to rough sleeping and 55% released to other homelessness reoffending within one year of release in comparison to 42% who are released to settled accommodation. The risk of reoffending is higher for those who are were homeless at entry to prison, and 79% go on to reoffend within a year.<sup>173</sup>

SG (2014) research found that inadequate accommodation was a key factor in the resumption of drug misuse for short-term prisoners leaving prison who had substance misuse issues. However, there was limited evidence about the most effective assistance to help this group into secure accommodation. There was more evidence about the importance of preventing individuals from losing their accommodation. Those with accommodation before entering custody were less likely to reoffend than without.<sup>174</sup>

Specific issues in obtaining accommodation after release include private tenancies being denied because of having a past conviction; difficulties in obtaining references; unemployment; and not being able to afford deposits and rent.<sup>175</sup> 'Crisis accommodation' is often offered, which can include hostels. These often house individuals with similar backgrounds and issues such as substance misuse and mental health which can exacerbate challenges.<sup>176</sup> An account in SG (2022) research highlighted that homeless units can leave an individual 'surrounded by drugs and alcohol' which can lead to continued substance use issues and recidivism.<sup>177</sup>

A 2016 HM Prisons Inspectorate in Scotland inspection report of HMP Kilmarnock highlighted an occasion when an individual had been liberated from custody without accommodation due to a lack of availability at the time. This led to him living in a tent in a local park. The situation led him to shoplift, allowing himself to be caught so he could return to prison for food and a dry bed. HM chief inspector of prisons for Scotland said that this could have occurred in any prison in Scotland, and illustrated the challenges needing addressed.<sup>178</sup> Indeed, research from Scotland in 2022 has highlighted how the most basic provision of food and shelter is not available on release, to the detriment of

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<sup>172</sup> National Audit Office. (2023). Improving resettlement support for prison leavers to reduce reoffending. Source: <https://www.nao.org.uk/wp-content/uploads/2023/05/improving-resettlement-support-for-prison-leavers-to-reduce-reoffending.pdf>

<sup>173</sup> Bozkina, M. and Hardwick, N. (2021). Preventing homelessness amongst former prisoners in England and Wales. Source: <https://lhf.org.uk/wp-content/uploads/2021/08/preventing-homelessness-amongst-former-prisoners-in-england-and-wales-final.pdf>

<sup>174</sup> Scottish Government. (2015). What works to Reduce Reoffending. Source: <https://www.gov.scot/publications/works-reduce-reoffending-summary-evidence/>

<sup>175</sup> Travis, J. (2005). But they all come back: facing the challenges of prisoner re-entry. Washington DC: The Urban Institute Press.

<sup>176</sup> United Nations Office on Drugs and Crime (UNODC). (2018). The prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>177</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>178</sup> HM Prisons Inspectorate in Scotland. (2016). Report on HMP Kilmarnock: full inspection 7-18 November 2016. Source: [https://www.prisoninspectorscotland.gov.uk/sites/default/files/publication\\_files/SCT02172182741.pdf](https://www.prisoninspectorscotland.gov.uk/sites/default/files/publication_files/SCT02172182741.pdf)

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rehabilitation and recovery, and any progress that an individual may have made in their substance use in prison.<sup>179</sup>

The 2019 SPS Prisoner Survey found that 56% of respondents were serving sentences of less than four years. Over half of respondents reported having lost their accommodation or tenancy when they entered prison, and more than a third (37%) were uncertain where they would reside upon release.<sup>180</sup> SPS evaluated its Throughcare Support Officer service in 2017. Data from this show that 50% of the individuals with whom the service worked with were homeless at the point of admission to custody. However, this figure is likely to be higher on release due to individuals losing their homes, depending on their sentence and circumstances.<sup>181</sup>

Additional barriers to obtaining suitable accommodation can exist for those who have been convicted of particular offence types, such as sexual offences, with exclusion from residing in particular areas.<sup>182</sup> A Norwegian research study of a sample of individuals who had been in custody on multiple occasions (between two and 20), highlighted that a lack of housing is an 'easy way' of connecting with former anti-social acquaintances, drugs and crime.<sup>183</sup>

## Reimprisonment cycles

In Scottish research from 2013, individuals serving short-term prison sentences were interviewed. Participants described significant offending histories and family disruption in addition to substance misuse issues. The cycle of their entry to and exit from prison was often seen to be a normal part of life, one that other parts of their lives had to accommodate. Few of the participants had served more than a few months at a time yet described symptoms of institutionalisation that are frequently seen in those imprisoned for long periods. Some value was seen in a short sentence for using the time in prison as a detox. However, it was also seen as an interruption to the support and relationships with drug workers that participants received in the community.<sup>184</sup>

## Individual and social needs

### *Stigma and labelling*

Stigma is often experienced by individuals who have a prior conviction, and particularly those who have recently been released from prison. It has been found that being labelled will shape recidivism, particularly for those that have more to lose from this labelling.<sup>185</sup> Heimer and De Coster (1999) suggest that women are particularly burdened by labels and

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<sup>179</sup> Scottish Government (2022). Prison population: substance use and wider support needs. Source:

<https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>180</sup> Scottish Prison Service (2019). 17<sup>th</sup> Prisoner Survey. Source:

<http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>181</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source:

<https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>182</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>183</sup> Larsen, B.K., Hean, S. and Ødegård, A. (2019). A conceptual model on reintegration after prison in Norway. Source:

<https://www.emerald.com/insight/content/doi/10.1108/IJPH-06-2018-0032/full/html?skipTracking=true>

<sup>184</sup> Armstrong, S. and Weaver, B. (2013). Persistent punishment: user views of short prison sentences. Source:

<https://onlinelibrary.wiley.com/doi/epdf/10.1111/hojo.12015>

<sup>185</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

are seen as being 'double deviants' due to disregarding both legal and gender norms, sometimes being seen to be less feminine because of their imprisonment.<sup>186</sup>

A longitudinal study (Edinburgh Study of Youth Transitions, 2019) highlighted that integration to society and desistance from crime can be affected negatively from contact with formal authorities and the need to avoid this contact where possible using diversion or alternate sanctions. This is due to people being labelled and processed as 'an offender' which affects prospects negatively and, in turn, can lead to further offending and involvement in the justice system.<sup>187</sup>

### *Gender*

Women are particularly vulnerable at the point of release from custody and a 'through-the-gate' model of support is required to support reintegration.<sup>188</sup> Women require access to services on their release from prison, including health services, education and employment. Access to safe and secure accommodation and to benefits are the biggest concerns. Failure to resolve these two issues is suggested as having a negative impact on progress in other areas. Research also suggests that women are more likely to lose a tenancy when entering prison than men and that it is crucial that support to maintain a tenancy is offered where appropriate.<sup>189</sup>

Issues relating to gender are discussed further below.

### *Ethnic identity*

A report by HM Inspectorate of Prisons in England in 2020 focused on the experiences of minority ethnic prisoners in rehabilitation and release planning. This found that prison staff generally did not consider that ethnicity had any effect on the rehabilitation and release planning for those from a black and minority ethnic background. Male black and minority ethnic prisoners reported poorer experiences in areas considered to be of importance for a rehabilitative culture within the prison (relationships with staff, disciplinary procedures, complaints, support with resettlement). This group was less likely to report personal vulnerabilities (such as mental health or substance use issues). Also, they received little support with sentence planning and rehabilitation, and reported less access to family support than white prisoners. Survey results suggested that black and minority ethnic populations received more opportunities to be released on temporary licence than white prisoners – these opportunities being described positively for maintaining contact with families and engaging in learning and employment.<sup>190</sup>

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<sup>186</sup> Heimer, K. and DeCoster, S. (1999). The gendering of violent delinquency. *Criminology* 37(2), 277–318.

<sup>187</sup> McAra, L. and McVie, S. (2009). within McNeill, F. (n.d.). Reducing reoffending and enabling reintegration. Source: [https://unafei.or.jp/publications/pdf/14th\\_Congress/10\\_Dr.Fergus\\_McNeill.pdf](https://unafei.or.jp/publications/pdf/14th_Congress/10_Dr.Fergus_McNeill.pdf)

<sup>188</sup> Scottish Government. (2012). Commission on Women Offenders. Source: <https://webarchive.nrscotland.gov.uk/3000/https://www.gov.scot/Resource/0039/00391828.pdf>

<sup>189</sup> Ibid.

<sup>190</sup> HM Inspectorate of Prisons. (2020). Minority ethnic prisoners' experiences of rehabilitation and release planning: a thematic review by HM Inspectorate of Prisons. Source: <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/Minority-ethnic-prisoners-and-rehabilitation-2020-web.pdf>

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## Age

Individuals who have experience of prison at a young age are often impacted negatively throughout their lives from accumulated disadvantages and restricted opportunities.<sup>191</sup>

## Community/neighbourhood

Communities/neighbourhoods differ in their tolerance of those returning from prison. This is shaped by relationships with the individuals involved; exposure to crime in the community; and level of acceptance of this. In areas where there is more tolerance, there can be reduced stigma, which can mean an easier transition to the community but potentially reduced likelihood of desisting from offending.<sup>192</sup><sup>193</sup> If a community has a high concentration of individuals who commit crimes and those who have prior convictions, there is also an increased likelihood of recidivism due to difficulties in those individuals removing themselves from criminogenic social networks. Often, a change in neighbourhood can be a turning point and an opportunity to redefine a person's life.<sup>194</sup><sup>195</sup>  
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The prison population appears to be made up of individuals from a small number of communities – often the most socially and economically deprived.<sup>198</sup> The 2022 data from a snapshot of the Scottish prison population show that 82.5% of the population were registered at an address within the 50% most deprived areas (31% from the most deprived 10%).<sup>199</sup>

Research into social exclusion and imprisonment in Scotland (using a snapshot of prisoners on one day in Scotland) highlighted the relationship between deprivation and imprisonment (most pronounced in Glasgow).<sup>200</sup> Further research has suggested a change since, with violent and recorded crime having fallen in all local authorities and patterns of deprivation having changed in the UK as a whole. This now centres on suburban areas rather than inner cities.<sup>201</sup>

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<sup>191</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>192</sup> Kirk, D. (2009). A natural experiment of the effect of residential change on recidivism: lessons from Hurricane Katrina. *American Sociological Review*, 74(3), 484–505.

<sup>193</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>194</sup> Kubrin, C.E. and Stewart, E.A. (2006). Predicting who reoffends: the neglected role of neighbourhood context in recidivism studies. *Criminology*, 4(1), 165–195.

<sup>195</sup> Caspi, A. and Moffitt, T.E. (1995). The continuity of maladaptive behavior: from description to understanding in the study of antisocial behaviour. In D. Cicchetti and D.J. Cohen (Eds). *Developmental psychopathology, 2: risk, disorder and adaptation* 472– 511. New York: Wiley.

<sup>196</sup> Laub, J.H. and Sampson, R.J. (2003). *Shared beginnings, divergent lives: delinquent boys to age 70*. Cambridge, MA: Harvard University Press.

<sup>197</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>198</sup> Lynch, J. and Sabol, W. (2001). *Prisoner re-entry in perspective*. Crime policy report. Washington DC: The Urban Institute.

<sup>199</sup> Scottish Prison Service. (2022). Supporting documents: Scottish Prison Population Statistics 2021-22. Source: <https://www.gov.scot/publications/scottish-prison-population-statistics-2021-22/documents/>

<sup>200</sup> Matthews, B. (2019). Is the relationship between imprisonment and deprivation in Scotland at its most pronounced in Glasgow? Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019.pdf>

<sup>201</sup> Matthews, B. (2019). Is the relationship between imprisonment and deprivation in Scotland at its most pronounced in Glasgow? Source: <https://howardleague.org/wp-content/uploads/2019/04/ECAN-bulletin-Spring-2019.pdf>

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Research looking at alcohol-related support services in rural locations in Scotland found that people face challenges including stigma in the community.<sup>202</sup> Participants reported that stigma is made worse in rural settings where privacy is difficult if not impossible to secure. Further, local newspapers and social media were said to be sources of stigma about substance misuse, additionally compromising the privacy and reputation of people experiencing an alcohol misuse problem.

### *Substance misuse*

SG 2022 research found that the nature of drug use within Scottish prisons has changed and is dominated by New Psychoactive Substances, cannabinoids and 'street benzos', and for most people illegal and illicit drugs continue to be readily available.<sup>203</sup> Drug use is reported as a coping method for people living in prison and for dealing with pre-existing trauma(s) and the additional trauma(s) of entering and adjusting to prison. Participants said that focusing someone's treatment solely on their substance use was the wrong starting point, with support for other areas of need (including housing, mental and physical health and recovery) being critical. This study also found that a lack of recent literature on the nature of substance use in Scottish prisons and significant deficiencies in related data collection, analysis, sharing and storage, means that it is hard to map the issue across the prison estate.

Within the 2019 SPS Prisoner Survey, 41% of respondents said that drug and alcohol use had been problematic prior to commencing their sentence. 19% of participants said that their alcohol use had had an impact on their ability to hold down a job, and a third said that it had affected their relationship with their family.<sup>204</sup> This resonates with research carried out by CJS in 2019, in which 65% of participants stated that drug use was a factor prior to sentencing, and over 50% that drug use was a contributing factor in their offending to some extent.<sup>205</sup> Data from the SPS throughcare support officer service evaluation show that, of the individuals who received this support, a majority (83%) had either drug or alcohol issues, or both.<sup>206</sup>

Addressing substance misuse within prison presents difficulties for those on remand. These individuals may be in prison for a period that is too short to access and address these issues in any meaningful way. However, these individuals are of great concern due to their vulnerability and levels of risk. This is not helped by uncertainty about the length of time they will be in prison. If they are not found guilty, they often return to community settings that are unstable.<sup>207</sup>

Continuity of care, for all individuals with substance use issues, is a particular challenge on release from custody. This may relate to community planning structures and local

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<sup>202</sup> Scottish Health Action on Alcohol Problems. (2020). Rural Matters. Understanding alcohol use in rural Scotland: findings from a qualitative research study. Source: <https://www.shaap.org.uk/downloads/reports-and-briefings/278-rural-matters.html>

<sup>203</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

<sup>204</sup> Scottish Prison Service. (2019). 17<sup>th</sup> Prisoner Survey. Source: <http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>205</sup> Community Justice Scotland. (2019). Sentenced to smart justice: a report on proposed extension of the Presumption Against Short Sentences. Source: <https://communityjustice.scot/wp-content/uploads/2019/06/Sentenced-to-Smart-Justice-A-report-on-the-proposed-extension-of-the-Presumption-Against-Short-Sentences-v8.pdf>

<sup>206</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>207</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/>

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health and national structures within which prisons do not 'sit comfortably'. There are also inconsistencies across prison establishments in how substance use issues are managed.<sup>208</sup> While support within prison could be improved, support for substance misuse issues is also required in the transition out of prison and into the community to achieve longer-term rehabilitation and desistance.

### *Deaths soon after release from prison*

In 2023 the Prisons and Probation Ombudsman in England and Wales piloted the investigation of deaths soon after release from custody.<sup>209</sup> Throughout the initial pilot period they were notified of 61 post-release deaths (between September 2021 and September 2022). They conducted investigations into 48 of the deaths each of which occurred within 14 days of the individual's release from prison. At the point of report publication, five of these deaths were still awaiting classification, five were natural causes, 10 were self-inflicted, and 28 were due to other non-natural causes.

Of the 10 self-inflicted deaths, only three had reached the initial reporting stage of the investigation when the report was published. From these, recommendations included information sharing between prisons and probation as this directly affected two of the self-inflicted deaths. One of the individuals had been assessed as at risk of suicide and self-harm at the point of release, but this information had not been passed on to probation.

Of the 24 drug-related deaths, five had reached the initial reporting stage of the investigation when the report was published. From these five investigations, recommendations were made about Naloxone being available on release and for 'through-the-gate' to be improved for those at risk of substance misuse on release.

### *Physical and mental health*

Health tends to be poorer in those who have a history of imprisonment than those who do not, with over-represented rates of some chronic physical conditions and higher rates of negative health behaviours and physical injury. However, this outcome can vary. Furthermore, the prison population is at greater risk of poorer mental health. The prison environment may be the source of some of these conditions, potentially a result of reduced availability of primary care and increased exposure to infectious disease. This can itself lead to poorer health, and may be worsened by mental health conditions that can interfere with care sought or taken up.<sup>210</sup>

2022 research completed by the SG states that people in prison experience greater health inequalities relative to the general population, suggesting that a supportive and engaging healthcare system should be ensured for people in prison.<sup>211</sup> The study recognises,

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<sup>208</sup> Ibid.

<sup>209</sup> Prison and Probation Ombudsman. (2023). Learning lessons bulletin. Fatal incident investigations, 17. Source: [https://s3-eu-west-2.amazonaws.com/ppo-prod-storage-1g9rkjhkhjmgw/uploads/2023/01/14.202\\_PPO\\_LL\\_Bulletin\\_Issue17\\_FINAL\\_WEB\\_V2-3.pdf](https://s3-eu-west-2.amazonaws.com/ppo-prod-storage-1g9rkjhkhjmgw/uploads/2023/01/14.202_PPO_LL_Bulletin_Issue17_FINAL_WEB_V2-3.pdf)

<sup>210</sup> Semenza, D.C. and Link N.W. (2019). How does re-entry get under the skin? Cumulative reintegration barriers and health in a sample of recently incarcerated men. Source: <https://www.sciencedirect.com/science/article/abs/pii/S0277953619306136>

<sup>211</sup> Scottish Government. (2022). Understanding the physical needs of Scotland's prison population. Source: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2022/09/understanding-physical-health-care-needs-scotlands-prison-population/documents/understanding-physical-health-care-needs-scotlands-prison-population/understanding-physical-health-care-needs-scotlands-prison-population/govscot%3Adocument/understanding-physical-health-care-needs-scotlands-prison-population.pdf>

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however, that physical health needs of people in Scottish prisons are not currently well understood due to issues with data management.

SG research relating to mental health needs reports that people in prison experience numerous and complex mental health issues at a higher rate than people in the community.<sup>212</sup> Findings indicate inequalities across certain prisons resulting in inconsistent service resource allocation that is not closely linked to the number of prison residents. Data on the mental health needs of the Scottish prison population are needed to ensure services are designed to meet needs.

The 2019 SPS Prisoner Survey indicated that, of those who responded, 41% are suffering from a long-term illness.<sup>213</sup> Most (54%) of the individuals who were supported by SPS throughcare support officers had health issues at the time of their initial assessment on entry to prison.<sup>214</sup>

The National Prisoner Healthcare Network throughcare workstream was created to establish the healthcare throughcare needs of the prisoner population in Scotland, with three clear priority areas: primary care, addictions care and mental health care.<sup>215</sup> Key recommendations of particular interest to the commissioning of throughcare services include: the throughcare officer role is recognised as good practice and should be shared; the role of health and homelessness services in each health board area should include links to prison throughcare processes; third sector organisations and mentors should be engaged in community reintegration planning.

#### *Health impact of cumulative needs*

Each challenge that is faced by those leaving prison (financial, employment, housing, legal and educational) may be stressful in itself. But the cumulative effect of facing multiple challenges at the same time, which is the norm for those who are released from custody, can lead to decreasing health.<sup>216</sup>

Research from 2019 suggests that, at all points examined, (3-, 9- and 15-months post-release), participant self-rated health was found to decrease in line with a greater number of reintegration barriers. There was poorer physical health particularly at the 9-month post-release point, and the symptoms of depression increased at the 3- and 9-month points. Researchers suggested reasons behind depression symptoms not being found as significantly at the 15-month stage may not mean that the barriers themselves have reduced, but that individuals have found other ways to cope. The time immediately following release may be the most stressful for individuals. Therefore, 15 months post-release may be beyond the 'critical re-entry window'. Individuals may have normalised the stress of reintegration by this point, or means of coping may be improved by this stage.

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<sup>212</sup> Scottish Government. (2022). Prison population: mental health needs. Source:

<https://www.gov.scot/publications/understanding-mental-health-needs-scotlands-prison-population/>

<sup>213</sup> Scottish Prison Service. (2019). 17<sup>th</sup> Prisoner Survey. Source:

<http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>214</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source:

<https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>215</sup> Scottish Prison Service and NHS Scotland. (2016). National Prisoner Healthcare Network: healthcare throughcare workstream report. Source:

<http://www.knowledge.scot.nhs.uk/media/11318701/20160215%20nphn%20throughcare%20report%20final%20v1.0.pdf>

<sup>216</sup> Semenza, D.C. and Link N.W. (2019). How does re-entry get under the skin? Cumulative reintegration barriers and health in a sample of recently incarcerated men. Source:

<https://www.sciencedirect.com/science/article/abs/pii/S0277953619306136>

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Research from 2011 found that avoidance mechanisms are commonly used by those released from prison to cope with the barriers they face which sees them ignoring some of their needs.<sup>217</sup>

### *Continuity of care*

Healthcare and treatment that commenced in prison, particularly for infectious disease and substance use issues, should continue in the community. This is highlighted within the Nelson Mandela Rules (continuity of treatment and care is described in rule 24, paragraph 2).<sup>218</sup> However, this continuity is not always experienced, particularly for prescriptions when release is unplanned. SG research from 2022 found a lack of continuity and consistency in prescribing across prisons and health boards, and between the prisons and the community. A forthcoming amended process will ensure that an individual is registered with a GP on release or as a minimum has information on how to find and register with a GP if they are moving out of the area.<sup>219</sup> Similarly, this agreement requires providing medications for individuals on release from prison to allow continuation of prescriptions in the community.

Factors that can lead to this discontinuity of care can exist over and above these structural issues. For example, transport and travelling distance and release on a Friday or immediately prior to a public holiday can mean that services are not available to individuals when needed.<sup>220</sup><sup>221</sup> The Bail and Release from Custody (Scotland) Act 2023 has banned releases on a Friday or the day before a public holiday, and brings forward an individual's release date if they were otherwise to be released on one of the prohibited days.<sup>222</sup> This does not, however, prevent people being released from court on a Friday or 'after-hours' (that is, in the evening, when support services are not likely to be available).

### *Social support*

Social support can come in several forms and can be helpful to prisoners who are transitioning from prison to community.

The role of parole officers includes providing social support to individuals. Having this support may positively influence successful re-entry to the community, and help to avoid further convictions.<sup>223</sup> When researchers focused on the relationship between interpersonal and professional aspects of social support provided to individuals transitioning from custody to community, it was found that the aspect that links to

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<sup>217</sup> Phillips, L.A. and Lindsay, M. (2011). Prison to society: a mixed methods analysis of coping with re-entry. Source: <https://journals.sagepub.com/doi/10.1177/0306624X09350212>

<sup>218</sup> United Nations Office on Drugs and Crime (UNODC). (2018). The prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>219</sup> National Prison Care Network. (2022). Memorandum of understanding. (Unpublished).

<sup>220</sup> Scottish Government. (2022). Prison population: substance use and wider support needs. Source: <https://www.gov.scot/publications/understanding-substance-use-wider-support-needs-scotlands-prison-population/documents/>

<sup>221</sup> Reid Howie Associates. (2017). Evaluation of the SPS Throughcare Support Service. Source: <https://www.sps.gov.uk/Corporate/Publications/Publication-5246.aspx>

<sup>222</sup> Scottish Parliament. (2023). Bail and Release from Custody (Scotland) Act 2023. Source: <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/bail-and-release-from-custody-scotland-bill/stage-3/bill-as-passed.pdf>

<sup>223</sup> Bares, K. and Mowen, T.J. (2020). Examining the parole officer as a mechanism of social support during reentry from prison crime. *Crime & Delinquency*, 66(6-7). Source: [https://www.researchgate.net/publication/336701458\\_Examining\\_the\\_Parole\\_Officer\\_as\\_a\\_Mechanism\\_of\\_Social\\_Support\\_During\\_Reentry\\_From\\_Prison](https://www.researchgate.net/publication/336701458_Examining_the_Parole_Officer_as_a_Mechanism_of_Social_Support_During_Reentry_From_Prison)

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successful reintegration is the presence of the professional supportive elements of the role, irrespective of the interpersonal elements.<sup>224</sup>

Social support provided by religious organisations appears to have a positive effect on levels of recidivism only when the religious element is in line with the belief system of the individual. Otherwise there is no effect on recidivism.<sup>225</sup>

The availability of social support on release from custody is a protective factor. However, if the support is not from pro-social individuals, this is unlikely to lead to positive outcomes. Although the support may be from pro-social individuals, if there is conflict in the relationship, this can lead to negative outcomes.

Social capital has been found to increase in those who received mentoring specifically in the areas of information and references for employment, housing and education, and to provide advocacy throughout court experiences.<sup>226</sup> When the individual released from prison has a role in providing support to others, they feel rewarded with a sense of purpose and of making amends.<sup>227</sup>

### *Romantic relationships*

Leverentz has highlighted the importance of strong relationships (marriage or 'marriage-like') within desistance research in relation to increased desistance, lower drug and alcohol use, and increased likelihood of finding employment post-release, than those in casual relationships.<sup>228</sup><sup>229</sup> Further research suggests that average/above average happiness within a relationship and having a wage that allowed individuals to remain out of poverty reduced the likelihood of adult offending.<sup>230</sup>

The importance of romantic relationships is beneficial for men, but less so for women. This could relate to male relationships often being with a pro-social individual, which may be less likely for women with a prior conviction.<sup>231</sup><sup>232</sup>. However, both men and women

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<sup>224</sup> Bares, K. and Mowen, T.J. (2020). Examining the parole officer as a mechanism of social support during reentry from prison crime. *Crime & Delinquency*, 66(6-7). Source:

[https://www.researchgate.net/publication/336701458\\_Examining\\_the\\_Parole\\_Officer\\_as\\_a\\_Mechanism\\_of\\_Social\\_Support\\_During\\_Reentry\\_From\\_Prison](https://www.researchgate.net/publication/336701458_Examining_the_Parole_Officer_as_a_Mechanism_of_Social_Support_During_Reentry_From_Prison)

<sup>225</sup> Mowen T.J., Stansfield R. and Boman, J.H. (2018). During, after, or both? Isolating the effect of religious support on recidivism during reentry. 4th. *J Quant Criminol*, 34(4):1079-1101. Source:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7205271/>

<sup>226</sup> Brown, M. and Ross, S. (2010). Assisting and supporting women released from prison: is mentoring the answer? *Current Issues in Criminal Justice*, 22(2), 217–232. Source:

<https://www.tandfonline.com/doi/abs/10.1080/10345329.2010.12035883>

<sup>227</sup> Kjellstrand, J., Clark, M., Caffery, C., Smith, J. and Eddy, J.M. (2021). Re-entering the community after prison: perspectives on the role and importance of social support. Source: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/reentering-community-after-prison-perspectives-role-and-importance>

<sup>228</sup> Visher, C., Knight, C., Chalfin, A. and Roman, J. (2009). The Impact of marital and relationship status on social outcomes for returning prisoners. Source: <https://www.urban.org/research/publication/impact-marital-and-relationship-status-social-outcomes-returning-prisoners>

<sup>229</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). *Rethinking corrections: rehabilitation, re-entry and rehabilitation*. Sage Publications.

<sup>230</sup> Giordano, P.C., Cernovich, S.A. and Rudolph, J.L. (2002). Gender, crime and desistance: towards a theory of cognitive transformation. *American Journal of Sociology*, 107(4) 990–1064.

<sup>231</sup> King, R.D., Massoglia, M. and MacMillan, R. (2007). The context of marriage and crime: gender, the propensity to marry, and offending in early adulthood. *Criminology*, 45(1), 33–65.

<sup>232</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). *Rethinking corrections: rehabilitation, re-entry and rehabilitation*. Sage Publications.

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benefit from a mutually supportive relationship in which both partners are desisting from offending and substance use.<sup>233</sup>

Although romantic relationships are considered positive influences on desistance, research has yet to examine the experience and impact of support on women who are intimate partners of people who are desisting from crime.<sup>234</sup> Research has found that women provide support to desisting partners, and that this can strain their identities and their agency.<sup>235</sup> Desistance research has not yet acknowledged the support needs of women who invest in a partner’s desistance, and this should be considered in future research and policy development.

*Social support from both primary and secondary groups*

In 2021 research on the role and importance of social support in re/integrating to communities on release from prison, Kjellstrand et al<sup>236</sup> conducted interviews with individuals who had recently been released from custody to examine their perceptions of social support received via a transitional housing service which had mentored them (on a voluntary basis). The common types of social support that participants received fell into four categories, which had been previously identified in research literature: emotional, instrumental, informational and companionship. While much of the support was discussed positively, some additional and more negative elements were also experienced, and some areas of support would have been welcomed but had not been available.

Support was provided to participants from both primary (family and close friends) and secondary (mentors, services, work colleagues) groups, the combination of which was imperative to dealing with emotional and contextual issues throughout the transition period. Table 4 summarises the positive and negative elements of the support.

<b>Positive support examples</b>			
<b>Emotional</b>	<b>Informational</b>	<b>Instrumental</b>	<b>Companionship</b>
Compassion Tough love Connectedness Nurturing Caring	General encouragement Advice on: - health - behaviours - navigating family relationships - legal/finances - education	Employment Basic resources Childcare Sobriety support Transition planning	Spending time together Being available Talking together Social outings Accompany to appointments
<b>Negative or absent support examples</b>			
<b>Emotional</b>	<b>Informational</b>	<b>Instrumental</b>	<b>Companionship</b>

<sup>233</sup> Leverentz, A. (2006a). 'I put her through a particular hell': the role of family and friends in onset and desistance. Los Angeles: American Society of Criminology.

<sup>234</sup> Hall, L. and Harris, L. (2022). The gendered weight of desistance and understanding the 'love of a good woman': desistance emotional work (DEW). Probation Journal 0(0), 1-18.

<sup>235</sup> Hall, L. and Harris, L. (2022). The gendered weight of desistance and understanding the 'love of a good woman': desistance emotional work (DEW). Probation Journal 0(0), 1-18.

<sup>236</sup> Kjellstrand, J., Clark, M., Caffery, C., Smith, J. and Eddy, J.M. (2021). Re-entering the community after prison: perspectives on the role and importance of social support. Source: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/reentering-community-after-prison-perspectives-role-and-importance>



Not feeling understood Lack of empathy Not receiving or inconsistent approval Loneliness Lacking people in specific roles	Not attuned to needs Providing unwanted advice Not having any advice	Providing drugs or alcohol Not helping with housing Employers not hiring due to criminal history	Difficulties with people Problematic relationships Lacking companions
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Table 4: Positive, negative and absent support examples

Kjellstrand suggests a link between those who have received positive social support and lower rates of recidivism as well as better psychological wellbeing, employment levels and physical health. However, these depend on social support being provided by both primary and secondary groups, and the support being made up of multiple components.

Research is mixed on the most effective type of social support for individuals who have been in prison, and which groups should deliver this.<sup>237</sup>

### *Families*

There is often a lack of support from family for prisoners, but evidence suggests that, if they have such support, individuals have improved chances of obtaining and maintaining employment.<sup>238</sup>

Families play a vital role in supporting individuals both while in custody and upon release. This includes practical support (for example financial and housing) and emotional support to get the services they require.<sup>239</sup><sup>240</sup> Because women experience greater stigma than men, they may have less family support nor be able to return to their family or community.<sup>241</sup>

Desistance research has indicated the importance of positive familial relationships prior to entering prison in increasing the likelihood of desisting from offending on release than those without these. On release, women are more likely than men to return to caring for family members.<sup>242</sup><sup>243</sup>

<sup>237</sup> Taylor, M. (2016). within Kjellstrand, J., Clark, M., Caffery, C., Smith, J. and Eddy, J.M. (2021). Re-entering the community after prison: perspectives on the role and importance of social support. Source: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/reentering-community-after-prison-perspectives-role-and-importance>

<sup>238</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>239</sup> Semenza, D.C. and Link N.W. (2019). How does re-entry get under the skin? Source: [How does reentry get under the skin? Cumulative reintegration barriers and health in a sample of recently incarcerated men - ScienceDirect](https://www.sciencedirect.com/science/article/abs/S0190962219300000)

<sup>240</sup> La Vigne, N.G. and Kachnowski, V. (2005). Texas Prisoners' Reflections on Returning Home. Source: [Texas Prisoners' Reflections on Returning Home | Urban Institute](https://www.urbaninstitute.org/publications/texas-prisoners-reflections-on-returning-home)

<sup>241</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>242</sup> La Vigne, N.G. and Mamalian, C. (2004). Prisoner reentry in Georgia. Washington, DC: The Urban Institute.

<sup>243</sup> Leverenz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

The 2019 Scottish Prisoner survey found that 17% of respondents had received support in prison about family issues.<sup>244</sup> 61% of respondents reported having children. Reuniting with and caring for children can be difficult for all involved, including the children. They may have found it difficult to maintain their relationship with their parent in prison; to adapt to their new and changing situations and environments; and to deal with the stigma of their parent's status. However, where safe to do so, preserving the family environment and relationships can have positive outcomes for both child and parent (who is more likely to desist from offending and more likely to find employment).<sup>245</sup>

Being a mother increases the likelihood of desistance, more so than being a father. However, those with children with whom they are closely attached have better outcomes for employment and substance use than those who do not have children.<sup>246</sup> Fathers who do not have a close bond with their children often try to strengthen this on release from custody.<sup>247</sup>

Not all family connections are positive. For some, a return to family can create tensions. They may be returning to family members who have been their victims or victimisers; the return may place an added financial burden on the family; there may be tensions over children and with caregivers when returning to previous roles. These tensions, in addition to the challenges already faced on release from prison, including engaging in treatment, attending meetings, finding employment and accommodation, and negotiating childcare add to the difficulties and stress for those involved.<sup>248 249</sup>

Research published in 2022 looked at the cost to families of imprisonment and release in Scotland, and included interviews with those supporting someone in prison and on release. The women in the lives of those in prison are left to pick up the cost of prison. Organisations such as Families Outside, independently run prison visitor centres and Sacro, were main supporters for many participants, providing information and practical and emotional support, and sourcing required goods.<sup>250</sup>

## Peers

Desisting from offending often means breaking ties with anti-social peers. Those who have more pro-social relationships, or who isolate themselves socially, are less likely to return to prison than those who maintain relationships with anti-social peers.<sup>251 252</sup>

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<sup>244</sup> Scottish Prison Service (2019). 17<sup>th</sup> Prisoner Survey. Source:

<http://www.sps.gov.uk/Corporate/Publications/Publication-7196.aspx>

<sup>245</sup> United Nations Office on Drugs and Crime (UNODC). (2018). Introductory handbook on the prevention of recidivism and the social reintegration of offenders. Source: [https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)

<sup>246</sup> La Vigne, N.G., Lloyd, T. and Debus-Sherrill, S. (2009). One year out: tracking the experiences of male prisoners returning to Houston. Source: <https://www.urban.org/research/publication/one-year-out-tracking-experiences-male-prisoners-returning-houston-texas>

<sup>247</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

<sup>248</sup> Richie, B. (2001). Challenges incarcerated women face as they return to their communities: findings from life history interviews. *Crime and Delinquency*, 47(3), 368–389.

<sup>249</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation: Sage Publications.

<sup>250</sup> Nugent, B. (2022). Paying the price: the cost to families of imprisonment and release. Source: <https://www.familiesoutside.org.uk/content/uploads/2022/11/Paying-the-Price-October-2022.pdf>

<sup>251</sup> Seal, D.W., Eldrige, G.D., Kacanek, D., Binson, D. and Macgowan, R.J. (2007). A longitudinal, qualitative analysis of the context of substance use and sexual behaviour among 18-29-year-old men after their release from prison. *Social Science and Medicine*, 65(11), 2394–2406.

<sup>252</sup> Leverentz, A. (2011). within Gideon, L. and Sung, H. (2011). Rethinking corrections: rehabilitation, re-entry and rehabilitation. Sage Publications.

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## 2.7 Key considerations

There are several key considerations for CJS commissioning of voluntary throughcare and mentoring services. These key considerations are a synthesis of information from across the literature to reflect what might be good practice for future voluntary throughcare and mentoring arrangements:

- Any new service design should consider how best individuals' needs can be identified and prioritised, including when these needs are identified while the individual is in prison.
- Any new service design should also consider how these needs are supported, including the timeline for support while the individual is in prison and continuing support while in the community.
- Any new service design should consider the support which should/could be offered to primary and secondary networks, especially if the person leaving prison is returning to a household with other people.

## 2.8 Evidence gaps/limitations

There are limitations with this research, leading to evidence gaps. Should this research be expanded in future, the following factors should be considered:

- When considering individual needs a person may experience, there is little discussion within this paper of the experience of minority ethnic prisoners in Scotland. Further research should consider the specific barriers or issues that might be faced by minority ethnic prisoners being released from remand or a short-term sentence.
  - There has been little discussion in this paper of the experience of transgender or non-binary people within the academic literature that has been used to inform this paper. Further research should consider the specific barriers or issues that might be faced by transgender/non-binary prisoners being released from remand or a short-term sentence.
  - There is a lack of data and information relating to ethnicity in Scottish prisons, including data on uptake of throughcare services by ethnic identity. Similarly, there is a lack of information about age and the impact of short-term prison sentences and periods of remand, and about deaths soon after release from prison in Scotland. Further research should consider these data gaps.
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# Chapter 3: Throughcare in Scotland

## 3.1 Overview

Several terms are used internationally to describe the service that is provided to individuals who are being released from custody. In Scotland this is known as 'throughcare' which was defined by the Scottish Executive in 2002 as 'the provision of a range of social work and associated services to prisoners and their families from the point of sentence or remand, during the period of imprisonment and following release into the community'.<sup>253</sup>

This chapter looks at the model and delivery of throughcare services in Scotland, with a brief overview of the PSP delivery of voluntary throughcare services.

## 3.2 Key points

- In Scotland, throughcare and mentoring support are delivered on either a statutory or voluntary basis.
- People who have served a long-term prison sentence (over four years) and those who have been convicted of a sexual offence (and received either a short (less than four years) or long-term sentence) are automatically provided with statutory throughcare. This is organised and managed, and often delivered, by JSW in each local authority area, or JSW may refer on to another service to provide support, while continuing to oversee and manage the throughcare support.
- People who have received a short-term sentence can be offered voluntary throughcare and mentoring support while in custody or within 12 months of their release. This voluntary support is organised by three PSPs who receive grant funding from the SG for this purpose. Other local areas independently fund other third sector organisations to provide voluntary throughcare. JSW also works with small numbers of people to provide voluntary support.
- Only women and young people who are on remand or who have recently been released from remand are offered voluntary throughcare support through the PSPs. Adult men who are on remand or who have recently been released from remand are not eligible for voluntary throughcare support from the PSPs. People leaving remand can request support from JSW on release.
- Research highlights the positive benefits of a mentoring relationship, with a focus on the individual and a sense of no judgement being placed on them.<sup>254</sup>

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<sup>253</sup> McIvor, G., Graham, H. and McNeill, F. (2018). Prisoner resettlement in Scotland. In Dunkel, F., Pruin, I. and Weber, J. (eds). (2018). Prisoner resettlement in Europe. Source: [https://www.researchgate.net/publication/332119715\\_McIvor\\_G\\_Graham\\_H\\_McNeill\\_F\\_2018\\_27Prisoner\\_Resettlement\\_in\\_Scotland%27\\_in\\_Dunkel\\_F\\_Pruin\\_I\\_Storgaard\\_A\\_Weber\\_J\\_eds\\_2018\\_Prisoner\\_Resettlement\\_in\\_Europe\\_London\\_R\\_outledge](https://www.researchgate.net/publication/332119715_McIvor_G_Graham_H_McNeill_F_2018_27Prisoner_Resettlement_in_Scotland%27_in_Dunkel_F_Pruin_I_Storgaard_A_Weber_J_eds_2018_Prisoner_Resettlement_in_Europe_London_R_outledge)

<sup>254</sup> Scottish Government. (2016). Evaluation of the Reducing Reoffending Change Fund. Source: <https://www.gov.scot/publications/evaluation-reducing-reoffending-change-fund-research-findings/#:~:text=The%20independent%20evaluation%20of%20the%20Reducing%20Reoffending%20Change.the%20continuation%20and%20expansion%20of%20mentoring%20services.%20>

- There are three PSPs funded by the SG to provide throughcare and mentoring services. Between them they share £3.8m funding annually:
  - New Routes provides a mentoring service to adult men serving/leaving a short-term prison sentence.
  - Shine supports adult women on/leaving remand, serving/leaving a short-term prison sentence or serving a community sentence.
  - Moving On Scotland supports young men aged 16 to 21 leaving HMP Polmont and returning to the Highlands or west of Scotland.

### 3.3 Situation in Scotland

There are two types of throughcare and mentoring support that can be offered in Scotland: statutory and voluntary support. People who were sentenced to four years or more (this is a long-term sentence in Scotland) are automatically supported with a statutory form of throughcare, which is delivered by JSW. Those who are sentenced to less than four years (a short-term sentence) do not qualify for the statutory support. However, Section 27(c) of the Social Work (Scotland) Act 1968 entitles short-term prisoners and their families to voluntary throughcare support when requested for the period of 12 months while in prison and at the time of, and after, their release.<sup>255</sup>

Throughcare is provided by several services. JSW functions similarly to probation or parole officers in other countries, leading statutory provision of throughcare. Those who are sentenced to under four years and who have not been given any additional orders (such as a Supervised Release Order) are released with no licence requirements nor need to take throughcare support should they not wish to. However, individuals should be offered the opportunity to take up voluntary throughcare delivered by a PSP, by another third sector organisation (typically arranged locally) or by JSW. This type of throughcare is also provided by other organisations that specialise in various types of support.<sup>256</sup>

#### Statutory support

Those who have received a long-term prison sentence (over four years) and those who have been convicted of a sexual offence (and received either a short (less than four years) sentence or a long-term sentence) are automatically provided with statutory throughcare. This is organised and managed by, and often provided by, JSW in each local authority area. JSW may also refer on to another service to provide support, while continuing to oversee and manage the throughcare support. Although statutory support is part of throughcare provision, it is not within the scope of this literature review, which focuses on only voluntary throughcare support.

The involvement of JSW in these sentences commences at the time of sentencing and continues throughout the sentence in line with the SPS integrated case management (ICM) process. JSW engages with agencies to secure accommodation, employment, placements and other services required by the individual.<sup>257</sup>

A review of Scottish throughcare in 2013 found common barriers and issues for people requiring support: services cannot always be accessed by people who need them;

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<sup>255</sup> Ibid.

<sup>256</sup> Ibid.

<sup>257</sup> Scottish Centre for Crime and Justice Research (SCCJR). (2016). The penal system: reducing reoffending? Source: <http://www.sccjr.ac.uk/wp-content/uploads/2016/02/SCCJR-Penal-system-reducing-reoffending.pdf>

assessment tools differ across programmes and therefore do not allow for comparison; where services should be needs-led this is often not the case; and aims are not always on reintegration itself, but rather on offending behaviours.<sup>258</sup>

A review of throughcare social work was conducted by the Care Inspectorate in 2021, with the focus primarily on breach of licence and recall, therefore on those who had received long-term sentences. However, the review found that efforts are being made to overcome systemic barriers to reintegration, particularly in securing suitable accommodation on release. These efforts are being made collaboratively between JSW and community partners and affect all individuals using the service.<sup>259</sup>

## Voluntary support

A need to support, and to provide supervision for, individuals who have been released from short-term prison sentences (typically under four years) was highlighted by the Scottish Prisons Commission in 2008 and post-release reforms were introduced. However, due to there being no requirement for this lower-risk group of individuals (who had received short sentences) to be supervised in the same way as those who had received long sentences, this allowed some third sector organisations to be involved in providing 'voluntary throughcare' services alongside JSW.<sup>260</sup>

Individuals who have received a short-term sentence can be offered voluntary throughcare and mentoring support while in custody or within 12 months of their release. This voluntary support is delivered by three PSPs who receive grant funding from the SG for this purpose. JSW also works with small numbers of individuals to provide voluntary support. In 2021-22, the number of voluntary throughcare cases was 1,800, which is the second lowest in ten years. This was 27% higher than in 2020-21, which was the lowest at 1,400.<sup>261</sup> Data and information relating to outcomes achieved for people who are given voluntary throughcare support by JSW are not publicly available.

## *Remand*

Only women and young people who are on remand or who have recently been released from a period on remand in prison can be offered voluntary throughcare support. This has been made possible through the availability of the PSP support services. However, adult men (the largest population) in this situation are not eligible for voluntary throughcare and mentoring support from the PSPs. People leaving remand can request support from JSW on release.

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<sup>258</sup> Malloch, M. The elements of effective throughcare. Part 2: Scottish Review. within Mclvor, G., Graham, H. and McNeill, F. (2018). Prisoner resettlement in Scotland. In Dunkel, F., Pruin, I. and Weber, J. (eds). (2018). Prisoner resettlement in Europe. Source: [https://www.researchgate.net/publication/332119715\\_Mclvor\\_G\\_Graham\\_H\\_McNeill\\_F\\_2018\\_%27Prisoner\\_Resettlement\\_in\\_Scotland%27\\_in\\_Dunkel\\_F\\_Pruin\\_I\\_Storgaard\\_A\\_Weber\\_J\\_eds\\_2018\\_Prisoner\\_Resettlement\\_in\\_Europe\\_London\\_Routledge](https://www.researchgate.net/publication/332119715_Mclvor_G_Graham_H_McNeill_F_2018_%27Prisoner_Resettlement_in_Scotland%27_in_Dunkel_F_Pruin_I_Storgaard_A_Weber_J_eds_2018_Prisoner_Resettlement_in_Europe_London_Routledge)

<sup>259</sup> Care Inspectorate. (2021). Throughcare review. Source: [https://www.careinspectorate.com/images/documents/6295/FinalDraftRpt\\_ThroughcareReview\\_Sep2021\\_V04\\_Website.pdf#:~:text=In%20March%202021%2C%20the%20Care%20Inspectorate%20received%20a,primary%20focus%20on%20community%20justice%20social%20work%20practice.](https://www.careinspectorate.com/images/documents/6295/FinalDraftRpt_ThroughcareReview_Sep2021_V04_Website.pdf#:~:text=In%20March%202021%2C%20the%20Care%20Inspectorate%20received%20a,primary%20focus%20on%20community%20justice%20social%20work%20practice.)

<sup>260</sup> Mclvor, G., Graham, H. and McNeill, F. (2018). Prisoner resettlement in Scotland. In Dunkel, F., Pruin, I. and Weber, J. (eds). (2018). Prisoner Resettlement in Europe. Source: [https://www.researchgate.net/publication/332119715\\_Mclvor\\_G\\_Graham\\_H\\_McNeill\\_F\\_2018\\_%27Prisoner\\_Resettlement\\_in\\_Scotland%27\\_in\\_Dunkel\\_F\\_Pruin\\_I\\_Storgaard\\_A\\_Weber\\_J\\_eds\\_2018\\_Prisoner\\_Resettlement\\_in\\_Europe\\_London\\_Routledge](https://www.researchgate.net/publication/332119715_Mclvor_G_Graham_H_McNeill_F_2018_%27Prisoner_Resettlement_in_Scotland%27_in_Dunkel_F_Pruin_I_Storgaard_A_Weber_J_eds_2018_Prisoner_Resettlement_in_Europe_London_Routledge)

<sup>261</sup> Scottish Government. (2023). Justice social work statistics in Scotland: 2021-22. Source: <https://www.gov.scot/publications/justice-social-work-statistics-scotland-2021-22/documents/>



A review of throughcare conducted by the Scottish Centre for Crime and Justice Research in 2013 noted difficulties faced, at that point, by throughcare delivery services. This included a 'release gap' where there is a gap in support provision for a period upon release from prison. This lack of continuity can have a negative effect on any progress that the individual has made in prison. A 'friction' was also noted between the public and voluntary organisations that support individuals throughout and beyond prison. Additionally problematic is an inability to plan for accommodation in advance this often becomes available for those released from prison on the day of their release when they present at housing offices. Often, no information nor support are available prior to this.

Individuals who are serving time on remand have very limited opportunities for support, programmed work or education while in prison due to the unknowns surrounding the length of time they will be there and the limited resources available. For those on remand, family visits are an important part of their lives in providing support and finances to allow individuals to purchase basic toiletries while in prison.

The impact of imprisonment and needs on release for those on remand are similar to those of individuals on short sentences. However, the former are often in a worse situation than those released from a short sentence due to the complete lack of support (voluntary throughcare is not available other than for women and young people), compensation, discharge grant<sup>262</sup> or even travel warrant.<sup>263</sup>

### The third sector

The importance of including the third sector in the national provision to reduce reoffending has been discussed in a report by the Robertson Trust. This highlights that the sector has delivered many interventions, for quite some time, that aim to reduce the likelihood of reoffending. Many of these interventions have been provided because of gaps within the public sector. The services and interventions are often value driven and formed with like-minded people who seek to make a difference.<sup>264</sup>

### The mentoring component

Mentoring in this context was defined by the SG in 2012 as an intervention that involves an individual (a peer, a professional or a volunteer) having a one-to-one relationship with a person who has offended, with the aim of supporting them to achieve positive outcomes in life. The mentoring scheme itself may have a particular focus or may be more general, such as accessing support to comply with an order. Mentoring can be delivered in prison, 'through-the-gate' or in the community.<sup>265</sup>

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<sup>262</sup> Families Outside. (n.d). Coming home information booklet. Source:

<https://www.familiesoutside.org.uk/content/uploads/2021/11/Families-Outside-Coming-Home-digital.pdf>

<sup>263</sup> Howard League. (2021). The scandal of remand in Scotland. Source:

<https://howardleague.scot/news/2021/may/scandal-remand-scotland-report-howard-league-scotland-%E2%80%93-may-2021>

<sup>264</sup> McIvor, G., Graham, H. and McNeill, F. (2018). Prisoner resettlement in Scotland. In Dunkel, F., Pruin, I. and Weber, J. (eds). (2018). Prisoner resettlement in Europe. Source:

[https://www.researchgate.net/publication/332119715\\_McIvor\\_G\\_Graham\\_H\\_McNeill\\_F\\_2018\\_%27Prisoner\\_Resettlement\\_in\\_Scotland%27\\_in\\_Dunkel\\_F\\_Pruin\\_I\\_Storgaard\\_A\\_Weber\\_J\\_eds\\_2018\\_Prisoner\\_Resettlement\\_in\\_Europe\\_London\\_Routledge](https://www.researchgate.net/publication/332119715_McIvor_G_Graham_H_McNeill_F_2018_%27Prisoner_Resettlement_in_Scotland%27_in_Dunkel_F_Pruin_I_Storgaard_A_Weber_J_eds_2018_Prisoner_Resettlement_in_Europe_London_Routledge)

<sup>265</sup> Ibid.

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The evaluation of the Reducing Reoffending Change Fund (RRCF) highlighted the positive experiences of mentoring.<sup>266</sup> The qualities and benefits that had come from the relationship between mentee and mentor resulted from no judgement from mentors and a focus on the individual. The research found that exiting from a service can be problematic for some, and that more preparation could be provided for this. Mentees were positive about their experiences and particular improvement was seen in their attitudes and motivations which helped with problem solving, emotion management, motivation to change behaviour and a positive change in social skills. Less improvement was seen over family, accommodation, work/education and substance use. However, this may relate to these needing more time, or external agencies and/or universal services to support with these.

Mentoring has been suggested as contributing to supporting desistance from crime, and has become a popular means of supporting those who have been involved in offending behaviour. 2023 research with individuals who have used mentoring services in Scotland has highlighted that, for those that have a general desire to change, mentoring can turn this into the motivation to achieve this by providing practical assistance, encouragement and modelling to individuals, resulting in positive change.<sup>267</sup>

SG (2015) research found that mentoring can have positive effects on reduced reoffending, employability and motivation to change. Mentoring can be an effective way to help people to build new social networks that support desistance, offer emotional support and encourage participation in services.<sup>268</sup> Mentoring may also be useful for supporting people with practical issues and building confidence and self-reliance.<sup>269</sup>

### 3.4 PSP delivery in Scotland

The original SG programme, in 2012, aimed to encourage preventative spending in several areas, one of these was reoffending, for which the RRCF<sup>270</sup> was set up. Six PSPs were funded to deliver mentoring schemes to reduce risk of reoffending and to support reintegration by providing one-to-one support through evidence-based mentoring schemes. Conclusions from this highlighted the effectiveness of the mentoring approach and the suggestion that a combination of this, along with wider support, would have a positive impact on reoffending overall.

Positive results were seen in relation to the effective implementation of the PSPs and found that the PSP model had highlighted the value of collaboration and inclusive ways of working. It had been useful for piloting new approaches to partnership working, improving relationships, promoting collaboration between sectors, and redeveloping services to

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<sup>266</sup> Scottish Government. (2016). Evaluation of the Reducing Reoffending Change Fund. Source: <https://www.gov.scot/publications/evaluation-reducing-reoffending-change-fund-research-findings/#~:text=The%20independent%20evaluation%20of%20the%20Reducing%20Reoffending%20Change,the%20continuation%20and%20expansion%20of%20mentoring%20services.%20>

<sup>267</sup> Kirkwood, S. (2023). 'A wee kick up the arse': Mentoring, motivation and desistance from crime. Source: <https://www.pure.ed.ac.uk/ws/portalfiles/portal/225696440/KirkwoodCCJ2021MentoringMotivationAndDesistance.pdf>

<sup>268</sup> Shapland, J., Bottoms, A., Farrall, S., McNeill, F., Priede, C. and Robinson, G. (2011). in Scottish Government (2015). What works to reduce reoffending. Source: <https://www.gov.scot/publications/works-reduce-reoffending-summary-evidence/>

<sup>269</sup> Malloch, M.S., McIvor, G., Schinkel, M. and Armstrong, S. (2013). in Scottish Government (2015). What works to Reduce Reoffending. Source: <https://www.gov.scot/publications/works-reduce-reoffending-summary-evidence/>

<sup>270</sup> Scottish Government (2016). Evaluation of the Reducing Reoffending Change Fund. Source: <https://www.gov.scot/publications/evaluation-reducing-reoffending-change-fund-research-findings/#~:text=The%20independent%20evaluation%20of%20the%20Reducing%20Reoffending%20Change,the%20continuation%20and%20expansion%20of%20mentoring%20services.%20>

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reflect the needs of users. The varying degree of engagement by third sector partners was one way in which the implementation of the PSP model was less effective. There was little evidence of the model 'breaking down silos', with services continuing to work independently, and achieving the desired 'stage three' of service design commissioning, with services continuing to be procured as before.<sup>271</sup>

Three PSPs are funded by SG to provide throughcare and mentoring services: New Routes, Shine and Moving On Scotland. Between them, in 2023-24 they share £3.8m (£3,769,920) funding split as follows: Shine £1,459,620, Moving On Scotland £510,000, New Routes £1,800,300.<sup>272</sup> There is flexibility built into the arrangement to allow some agency in how, when and for how long to engage with an individual.

Each of these PSPs is discussed below. These sections are informed by evidence that is publicly available, and as such categories of information relating to each PSP differ.

## **New Routes<sup>273</sup>**

### **How is New Routes delivered?**

New Routes is run in partnership with [The Wise Group](#) (lead partner), [Sacro](#), [Apex Scotland](#), [Scottish Association for Mental Health](#), [Families Outside](#) and SPS. The PSP is staffed with around 80 employees, including mentors. Over half of the mentors have lived experience of the justice system.

New Routes aims 'to provide mentoring services to male offenders, with the aim of reducing their reoffending'. The mentoring service is provided in two parts. The first part supports motivation and change in attitudes and behaviours. Individuals are supported to identify their needs and to create a personal release plan. The second part addresses the barriers the individual seeks to overcome to reintegrate into the community. Services are tailored to individual needs and can include, for example, helping an individual to secure accommodation, enrol with a GP, gain employment, set up bank accounts and access addiction services.

New Routes has a target to engage 1,140 new service users each year. The partnership has four key performance indicators (KPIs):<sup>274</sup>

KPI 1: Individuals (who are not engaged with another service) engaging with the mentoring service in prison: 95%.

Evidence: 1,148 in 2021-22.<sup>275</sup>

KPI 2: Individuals sustaining engagement with the mentoring service post-release from prison: 70%.

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<sup>271</sup> Mazzei, M., Calo, F., Roy M. and Teasdale, T. (2018). Report to date of the strategic public social partnership (PSP) model in Scotland. Source: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2018/05/report-date-strategic-public-social-partnership-ssp-model-scotland/documents/00534954-pdf/00534954-pdf/govscot%3Adocument/00534954.pdf>

<sup>272</sup> Information provided by the Scottish Government Community Justice Division. Unpublished. Note: funding across the Scottish Government is decided as part of each year's annual budget.

<sup>273</sup> Grant funding letters 2022-23. Unpublished.

<sup>274</sup> Ibid.

<sup>275</sup> The Wise Group. (2022). New Routes Annual Report 2021-22. Unpublished.

Evidence: Attendance at agreed post-release appointment with mentor and personal plan updated (gate liberation appointments are excluded), 58% in 2021-22.<sup>276</sup>

KPI 3: Individuals engaging with mentoring service in the community and engaging with other services to meet needs: 80%. 97% in 2021-22.<sup>277</sup>

Evidence: Specialist provision or other signposted referral, individual attends agreed appointments to progress identified need(s).

KPI 4: Individuals engaging with mentoring and other services to address identified need(s) have increased capacity and improved circumstances: 70%.

Evidence: Individual remains engaged with the service and has made acceptable progress to address one or more of their identified needs, 49% in 2021-22.<sup>278</sup>

Through this blend of pre- and post-liberation support 10.5% of those people New Routes mentors return to prison within the first year.

### **Who might access New Routes?**

New Routes<sup>279</sup> works with adult men (over 18). Prior to 2019 the service worked with 18 to 25-year-olds only, but in 2021 those aged 26 and over accounted for 85% of participants.

New Routes works with men serving/leaving a short-term prison sentence. New Routes does not work with men on remand or those convicted of a sexual offence, and takes referrals while individuals are in custody only, not after liberation.

In 2021, New Routes reported 1,543 'journeys' with 1,501 individuals participating.

### **How do people access New Routes?**

Research conducted by CJS<sup>280</sup> indicates self-referral, proactive outreach by mentors including via 'Email a Prisoner', and referral via Personal Officer are all routes to the New Routes service.

A New Routes evaluation showed that most users for the earlier cohort were eligible individuals who were approached by New Routes between 2013 and 2019. While this was still the case after 2020, some individuals were also referred by SPS or referred themselves to the programme while serving their sentence. The average individual was serving a 13-month sentence while enrolled on the programme.<sup>281</sup>

The New Routes programme board papers from December 2021 indicate that there are nine mentors based across 12 prison establishments.<sup>282</sup>

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<sup>276</sup> Ibid.

<sup>277</sup> The Wise Group. (2022). New Routes Annual Report 2021–22. Unpublished.

<sup>278</sup> Ibid.

<sup>279</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: <https://www.thewisegroup.co.uk/wp-content/uploads/2022/11/Rehabilitating-Scotland-Exploring-the-impact-of-mentoring-based-throughcare-1.pdf>

<sup>280</sup> Community Justice Scotland and Progressive Partnerships Ltd. (2023). Voluntary throughcare and mentoring support research. Source: <https://communityjustice.scot/wp-content/uploads/2023/05/Commissioning-Voluntary-Throughcare-and-Mentoring-Primary-research-findings-Full-final-Apr-2023.pdf>

<sup>281</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: <https://www.thewisegroup.co.uk/wp-content/uploads/2022/11/Rehabilitating-Scotland-Exploring-the-impact-of-mentoring-based-throughcare-1.pdf>

<sup>282</sup> New Routes. Performance report. December 2021. Unpublished.

## What needs do people accessing New Routes have?

For the 2013-2019 cohort, the most common needs identified for individuals on the programme were employment (94%), finance (91%) and education and training (89%). Accommodation was another common need (78%). Only 17% of participants had a permanent tenancy when enrolling in the programme.

For the 2020-2021 cohort, the most common needs identified for individuals on the programme were finance (91%) and employment (86%). 81% of individuals also identified mental health and accommodation as needs.

In 2021-2022 New Routes introduced a counselling service to support people to deal with internal issues they are managing. 1,000 individuals used this service.<sup>283</sup>

## Impact and outcomes

New Routes measures both short-term and medium-term outcomes. Short-term outcomes relate to 'internalised changes' in an individual's behaviour, such as a change in their attitude, beliefs and motivations, with the aim to alter the individual's immediate attitude towards criminogenic behaviours. Medium-term outcomes are designed to be worked towards over longer time horizons and tend to be identified early in the assessment process and worked towards for the duration of the programme.<sup>284</sup>

## Shine<sup>285</sup>

### How is Shine delivered?

Shine is delivered by 8 partners: [Sacro \(lead partner\)](#), [Apex Scotland](#), [The Wise Group](#), [Access to Industry](#), [Barnardo's](#), [Circle](#), [Turning Point Scotland](#) and [Venture Trust](#).<sup>286</sup> The PSP is staffed by 26.1 full-time equivalent (FTE) mentors.

Shine is a national mentoring service for women in the justice system and supports women serving a custodial sentence, on remand or those subject to a Community Payback Order (CPO) or Drug Treatment and Testing Order (DTTO) through 1:1 relationships with a mentor.<sup>287</sup>

Shine has a target to engage 720 new users each year.<sup>288</sup> The PSP also has the following KPIs:

- At least 60% of women who engage with the service in prison will continue to engage following their release. In 2021-22, this was 95%.

<sup>283</sup> The Wise Group. (2022). New Routes annual report 2021–22. Unpublished.

<sup>284</sup> Fraser of Allander Institute. (2022). Rehabilitating Scotland: exploring the impact of mentoring-based throughcare. Source: <https://www.thewisegroup.co.uk/wp-content/uploads/2022/11/Rehabilitating-Scotland-Exploring-the-impact-of-mentoring-based-throughcare-1.pdf>

<sup>285</sup> Grant funding letters 2022–23. Unpublished.

<sup>286</sup> Shine. (2022). Annual report 2021–22. Source: <https://www.shinementoring.report/>

<sup>287</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files/resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>288</sup> Ibid.

- At least 60% of women who engage with the service will achieve improved motivation to change behaviour. In 2021-22, this was 65%.
- At least 60% of women who engage with the service in the community will achieve an agreed level of contact with other services and agencies. In 2021-22, this was 63.9%.
- At least 60% of women who engage with the service in the community will progress to a planned exit from the service. In 2021-22, this was 70%.

### Who might access Shine?

Shine<sup>289</sup> supports adult women on remand, serving/leaving a short-term prison sentence or serving a community sentence (Community Payback Order or Drug Testing and Treatment Order).

In 2022-23, Shine received 484 referrals of which 126 were community referrals and 61% of prison referrals were to support women on remand.<sup>290</sup> Data are not publicly available on age breakdown.

### How do people access Shine?

Shine has direct representation within the following prison establishments: Cornton Vale, Grampian, Greenock and Edinburgh.<sup>291</sup> Women can be signed up to the service 12 weeks prior to release to begin the mentoring relationship and gate pick-up support is available as appropriate. Shine also works with and accepts referrals as part of the community custody units.<sup>292</sup>

### What needs do people accessing Shine have?

Shine mentors initially work to identify and address immediate needs. Housing and money are often priorities, and stability in these contributes to improved mental health and creates a better base from which other issues can be explored.<sup>293</sup> Supporting mental health was identified as an essential area of mentors' work; many women referred to Shine have mental health problems, whether diagnosed or not. The mentoring approach is responsive to individual needs, which is a realistic response to the challenging and changing circumstances facing women in the justice system. This often involves addressing initial safety, security and basic daily living needs before any longer-term planning and goal-setting takes place.<sup>294</sup>

### Impact and outcomes

Shine uses the Outcome Star tool for recording and monitoring people's personal outcomes. The tool comprises 10 domains. The five domains that show most positive improvements are: managing strong feelings, drugs and alcohol, mental health and well-being, a crime-free life, and positive use of time. The five domains that show most

<sup>289</sup> Shine. (2023). Criteria. Source: <https://www.shinementoring.org/referrals/criteria>

<sup>290</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>291</sup> Ibid.

<sup>292</sup> Shine. (2022). Annual report 2021–22. Source: <https://www.shinementoring.report/>

<sup>293</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>294</sup> Ibid.



declines are: friends and community, mental health and wellbeing, accommodation, living skills and self-care, and relationships and families.<sup>295</sup>

### **Improvement recommendations for Shine**

There were several specific improvements to Shine identified in its 2023 evaluation:<sup>296</sup>

- Collaborative working between Shine's delivery partners was identified by some as a strength of Shine to preserve or develop further.
- While some stakeholders stressed the need for ongoing work to nurture a collective Shine workforce identity, others emphasised the need to recognise local differences and to maintain local identities within the wider national partnership. Most stakeholders and one mentor called for continued or increased focus on relationship building, communication and partnership working between Shine and other agencies.
- Awareness raising was identified by some stakeholders as necessary to promote clarity about how Shine operates locally and to increase understanding of the referral process.
- The insecurity of year-on-year funding undermines staff retention and, therefore, the programme's stability.

More support for staff wellbeing, given the complex and emotive work they are involved in, and the need for professional development were also raised.

### **Moving On Scotland<sup>297</sup>**

#### **How is Moving On Scotland delivered?**

Moving On Scotland supports young men offenders leaving HMP Polmont, aged 16 to 21. It started as a partnership between [Action for Children](#) and [Barnardo's](#) but is now solely operated by Action for Children and provides specialised support for younger men leaving prison in the west of Scotland and the Highlands. It is staffed by seven FTE mentors.

Moving On Scotland offers a transitional support service for young men offenders leaving custody and returning to their communities to:

- increase their engagement with voluntary throughcare support upon their liberation
- address the criminogenic factors underpinning their offending behaviour
- identify and remove barriers that prevent them from becoming fully reintegrated into their communities
- develop learning and achieve accredited workplace qualifications
- secure sustainable employment in their chosen sector

Moving On Scotland has a target to engage 90 new users each year.<sup>298</sup> The following targets were also included in the PSP project proposal:

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<sup>295</sup> Shine. (2022). Annual report 2021–22. Source: <https://www.shinementoring.report/>

<sup>296</sup> Shine. (2023). Impact assessment of Shine Women's Mentoring Service. Source: [https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT\\_FINAL%20%28WEB%20ONLY%29%20May23.pdf](https://www.shinementoring.org/sites/default/files//resource/SHINE%20REPORT_FINAL%20%28WEB%20ONLY%29%20May23.pdf)

<sup>297</sup> Detail and KPIs from 2022–23 grant funding letters. Unpublished.

<sup>298</sup> Data sourced from performance report submitted to the Scottish Government as part of grant conditions December 2021. Unpublished.

- 90% of individuals to continue engagement after release from prison. This was 97% from 1 April to 30 September 2021.
- 75% of individuals to not return to custody. This was 84% from 1 April to 30 September 2021.
- 65% of individuals to achieve their target 'positive destination'. This was 36% from 1 April to 30 September 2021.

### **Who might access Moving On Scotland?**

Moving On Scotland works with young men under 18, and 18 to 21-year-olds in HMYOI Polmont returning to local authority areas in the west of Scotland and the Highlands. In 2021-22 it worked with 119 young people. There is no age breakdown in publicly available data.

### **How do people access Moving On Scotland?**

There is limited public information about how people access Moving On Scotland. Information provided by Moving on Scotland provides that mentors have a weekly presence within HMYOI Polmont although based in the community. Staff engage with young people who self-refer while in HMYOI Polmont and also liaise with SPS staff to identify young people. Referrals are also made to the service post-liberation by either JSW or young people directly. Like the other PSPs, engagement begins towards the end of a short-term sentence, however, Moving on Scotland also supports young people on remand and more recently widened access to young people undertaking CPOs. This additional change was in recognition of the declining numbers of young people being issued with short-term custodial sentences.<sup>299</sup>

### **What needs do people accessing Moving On Scotland have?**

There is limited public information about Moving On Scotland. It provides a range of support to young people, including gate pick-ups, relationship building, goal setting, employability support and crisis support, with young people while in Polmont then longer-term mentoring once released. Its performance monitors domains like accommodation, employment, relationships and substance misuse. However it does not report most frequently seen needs.<sup>300</sup>

In 2021-22, Moving On Scotland's non-return to custody rate remains above the 80% mark, with a rate of 84% (based on all open cases across 2021-22 and offences committed while engaged with the service).

### **Impact and outcomes**

Moving on Scotland uses the Outcome Star tool to assess a baseline and evaluate progress made by young people engaging in the service.<sup>301</sup> The tool covers key outcome area that align to priorities set in the funding terms, including accommodation, mental health and wellbeing, relationships and drugs and alcohol, among others. The tool is used

<sup>299</sup> Moving on Scotland (2023). Information received via email correspondence, unpublished.

<sup>300</sup> Data sourced from performance report submitted to Scottish Government as part of grant conditions December 2021. Unpublished.

<sup>301</sup> Moving on Scotland (2023). Information received via email correspondence, unpublished.

with young people to co-produce outcomes and action plans based on a Journey of Change scale.<sup>302</sup>

### 3.5 Situation in the UK and Europe

#### England and Wales

In England and Wales, all individuals who have been sentenced for a period of 12 months or more (but less than four years) are released on probation. As in Scotland, the Parole Board is involved with those given a determinate sentence of four years or more.<sup>303</sup>

The Enhanced Through the Gate model in England and Wales saw an increase in resources available, meaning more manageable caseloads, more time for multi-agency working and more one-to-one time with individuals in/leaving prison, offering three levels of service to better cater to an individual's circumstances.<sup>304</sup>

The additional Offender Management in Custody model was introduced by HMPPS in 2018 to improve support offered to prisoners as they leave custody and are reintegrated into their local community, to reduce the likelihood of reoffending.<sup>305</sup> This model has been found to have issues, including being too complex and inflexible; a lack of understanding and implementation; ineffective communication; and poor outcomes for prisoners.

HM Inspectorate of Probation reported on an inspection of Offender Management in Custody (England and Wales) in 2022 which tracked 100 cases across eight prisons. The initial aims of the model were to improve the support received on release from custody and to reintegrate to the community; to bring together services for these individuals; and to aid sentence progression. The inspection indicated that standards were not being met, with the model being inflexible, complex, suffering from poor communication, and having poor outcomes for prisoners. These problems were thought to be a result of resource issues (staff shortages) and the pandemic. Further problematic areas were found in what was noted to be 'a culture of two organisations', with joint working at strategic and operational levels resulting from the different geographical locations of prison and probation. However, some positives were found when senior probation officers began to work on site at prison establishments. This has aided communication and the development of rehabilitative cultures. That said, the inspection concluded that these, and other areas, require further work to reach an acceptable standard.<sup>306</sup>

A follow up inspection was conducted in 2023 which focused on post-release which tracked the same prisoners from 2022. This found that less than half of the sample (40%) had entered settled accommodation on release, and 8% had entered employment. 30%, on

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<sup>302</sup> Stage 1-2: stuck; stage 3-4: accepting help, stage 5-6: motivated and taking responsibility, stage 7-8: learning what works, stage 9-10: self-reliant.

<sup>303</sup> UK Government. (2023). Leaving prison: when someone can leave prison. Available online:

<https://www.gov.uk/leaving-prison>

<sup>304</sup> Ministry of Justice. (2020). A process evaluation of the enhanced through the gate specification final report. Source: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/923222/evaluation-of-the-enhanced-through-the-gate-specification.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/923222/evaluation-of-the-enhanced-through-the-gate-specification.pdf)

<sup>305</sup> HM Inspectorate of Probation (2022). Offender management in custody model 'simply not working'. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/media/press-releases/2022/11/omic-pre-release/>

<sup>306</sup> HM Inspectorate of Probation. (2022). Offender management in custody – pre-release. Source: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/11/OMiC-joint-thematic-inspection-report-v1.0.pdf>

average, were returned to custody (40% of these within 28 days). In some of the probation regions examined, almost half were recalled.<sup>307</sup>

## Ireland

A report by the Irish Penal Reform Trust in 2010 highlighted a non-uniform approach to reintegration services despite significant progress having been made. Issues such as short notice of release, communication issues, and consequent difficulties maintaining contact with individuals released from prison, have been experienced. As in Scotland, release planning and supporting reintegration to communities are not statutory duties of the state (in Ireland, the Probation Service). This impacts locally on accommodation and medical treatment. The report recommended that a statutory duty should be introduced to aid with individuals whose needs have been identified by the Probation Service.<sup>308</sup>

## Europe

Voluntary organisations are responsible for the resettlement of those who have no statutory supervision requirements in other European countries such as Germany, Italy and France. The situation in Germany has seen difficulties in the length of time in which funding is available, as the time taken to set up effective partnerships is often longer.<sup>309</sup>

Malloch (2013) highlights the Netherlands as an area where services for individuals with no statutory supervision requirements were transferred to local councils. The intention was for the recruitment of a designated individual to receive reintegration information from prisons to improve and provide voluntary throughcare. However, this did not work in practice due to the small size of some councils; other processes already being in place in others; and, in some, an unwillingness to provide post-release support to individuals leaving prison rather than an administrative responsibility only. However, a similar approach appears to have been more successful in Denmark, where the co-ordinator for local councils is based within each prison. They are responsible for linking with required services for those being released two months ahead of this time.<sup>310</sup>

### 3.6 Key considerations

There are several key considerations for CJS commissioning of voluntary throughcare and mentoring services. These key considerations are a synthesis of information from across the literature to reflect what might be good practice for future voluntary throughcare and mentoring arrangements:

- The new service model should consider who is eligible for support, including the legal status (sentenced, remand) of men, women and young people.
- The funding model should be considered, including how funding is allocated and whether there should be flexibility to allow services to respond to changing needs.

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<sup>307</sup> Ibid.

<sup>308</sup> Irish Penal reform Trust. (2010). 'It's like stepping on a landmine...' – reintegration of prisoners in Ireland. Source: [https://www.iprt.ie/site/assets/files/6189/its\\_like\\_stepping\\_on\\_a\\_landmine\\_reintegration\\_of\\_prisoners\\_in\\_ireland\\_embargoed\\_to\\_0000\\_tuesday\\_25\\_may\\_2010.pdf](https://www.iprt.ie/site/assets/files/6189/its_like_stepping_on_a_landmine_reintegration_of_prisoners_in_ireland_embargoed_to_0000_tuesday_25_may_2010.pdf)

<sup>309</sup> Malloch, M. (2013). The elements of effective throughcare. Part 1: international review. Source: [http://www.sccjr.ac.uk/wp-content/uploads/2013/10/International\\_Through-care\\_Review.pdf](http://www.sccjr.ac.uk/wp-content/uploads/2013/10/International_Through-care_Review.pdf)

<sup>310</sup> Ibid.

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- The new service model should ensure that delivery partners provide consistent, detailed information and data on the delivery of services to allow scrutiny and accountability checks.

### 3.7 Evidence gaps/limitations

There are limitations with this research, which lead to evidence gaps. Should this research be expanded upon in future, the following factors should be considered:

- Detailed and comprehensive information about PSP delivery of voluntary throughcare and mentoring, including service model information and data profiles for service delivery, has not been used to inform this research. There are, therefore, limitations in the examination of the PSP model, and the determination of strengths, challenges and improvement opportunities.
  - Similarly, this research has not been informed by comparable and consistent information about the impact of and outcomes resulting from PSP service delivery. This has made it difficult to examine the PSP model, and to determine strengths, challenges and improvement opportunities.
  - This research has not extensively considered service delivery models and programmes available internationally. Should the research be expanded, a broader examination of international work would allow the consideration of advantages and disadvantages of different models.
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# Conclusions

People leaving a short-term prison sentence or a period of remand and transitioning into the community may experience multiple issues and barriers to successful reintegration. Support should be considered for a range of interconnected factors to ensure successful reintegration into the community.

Support should be provided to individuals with identified needs, beginning while the person is in prison and continuing throughout the transition period. It is also important to consider who is eligible for voluntary throughcare support, including the legal status (sentenced, remand) of men, women and young people.

There are several challenges with the current arrangements of voluntary throughcare, such as eligibility criteria and funding model, that should be addressed in any new model and service design to ensure that services meet the needs of individuals and ensure better outcomes for people leaving a short-term prison sentence or a period of remand.

Any new arrangements should ensure effective monitoring and reporting of delivery activities to ensure service efficacy and to identify opportunities for improvement. Evidence from a range of sources synthesised in this review provides that any new service model should focus on the individual, with person-centred services and care that prioritise support for needs and, ultimately, for successful reintegration into the community.

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Community Justice Scotland  
R1 Spur, Saughton House,  
Broomhouse Drive,  
Edinburgh EH11 3XD

**T:** 0300 244 8420

**[www.communityjustice.scot](http://www.communityjustice.scot)**

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website at: [Community Justice Scotland](http://www.communityjustice.scot)

