

Offender Learning

In Community Workstream Report

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Introduction

1. The Scottish Government's Skills Strategy, "**Skills for Scotland**"¹, published in September 2007 included a commitment "**to identify how best to deliver effective, integrated learning, skills and employability provision for young people and adults in or leaving the justice system**".

2. This report presents the findings of the Scottish Government's Workstream Group on Offender Learning in the Community. This was one of three groups established to consider learning for:

- young offenders
- adult offenders in custody
- adult offenders in the community.

3. Each group had an independent chair, with the "In Community" group chaired by Esther Robertson supported by Harry Mennie as Project Manager. The Group included representatives from the Association of Directors of Social Work (ADSW), the Community Justice Authorities (CJAs), Skills Development Scotland, JobCentre Plus, the voluntary sector, and Scottish Government Employability and Skills, Learning Connections, and Community Justice Services Divisions. Full membership can be found in the Appendix. The work of the three groups was overseen by an Advisory Group and the three chairs worked closely to share ideas and common themes.

4. The remit of the "In Community" group was "**to review the current position of learning within community sentences or disposals for adults aged 18 and over, to identify key strengths, weaknesses and gaps in provision and to make recommendations for sustainable improvements in outcomes.**"

5. The 'In the Community' Workstream Group met 5 times (from December 2008 to June 2009). At the same time the views of a range of individuals and groups were sought. These included staff and managers from Social Work and voluntary organisations, academics, service users, representatives of employers, Scotland's colleges, Learning Connections' Offender Literacies Practitioners' Network, the Chief Executive of the Scottish Prison Service and the Scottish Director of JobCentre Plus.

6. The group also participated in a helpful and constructive visioning session with members of the other Workstream Groups and the Advisory Group.

7. Members of the group came from different perspectives yet were in broad agreement about what needed to be done to build on existing effective practice and achieve improvements in delivery and outcomes across the country. This report reflects that consensus.

¹ www.scotland.gov.uk/Publications/2007/09/06091114/0

Background

The Government's Purpose

8. The Scottish Government has stated that its purpose is “**to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable growth**”. The Government set out its Economic Strategy to achieve that purpose in November 2007 and outlined in it 5 Strategic Objectives².

Strategic Objectives

- Safer and Stronger
- Healthier
- Greener
- Smarter
- Wealthier and Fairer

9. The Safer and Stronger Objective is geared towards helping local communities flourish, becoming stronger, safer places to live, offering improved opportunities and a better quality of life. The Smarter Objective is focused on expanding opportunities for people in Scotland to succeed from nurture through to life long learning, ensuring higher and more widely shared achievements.

The Concordat between National and Local Government

10. The Scottish Government and the Convention of Scottish Local Authorities (COSLA) then agreed a Concordat³ setting out the terms of a new relationship between national and local government which encompasses a new outcomes focused National Performance Framework. Each part of the National Framework is directed towards, and contributes to, the Government's Purpose. A central element of the new relationship was the creation of a Single Outcome Agreement (SOA) between Government and each Council. From 2009 - 2010, the SOA will be between Government and the Community Planning Partnership (CPP) in each of the 32 Council areas. Partners include the local authorities, the 14 Health Boards and the eight Police Forces. The SOA is the means by which each CPP sets out the strategic priorities for their local area, to be delivered by the partners, either individually or jointly. These priorities have to be set within the context of the 15 mutually agreed outcomes within the National Performance Framework and the 45 associated performance indicators⁴.

11. One of the national indicators is to “**reduce overall reconviction rates by 2 percentage points by 2011**.”⁵ Another is to “**reduce the number of**

² <http://www.scotland.gov.uk/Publications/2007/11/12115041/0>

³ <http://www.scotland.gov.uk/Resource/Doc/923/0054147.pdf>

⁴ <http://www.scotland.gov.uk/About/scotPerforms/outcomes>

⁵ <http://www.scotland.gov.uk/About/scotPerforms/indicators/reconvictionRates>

working age people with severe literacy and numeracy problems.⁶
These are probably the most relevant to our report.

Current levels of offending

12. Levels of offending in Scotland are reducing, yet prison numbers are at their highest ever and are still growing. Scotland continues to imprison a higher proportion of people than most other countries in the European Union. Scotland's prisons are over-crowded and struggling to deal with prisoners who have committed serious offences and present considerable risk to society. Meanwhile, public perception of community sentences or disposals is shaped by media coverage which portrays these disposals as "the soft option". Over the period 2003-2008 the use of Community Service Orders, Probation Orders and Supervised Attendance Orders has increased. During 2007-2008 there were 6206 Community Service Orders, 8751 Probation Orders and 4438 Supervised Attendance Orders⁷.

13. Data on reoffending rates following imposition of a penalty, as quoted in the Scottish Government's 2007 Report on the Review of Community Penalties "**Reforming and Revitalising**"⁸, shows that 64% of individuals sentenced to prison will reoffend within 2 years. However in the case of short sentences (under 6 months) that figure rises to 75%. This compares unfavourably with the figure for community penalties (e.g. only 39% of those given community service will reoffend within a two year period.)

14. More recent data⁹ published in June 2008 shows that one out of four of those sentenced to six months or less in prison remain free of further convictions within 2 years of release. By contrast, three out of five of those sentenced to community service have a clean record after a similar time.

What do we mean by community sentences?

15. There is a wide range of community sentences¹⁰ available to the courts including:

- Restriction of Liberty Order
- Drug Treatment and Testing Order
- Community Service Order
- Probation Order
- Supervised Attendance Order

⁶ <http://www.scotland.gov.uk/About/scotPerforms/indicators/literacyAndNumeracy>

⁷ <http://www.scotland.gov.uk/Publications/2008/12/09091001/4>

⁸ <http://www.scotland.gov.uk/Publications/2007/11/20142739/0>

⁹ <http://www.scotland.gov.uk/Publications/2008/06/23143245/0>

¹⁰ <http://www.scotland.gov.uk/Topics/Justice/public-safety/offender-management/community/16906>

16. Community Service Orders, Supervised Attendance Orders and Probation Orders are the community sentences which offer the best opportunity to engage the individual involved in learning. (Restriction of Liberty Orders (tagging) have no direct social work involvement and the main priority for DTTOs is of course to address addiction issues.)

Community Service Order (CSO)

17. A person 16 years of age or over and convicted of a crime or an offence can be given a Community Service Order (CSO) to carry out unpaid work in the community. CSOs can only be made by courts as an alternative to a custodial sentence. Community Service Orders can be made for a minimum of 80 hours up to a maximum of 240 hours under summary procedure and 300 hours under solemn procedure. They must be completed within 12 months.

Probation Order

18. Probation Orders provide one of the opportunities for criminal justice social work services to focus on offending behaviour. Prior consent of the offender is required, and the order should be informed by an Action Plan in which the offender agrees to address their offending behaviour and its underlying causes. Probation Orders can be used very flexibly by the courts and additional conditions can be attached regarding the offender undertaking unpaid work, their place of residence, curfew (including electronic monitoring), financial recompense to the victim or attendance at a specialist programme such as alcohol or drug treatment. The minimum length of a Probation Order is 6 months and the maximum is 3 years.

Supervised Attendance Order (SAO)

19. Supervised Attendance Orders require an offender who has failed to pay a fine, or is deemed by the court unable to pay, to undertake a programme of designated activities for a specified number of hours. The programme can involve:

- activities of an educational nature;
- activities designed to stimulate interest and encourage the constructive use of time;
- activities involving unpaid work in the community.

Supervised Attendance Orders run for between 10 and 100 hours (subject to a limit of 50 hours where the outstanding amount is up to £200) as ordered by the court.

Statistical information in relation to community sentences can be found in the Criminal Justice Social Work Statistics Bulletin 2007-08¹¹.

¹¹ <http://www.scotland.gov.uk/Publications/2008/12/09091001/4>

Future Plans

20. The current Criminal Justice and Licensing Bill includes provision for a new Community Payback Order (CPO) which will replace the existing sentences of Community Service, Probation and Supervised Attendance Order. This will enable the court to impose one or more requirements on the offender including unpaid work, supervision, alcohol or drug interventions or a requirement to take part in a programme to address offending behaviour. The Bill proposes that unpaid work can also include an element of “another activity”. This will provide the scope to expand on the skills development opportunities inherent in traditional Community Service Order placements.

21. The preparatory work to introduce this new order is being undertaken as part of the Government’s Offender Management Programme Framework. This includes a strand on Community Reintegration with a focus on ensuring that offenders have the same access to services as other citizens in need including:

- Health;
- Addictions;
- Housing; and
- Learning, Skills and Employability.

22. The recommendations which follow in this report can be applied to the current system and will be transferable to the new system if the Criminal Justice and Licensing Bill provisions for Community Payback Orders are enacted following Parliamentary consideration.

Current mechanisms for delivery

23. Responsibility for community justice social work services is currently shared by a range of agencies; Scottish Government, eight Community Justice Authorities (CJAs), 32 Local Authorities and their associated Community Planning Partnerships. Some of the delivery is also contracted out to other agencies including many in the voluntary sector. It must be acknowledged that this is a complex landscape with several agencies, whose boundaries often vary, having to work together. This presents challenges which are addressed later in the report.

What do we know about offenders?

24. We know that a high proportion of offenders come from a limited number of communities which face a range of other problems associated with multiple deprivation. Many offenders have complex needs including mental health issues, addictions and, amongst women, many have been victims of abuse. Offending by young males under the age of 21 continues to be a particular problem. In the past, offenders were almost exclusively male but a

disturbing recent trend is that an increasing number of offenders are female although they still represent a very small proportion of the total. For example, in 2005-2006, 11.7% of offenders subject to a probation order with a requirement of unpaid work were women. This figure rose to 14.1% in 2007-2008.

25. Reducing re-offending would have a significant impact on reducing offending overall. If we are serious about achieving the Government's objectives including building stronger, safer communities and allowing everyone to achieve their full potential as successful learners, confident individuals, effective contributors and responsible citizens, there is a pressing need to break this cycle of offending behaviour.

Why is learning important?

Desistance

26. Considerable research (including that of Professor Fergus McNeill¹²) has been undertaken into why people give up offending behaviour. The reasons are complex and vary according to individual life circumstances. Evidence shows, however, that sustainable employment can play a significant part in reducing the risk of re-offending. This is not always possible as an immediate destination for many leaving the justice system, but should be a clear goal for the longer term. Just as important in the short term must be to enable these individuals to become better citizens, family members, parents and to make positive choices about how they contribute to their communities.

Educational background of offenders

27. It is often quoted that the average educational level of offenders is considerably lower than that of the general population. This statement comes with some health warnings. Firstly, this is based on evidence from England without any parallel evidence for Scotland, although there are likely to be similarities. Secondly, it may be more meaningful to compare the average educational level of offenders with that of the communities from which the majority of offenders come. There is growing consensus that these levels would be broadly similar. Finally, and perhaps most significantly, this statement assumes that offenders are a homogenous group rather than a group of individuals with differing levels of education and skills, including some with graduate levels of education.

28. There is sufficient anecdotal evidence, however, to say that many offenders have been failed by the education system, have few, if any qualifications and that many have problems with basic skills such as literacy and numeracy. This needs to be addressed to enable individuals leaving the justice system to progress to more positive life choices, as part of the rehabilitation and reintegration process and thus to reduce re-offending. Learning in its widest sense can play a key role in that process.

What do we mean by learning?

29. For many people working with offenders, this is taken to mean literacy and numeracy skills and training for employment. The group was clear that, for learning to help individuals change their lives, it must encompass a much broader definition. Learning needs to be holistic, person centred and based on need and must address the whole range of skills for learning, life and work. This would range from programmes which address offending behaviour, anger management, communication skills, conflict resolution and cognitive behaviour therapy, to core skills such as literacy, numeracy and basic computer skills. For some it would also address life skills such as managing

¹² http://www.sccjr.ac.uk/documents/McNeil_Towards.pdf

money, budgeting and basic cookery. Key to all of this is that the learning is seen as relevant and valuable to the individual.

30. One example is the Constructs Group Work Programme which uses the cognitive behavioural therapy approach to address offending behaviour with males aged 18 years and over who have a history of offending and are assessed as being at a medium or high risk of re-offending. This programme is accredited by the Scottish Accreditation Panel for Offender Programmes (SAPOP) and has been evaluated by the Criminal Justice Social Work Development Centre within the University of Edinburgh.

31. This programme is seen as effective by many of the practitioners who use it and as a real challenge by many of the participants. The key issue for this report is that an individual's ability to engage with this programme will be hindered if they have difficulties with literacy and communication skills.

32. Adult literacy and numeracy provision in Scotland is seen as a good model of effective practice as it follows a "social practice" model rather than a "deficit" model. This means that provision starts by identifying what skills the individual has, what they want to achieve and what additional skills they need to reach their goals, rather than only identifying the skills the individual lacks.

How should this work in practice – the learning journey?

33. As was outlined earlier in the report, the group were clear that for learning to be effective, it needs to be holistic, person-centred and based on need. Too often the learning that is offered is producer or programme driven rather than personalised. One comment from an expert witness was that we “sheep dip” all offenders through the same programmes regardless of need or likelihood to benefit. Not only is this approach unlikely to be effective, it also wastes scarce resources which could have much more impact if properly targeted.

Identification of need

34. This can only be achieved if there is a sound and consistent approach to identifying the learning needs of the individuals. We were keen to ensure that we avoid describing this as “assessment” given the differing connotations this has. In particular, any suggestion of “testing” is likely to be counter-productive. This identification of need should use a generic question set to provide collated information which is readily transferable between agencies. The experience and expertise within Adult Literacy and Numeracy providers is useful here as they tend to take a very person-centred approach to identifying need rather than relying on a standard set of tools. The group was clear that we were not recommending the standard toolkit approach as this can be very restrictive. We concluded that work needs to be done to agree a consistent approach to identifying need across the range of sentences and contexts for this client group which would have credibility and transferability within the wider lifelong learning community.

Action Plans

35. Once the individual’s needs have been identified, this should lead to the development of an individual learning action plan. This should identify the most appropriate learning provision and might be accessed through Community Learning and Development in the Local Authority or the voluntary sector or through the local college. This action plan must be agreed collaboratively and owned by the individual and should include milestones achievable within the term of the community sentence.

Transition Plans

36. By the time the community sentence is complete, the individual should have an agreed transition plan which includes a record of achievement covering progress made as well as outcomes achieved. The plan should ensure that any learning programme not completed can be continued in the most appropriate way. The plan should ideally include an agreed offer of education or training following the model established by Government for young people in 16 + Learning Choices. If motivation and commitment is to be maintained, appropriate onward referrals should be agreed and arranged wherever possible before the end of the community sentence.

Record of achievement

37. The record of achievement should use an existing mainstream model to make it easily portable and user friendly. The group learned of two different systems being developed which seem to have very similar purposes. One is the Skills Development Scotland “My Learning Space”, a web-based resource for skills and learning information. Amongst its many uses will be as a tool for career planning and an e-portfolio and record of learning capabilities.

38. The Scottish Qualifications Authority (SQA) is developing something similar called “My SQA” which would offer another approach. It would seem sensible to ensure that there is no duplication of purpose and effort which would also add to a landscape which is already fragmented and confusing for many people, users and providers alike. If the purpose is broadly similar then agreement should be made to develop a single vehicle. One note of caution is that whatever model is agreed, it should not be solely web based as many members of this client group may not have access to a computer.

39. The processes described above are already in place in some areas both in social work and in the voluntary sector. For example, in one CJA, Community Service Officers are being re-trained to take a more learning focussed approach to delivery.

40. The group realises that if this is the approach to be taken across the range of sentences in a consistent way throughout Scotland, it will present some challenges including around workforce development. We believe however that it is building on a process which is already underway in many areas.

41. This commitment to providing a learning journey for each individual will need further development work, particularly around developing consistent approaches across the country. This should form part of the commitment made by Government through the Offender Management Programme Framework mentioned earlier in the report.

Employment and employability

42. As stated earlier in the report, there is significant evidence that achieving sustainable employment is a key factor in reducing re-offending. However, the group also recognised that a significant number of people serving community sentences are already in employment.

43. In 2007 - 2008, 51% of CSOs were imposed on individuals who were unemployed or not seeking employment. 38% were employed or self-employed, in full-time education or on a government sponsored training scheme. This creates additional challenges around completing the sentence and participating in work parties or programmes.

44. For those who do not have a job, this should continue to be an important goal for those who are able to progress towards employment.

However, this needs to be addressed at an appropriate stage when the individual is ready to benefit. It should be recognised that not everyone will be ready to move into paid employment at, or shortly after, completion of a sentence. To ensure that stable and sustainable employment is achievable at any point in the future, the individual's broader employability skills should be the main focus. To facilitate this, a whole range of underlying factors may have to be addressed such as continued offending behaviour, addictions and housing.

45. Interventions specifically designed to help individuals find employment should therefore be targeted on those most ready to move in to the job market, particularly in view of the current recession and higher levels of unemployment. Employers are very clear that they are primarily looking for people to have the "soft" skills such as reliability, good time-keeping and ability to work well with others. They are then able to provide the training necessary for the specific job role.

46. JobCentre Plus and Skills Development Scotland (SDS) have been piloting an Integrated Employment and Skills Service (IES) in various parts of the country. A variety of models are being tested but they share the common objective of bringing Careers Advisers in to JobCentre Plus facilities to provide a more joined up service to individuals seeking work. SDS and JobCentre Plus are currently reviewing implementation of IES and plan to build on lessons learned. Initial reports are encouraging and the partners are keen to ensure that this service is made available to this client group.

Employer engagement

47. A key part of employability programmes must be engagement with employers. There are currently several good examples of employers engaging with the justice sector in a variety of ways and for a range of reasons. Some work with the Scottish Prison Service to provide real-time work experience for prisoners as a straightforward commercial decision. Others work with offenders out of a sense of corporate social responsibility. Many small and medium size companies take offenders on placement at a local level because of a commitment to their communities and often to young people.

48. There are many agencies with excellent links with employers in their local areas but sadly the group knew of employers who have been keen to engage in this work but have found it difficult to know how and where to make the necessary contacts to offer their support. Worse still, there are others who would not consider becoming involved and would not employ anyone with a criminal record as a matter of policy.

49. The one common message the group heard was that the public sector was sometimes the hardest to engage in this vital work. Whilst the group understood the issues of risk, this can significantly limit the opportunities available, given the scale of the public sector in Scotland. More importantly, it also means that the opportunity to take a lead in this area and set an example

to the private sector is lost. This is more critical than ever in times of high unemployment. Clearly there is work to be done to sell the benefits to employers and to ensure that it is made easier for those who are willing to engage.

Why is this not happening?

50. All of this seems sensible and straightforward so why are we not doing it? In some cases we are, often as a result of the efforts of enthusiastic, passionate and skilled professionals who see their role as supporting individuals to turn their lives around rather than merely delivering programmes. The challenge is to make this the norm and ensure that this is the approach taken consistently across the country. Until now, there has been no clear policy commitment to a systematic approach to offender learning. This has led to a lack of clarity about governance and responsibility and a lack of coordination and communication around delivery. Addressing these issues would help to build confidence in the system.

How do we make this happen?

51. If this issue is to be properly addressed then action is needed at all levels from Scottish Government through to the various agencies delivering services to people serving community sentences.

Policy commitment and governance at national level

52. At present community sentences are seen predominantly as punishment. The Scottish Government is committed to ensuring that, as well as being punished, offenders serving community sentences are required to make payback to the communities they have harmed and to be offered opportunities for rehabilitation. Learning in its widest sense plays a key role in that process.

53. As is the case with adult education generally, it is clear that individuals only effectively engage with learning on a voluntary basis. Community sentences require participation and offer an envelope of time in which to encourage learning. To maximise the potential benefits, skills for learning, life and work should therefore be integral to all parts of the sentence. For example, any unpaid work element should have learning embedded in the process. In the best examples of Community Service Orders, providers realise that routine tasks such as community clean up and gardening can involve learning in planning and organising the tasks as well as vocational skills. They also offer the opportunity to develop the soft skills such as communication, team working, as well as time-keeping and reliability.

54. The Group recommends that:

- ***The Scottish Government must make a clear public commitment to the role of learning in rehabilitation and reducing re-offending.***
- ***The Scottish Government must require that appropriate community sentences, as well as having punishment/payback at their heart, should also provide opportunities to address rehabilitation and the part that learning plays therein.***
- ***The Scottish Government should include this requirement in “National Objectives and Standards for Social Work Services in the Criminal Justice System (NOS)”.***
- ***The Scottish Government must also take responsibility for ensuring development and implementation of the offender learning journey approach as outlined in this Report. This must be a shared responsibility between appropriate representatives of the Lifelong Learning Directorate and the Criminal Justice Directorate. The Offender Management Programme Framework provides the ideal place to locate this.***

- ***The public sector, starting with the Scottish Government, must lead by example and find ways to offer offenders work experience as well as employment wherever possible.***
- ***The Scottish Government should work with appropriate agencies to encourage employers at national and local level to offer work experience and employment to offenders. These agencies would include JobCentre Plus and private business organisations.***

Policy commitment and governance at Community Justice Authority (CJA) level

55. Eight local Community Justice Authorities (CJAs¹³) have been established to provide a co-ordinated approach to planning and monitoring the delivery of offender services by planning, managing and reporting on performance by local authorities or groups of local authorities. The CJAs are tasked with developing plans to reduce re-offending in their communities in partnership with the key agencies such as local authorities, health boards, police, prisons and the voluntary sector. Their aim is to target services to reduce reoffending and to ensure close co-operation between community and prison services to aid the rehabilitation and reintegration of offenders.

56. CJAs are still relatively new bodies who have worked hard to establish the relationships required to deliver the challenging task they have been set by Government. They are a key part of the mechanism for delivering the Government's objective "*to reduce overall reconviction rates by 2 percentage points by 2011*". They are each required to produce a three year Strategic Plan for their area, and associated Annual Action Plans. They then carry out regular performance monitoring against the objectives set.

57. The group agreed that the CJAs should ensure that their 3 year Strategic Plans and associated Annual Action Plans include a clear commitment to ensuring that learning becomes embedded in the approach to community sentences.

58. The National Strategy for the Management of Offenders" *Reducing Reoffending*"¹⁴ identified 9 Offender Outcomes against which performance should be measured. These include a measure around literacy and numeracy and one around employability. As the Offender Outcomes in effect drive provision, they need to be reviewed to include an outcome around learning more generally.

59. The group also concluded that performance should be measured on the basis of outcomes such as progression, completion and achievement rather than, as is currently the case, by input measures such as hours of

¹³ <http://www.scotland.gov.uk/Topics/Justice/public-safety/offender-management/cja>

¹⁴ <http://www.scotland.gov.uk/Publications/2006/05/19094327/0>

“learning” delivered. This is particularly the case in community sentences where the current requirement is only to complete a given number of hours such as in Community Service Orders. To ensure that investment in learning is having an impact, the CJAs must shift the focus to measuring learning outcomes. Work will need to be done to ensure a consistent approach is developed and agreement reached on how these outcomes are measured.

60. The Group recommends that:

- ***The CJAs should review the 9 Offender Outcomes and consider whether it is possible to include a specific outcome around learning.***
- ***The CJAs must shift the focus to measuring outcomes, such as progression, completion and achievement rather than inputs such as “hours of learning delivered” and agree a common approach across the country.***
- ***The CJA Performance Management Framework must require evidence that the process agreed to identify need and agree action plans and transition plans is being followed.***

Policy commitment and responsibility at local level.

Strategic responsibility

61. At the moment, offender learning is the responsibility of a whole range of agencies, and this ultimately means that no-one is responsible. Given that the majority of services for this group are provided through the Community Planning Partnerships (CPPs), this would be the obvious place to locate responsibility. A review of the current Single Outcome Agreements (SOAs) showed that they refer to this client group only by signposting the CJA plans. It is understood that SOAs are meant to be high level strategic plans, rather than detailed operational plans. Given the importance of reducing re-offending to the achievement of Government’s strategic objectives, the group felt strongly that the SOAs should contain a specific reference to reducing re-offending and to offender learning to demonstrate ownership of and commitment to this agenda. It is understood that some of the draft plans for the coming year have already taken steps to address this.

62. Responsibility for offenders and reducing re-offending should not lie solely with Criminal Justice Social Work. This should be clearly seen as a shared responsibility by the whole of the local authority, the Community Planning partners and beyond to local communities. Only by accepting that shared responsibility can we achieve the rehabilitation and re-integration of offenders into their communities.

Access to mainstream services

63. There are times when specialist services may be needed, but, in the main, this client group would be best served by accessing mainstream services already provided to the wider community. This is as appropriate for learning as for health, housing and employment services for reasons of equality as well as making sense in terms of value for money and the scope for integration of offenders into their communities.

64. There is currently a debate about the provision of services for women offenders both in custody and on community sentences, including an enquiry by the Equal Opportunities Committee of the Scottish Parliament¹⁵. Given the complex issues many women offenders have, there is broad agreement that there is a need for some specialist services. The ultimate goal must be for these women to be supported through these services to enable them to progress into mainstream provision.

65. The group identified that a major hurdle in improving delivery of learning is the lack of knowledge front line professionals have of the range of services already available in their area. Members of the group were aware of a plethora of services and providers but all expressed concern about how difficult it was for those engaging with offenders to know and keep up to date with what was available. The group came across instances of criminal justice social workers who were unaware of what their local authority provided in community learning and vice versa. There are some good examples of local authorities developing closer working between their adult/community learning and criminal justice social work teams and this should become the norm.

66. Many in this client group would benefit from being able to access adult literacy and numeracy support, wider community learning and college provision. They may need greater support and signposting to enable them to take advantage of what is available.

67. If it is difficult to find out what is available within your own organisation it must be even harder to keep track of the wide range of provision available through other statutory organisations such as JobCentre Plus, Skills Development Scotland and the voluntary sector.

68. Local authorities need to make links internally between services and with the various agencies operating in this arena at the local level. This collaborative approach would have significant benefits in terms of cost effective service delivery to the organisations themselves and, more importantly, to the individual clients.

¹⁵

<http://www.scottish.parliament.uk/s3/committees/equal/inquiries/Femaleoffenders/Femaleoffenders.htm>

Access to Information

69. There is an associated need for much improved access to the information which is already available about opportunities for learning and employability. This information exists within individual organisations such as Skills Development Scotland and JobCentre Plus but is not made available in any systematic way to other agencies providing services to offenders.

70. One possible mechanism for providing access to this information would be for the CJAs to include web links and signposting on their websites to the various databases of provision. This, along with local knowledge and networks, would offer a much improved service for this client group.

71. The Group recommends that:

- ***Local Authorities should take the lead responsibility for offender learning at the local level through the Community Planning Partnerships (CPPs) and express that commitment explicitly in the Single Outcome Agreements (SOAs).***
- ***Local Authorities should ensure that all staff are aware of what services their council and others provide which would be relevant to this client group.***
- ***Local Authorities and the CJAs should work together to maximise access for staff to the databases of major organisations such as Skills Development Scotland and JobCentre Plus which provide information about learning and employability services.***

Research

72. The group had considerable discussion about the existing evidence base and identified two critical concerns. One was that the evidence regularly quoted about the levels of literacy and numeracy skills amongst the offender population is based on surveys carried out in England. It is generally assumed that the figures are likely to be broadly similar in Scotland. The group believed that it would be useful to have accurate data around this area that was specific to Scotland and addressed those serving community sentences as well as prisoners.

73. The second concern was that, with one or two exceptions, there seems to be little research to support the effectiveness of interventions with offenders. This is true across a whole range of interventions but is particularly the case around learning. The group felt strongly that, whilst there has to be scope for innovation, a more evidence based approach would be useful.

74. In that spirit, it would also be appropriate to recommend that, assuming the Government agrees to implement the recommendations contained in this report, consideration should be given to reviewing progress around implementation and impact after two or three years. This could be done by measuring progress around the CJA Performance Management Framework.

75. The Group recommends that:

- ***The Scottish Government considers commissioning research into the educational levels of offenders serving community sentences in Scotland, with particular reference to literacy and numeracy;***
- ***The Scottish Government, in cooperation with the CJAs, considers commissioning research into the effectiveness of learning interventions; and***
- ***The Scottish Government and CJAs makes a commitment to review progress in implementing this new approach to learning in community sentences within two to three years. This could be done by measuring progress around the CJA Performance Management Framework.***

Conclusions

76. There is a growing consensus that Scotland needs a more systematic approach to the role that learning must play in the rehabilitation of offenders. There is evidence of much good work going on across the country and a shared view that this needs to be developed across the whole system.

77. There needs to be a shift away from the programme/producer driven approach to one that is person-centred and based on need. There needs to be much more clarity in policy commitment, governance, co-ordination and communication as well as better access to information for all involved.

78. The group believes that much can be done within existing resources to improve the current system and that the move to the new Community Payback Order if the provisions are enacted will offer a clear opportunity to apply all that is recommended in this report.

79. If we are to achieve the objectives of a fairer, healthier, wealthier, smarter and safer Scotland, the Scottish Government must continue the clear leadership it has shown in commissioning this work by taking decisive action and requiring the same of all the other agencies involved in this agenda.

Summary of Recommendations/Framework for Action

Scottish Government

- *The Scottish Government must make a clear public commitment to the role of learning in rehabilitation and reducing re-offending.*
- *The Scottish Government must require that appropriate community sentences, as well as having punishment/payback at their heart, should also provide opportunities to address rehabilitation and the part that learning plays therein.*
- *The Scottish Government should include this requirement in “National Objectives and Standards for Social Work Services in the Criminal Justice System (NOS)”.*
- *The Scottish Government must also take responsibility for ensuring development and implementation of the offender learning journey approach as outlined in this Report. This must be a shared responsibility between appropriate representatives of the Lifelong Learning Directorate and the Criminal Justice Directorate. The Offender Management Programme Framework provides the ideal place to locate this.*
- *The public sector, starting with the Scottish Government, must lead by example and find ways to offer offenders work experience as well as employment wherever possible.*
- *The Scottish Government should work with appropriate agencies to encourage employers at national and local level to offer work experience and employment to offenders. These agencies would include JobCentre Plus and private business organisations.*

Community Justice Authorities

- *The CJAs should review the 9 Offender Outcomes and consider whether it is possible to include a specific outcome around learning.*
- *The CJAs must shift the focus to measuring outcomes, such as progression, completion and achievement rather than inputs such as “hours of learning delivered” and agree a common approach across the country.*
- *The CJA Performance Management Framework must require evidence that the process agreed to identify need and agree action plans and transition plans is being followed.*

Local Authorities

- ***Local Authorities should take the lead responsibility for offender learning at the local level through the Community Planning Partnerships (CPPs) and express that commitment explicitly in the Single Outcome Agreements (SOAs).***
- ***Local Authorities should ensure that all staff are aware of what services their council and others provide which would be relevant to this client group.***
- ***Local Authorities and the CJAs should work together to maximise access for staff to the databases of major organisations such as Skills Development Scotland and JobCentre Plus which provide information about learning and employability services.***

Research

- ***The Scottish Government should consider commissioning research into the educational levels of offenders serving community sentences in Scotland, with particular reference to literacy and numeracy.***
- ***The Scottish Government, in cooperation with the CJAs, should consider commissioning research into the effectiveness of learning interventions.***
- ***The Scottish Government and CJAs should make a commitment to review progress in implementing this new approach to learning in community sentences within two to three years. This could be done by measuring progress around the CJA Performance Management Framework.***

Appendix

Offender Learning Project - In Community Work stream

Membership

Esther Robertson	Chair
Harry Mennie	Project Manager, Scottish Government Employability and Skills Division
Yvonne Robson	Association of Directors of Social Work
Chris Hawkes	Chief Officer, Lothian and Borders CJA (representing CJAs)
Theresa Haran	Skills Development Scotland
Jack Martin	JobCentre Plus
Sandra Wood	JobCentre Plus
Aileen Macdonald	APEX Scotland
Ian McCrory	Support Training Action Group (STAG)
Mhairi Gilfillan	Scottish Government Learning Connections Division
Julie Bilotti	Scottish Government Employability and Skills Division
Dr Jeanette Hagerstrom	Scottish Government Analytical Services Unit – Lifelong Learning
Sharon Grant	Scottish Government Community Justice Services Division
Christine Thomson	Scottish Government Community Justice Services Division (Secretariat)