E·S·R·C ECONOMIC & SOCIAL RESEARCH COUNCIL

Final findings: Offenders

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Successive UK governments have sought to help offenders into work as a means of reducing re-offending. This briefing summarises the key findings of qualitative longitudinal research with 25 English and Scottish offenders who took part in three waves of interviews over a two year period in order to explore the impact of sanctions and support on their behaviour.

Key findings

- Jobcentre Plus finds it difficult to identify people who are vulnerable, with the result that many offenders do not claim the right benefit and are needlessly exposed to high levels of conditionality and sanctioning.
- Previous experience of benefit sanctions has, in many cases, prompted a switch from Jobseeker's Allowance (JSA) to Employment and Support Allowance (ESA) (Support). This was often facilitated by support staff in homelessness charities and drug/alcohol support agencies. The move to ESA had often helped to stabilise behaviour, especially when it was combined with various forms of support.
- Behaviour change begins with the individual but the process is complex, non-linear and individuals are susceptible to relapse. Sustained change has been founded upon respondents accessing stable accommodation and an array of support to deal with their vulnerabilities including the problems of poor health, addiction and homelessness. Many have volunteered in homelessness charities and drug/alcohol support agencies, which has provided invaluable opportunities to further cement positive change.
- Interventions and sanctions are not the only influences upon respondent behaviour. Offenders are most influenced to change (and not to change) by those closest to them. Consequently, positive change has often followed the development of new relationships and/or individuals distancing themselves from their former social networks.
- Many respondents have been adversely affected by the asymmetrical development of sanctions and support. None of those finding work had done so through Jobcentre Plus or the Work Programme. Moreover, the linking of ineffective mandatory employment support with sanctioning means that 'support' is increasingly experienced as punishment.
- Nevertheless, a few respondents had received comprehensive packages of support following release from prison including help with finding accommodation, applying for benefits, vocational training and guaranteed job interviews which had transformed their prospects.
- Support was unable to bring about behaviour change in some of those with deeply entrenched problems, especially drug/alcohol addictions and immersion in social networks primarily comprised of criminals which fuelled persistent offending.
- Benefit sanctions are unfair and ineffective. They fail to encourage individuals to engage with support in a meaningful way. Some saw their contact with Jobcentre Plus as a 'game' and became superficially more compliant with the directives of front-line staff. Moreover, many have reacted violently to the imposition of sanctions or resorted to 'survival crime' to cope with the loss of benefit.

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Introduction

The offenders interviewed as part of this study are 'failed citizens' in two senses. They have failed to honour their responsibilities to obey the law and they have been judged to have failed in their duty as welfare claimants. Consequently, they have often been subjected to sanctions in both the criminal justice and welfare systems. The use of sanctions in the criminal justice system should serve as a warning to policymakers keen to extend their use in the welfare system since they have largely been unable to effect positive behavioural change.

Two principal policy developments have significantly increased the conditionality applied to offenders in the welfare system. First, from 2012 all prison leavers who claimed JSA were meant to enter the Work Programme from 'day one' of their release. The rationale was that making support available at an earlier stage was necessary to address labour market barriers and prevent re-offending. Nevertheless, they are mandated to participate as a condition of receiving JSA and may be sanctioned for failing to undertake a mandated activity. Second, additional rehabilitative support is also being provided to short-sentenced prisoners. From February 2015, anyone sentenced to a custodial term of more than one day and less than one year, and is 18 years old or over when released, now receives supervision in the community. Participants are subject to sanctions if they breach their supervision conditions.

Findings

Behaviour change followed three broad trajectories:

- Stabilising.
- Improving.
- Worsening.

STABILISING

The movement to benefits with less stringent conditionality such as ESA (Support) played a key role in stabilising previously 'chaotic' behaviour. One woman reported: *'I feel more relaxed…..I don't have to go in there [Jobcentre] every day, and the stress of that was really, really, making me ill. I was ready to jump off a building'* (Offender, female, England, wave c). Others highlighted the financial benefits of claiming ESA.

"They helped me to pay my rent, to have a base to work from… I can shave and can wash my clothes, it's all down to getting my benefits."

(OFFENDER, MALE, ENGLAND, WAVE C).

However, a few respondents complained of being cut adrift with little help to prepare them for work.

"All I was doing was sitting there with no help, getting paid for fuck all."

(OFFENDER, MALE, ENGLAND, WAVE C).

Many had been homeless following their release from custody. The provision of temporary accommodation in hostels was destabilising for those going 'clean'.

"I had a one-to-one with my key worker up there, because I am waiting to go into detox to come off alcohol. I said, ''Well that place ain't going to help me."

(OFFENDER, MALE ENGLAND, WAVE A).

Consequently, a need to retain a stable base was a key consideration in turning away from anti-social behaviours. Many of those securing accommodation were frequently reliant on the expertise of support workers in homelessness charities and drug/alcohol support agencies. Nevertheless, positive behavioural change was often fragile and individuals were highly susceptible to relapse.

IMPROVING

Change starts with the individual. One man declared:

"I've turned my back on all that shit and consider myself an ex-criminal. It's just a decision I made."

(OFFENDER, MALE, ENGLAND, WAVE C).

Sustained positive behavioural change frequently followed the development of new relationships. A participant had desisted from prostitution, *'because I've got older and because I've got a boyfriend'* (Offender, female, England, wave c). Offenders are most influenced by those closest to them and so many have had to distance themselves from their former social networks. An interviewee reported:

"I go to pubs with my dad….and I know everyone there. They're all characters [criminals]. I've grown up with them, but at the same time I've been able to dissociate myself."

(OFFENDER, MALE, ENGLAND, WAVE C).

Some have had to sever ties with other drug-using family members or move to different parts of the country. *'I had to get rid of my wife, had to get rid of all my friends and start again.'* (Offender, male, Scotland, wave c). Many had chosen to volunteer in homelessness charities and drug/alcohol support agencies which had provided opportunities to further cement positive change and develop pro-social identities.

The 'improvers' had stable accommodation and were able to draw upon extensive support. One man highlighted his GP, Narcotics Anonymous and a psychologist which meant that he had been 'clean' for over a year. He reflected: *'You cannot do this stuff on your own'* (Offender, male, Scotland, wave c). Another had been assisted by the Citizens Advice Bureau to claim ESA, had received mental health support and had established a local running group through a local homelessness charity.

"The support I've had has been fantastic, from [project] and my doctor. I cannot fault it."

(OFFENDER, MALE, ENGLAND, WAVE C).

The mindset of a participant had been transformed with help claiming benefits and finding accommodation.

"I actually face up to things instead of doing what I would normally do which is go and get myself arrested and hide away from it."

(OFFENDER, FEMALE, ENGLAND, WAVE C).

WORSENING

Recovery journeys were not always linear and relapse was not unusual. Nevertheless, a small number of individuals with deeply entrenched drug addictions, which often fuelled persistent offending, had experienced a marked deterioration in their behaviour. They were still involved in social networks primarily comprised of drug users, lacked family support and were unwilling to draw upon professional assistance. A participant explained the appeal of drug taking: *'You were king for a day because you had the drugs'* (Offender, male, England, wave c). Another individual referred to themselves as a 'giro junkie' and reported: *'I do not want to stop [taking drugs]; I like it'* (Offender, female, England, wave c). They felt obliged to attend drug treatment programmes in order to access prescription drug substitutes.

“ I find it very hard to go to them [drug treatment programmes] because it’s a group meeting, and I’m finding it very hard to mix with people.”

(OFFENDER, MALE, ENGLAND, WAVE C).

The effectiveness of interventions

None of the handful of individuals finding work had done so with Jobcentre Plus support. Respondents frequently complained that the agency was too focused on monitoring their job search activity and provided little meaningful support.

“ All they cared about was, ‘’Make sure you’ve got x amount of applications that you’ve applied for, that you can prove you’ve applied for, and that you’ve put it on Universal Jobmatch.”

(OFFENDER, MALE, ENGLAND, WAVE C).

Many complained that this was a distraction from more effective job search methods. Others viewed it as surveillance:

“ They’ll be so many jobs that I have to look for and you do it through their government website so they can check it.”

(OFFENDER, FEMALE, SCOTLAND, WAVE A).

A chronic lack of opportunities to improve their human capital through vocational training was highlighted by many respondents.

“ You need more different support, and proper training in like bricklaying or something… not like what they do, like you go in a room and you do a CV.”

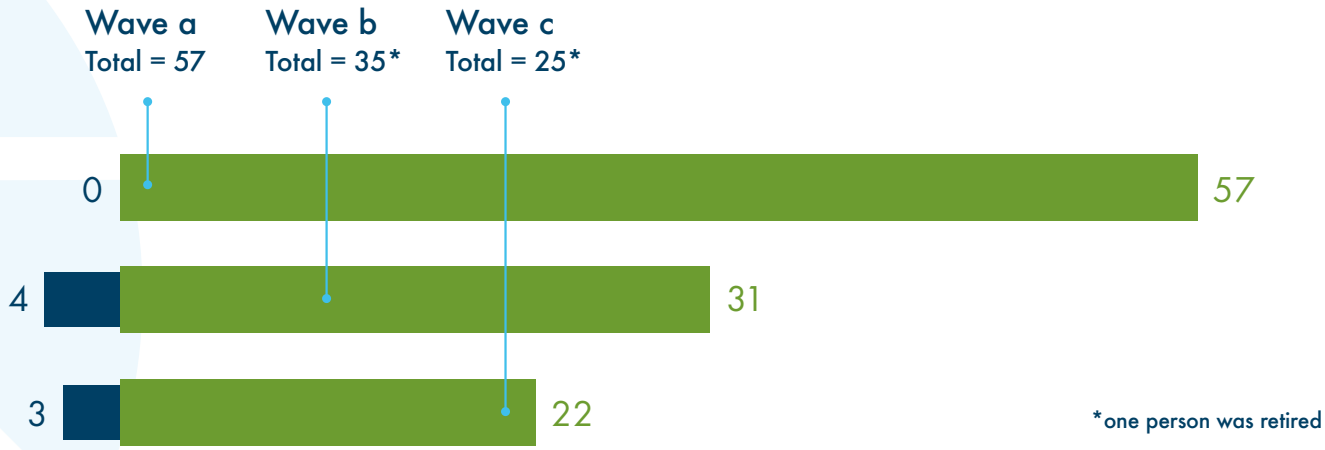
(OFFENDER, MALE, ENGLAND, WAVE C)

The sense that many had been ‘parked’ by the Work Programme and offered little meaningful support was emblematic. Many highlighted the absurdity of being compelled to undertake futile tasks and likened the experience to punishment. One man felt *‘just like a zombie every day… it’s nine o’clock, and you’re sat in front of a screen until four o’clock. Ridiculous’* (Offender, male, Scotland, wave c). Consequently, ‘day one’ mandation to the Work Programme was highly problematical because it failed to provide meaningful support but increased exposure to sanctioning.

“ If I didn’t do those courses I’d be sanctioned, but they were really a waste of time, things like name three methods of travelling to work, like bus, walk [laughs], really like a three year old.”

(OFFENDER, FEMALE, ENGLAND, WAVE C)

EMPLOYMENT STATUS: In employment/Not in employment



These concerns were shared by some policymakers.

“ Some of them [Work Programme participants] get hugely pissed off because it’s the eighth time they’ve been shown how to write a CV, and they still haven’t got anything to put on it.”

(NOMS REPRESENTATIVE)

Previous research has highlighted the importance of offenders discovering agency (McNeill, 2006) and developing coherent pro-social identities (Maruna, 2001). The present study suggests that volunteering can provide an opportunity to cement behaviour change. Respondents identified several additional benefits:

- The provision of a daily routine which can help fill the void left by abstinence from drugs/alcohol.
- The opportunity to improve self-esteem: *‘They [homelessness charity] made me feel more confident, built up my esteem.’* (Offender, male, England, wave c).
- The provision of moral support: *‘If I’m having problems with my mental health… I know I’ve always got someone to talk to.’* (Offender, female, England, wave c).
- The motivation to get back into paid employment: *‘That has kind of inspired me to think, ok, maybe I could get back into work.’* (Offender, female, England, wave c).
- The chance to develop work-related social skills, and access training courses and employment opportunities.

The effectiveness of sanctions

The imposition of benefit sanctions frequently failed to recognise barriers to employment or the specific circumstances of individuals. They exacerbated poverty and led to a range of worsening social outcomes (see our wave one findings). Sanctions were widely equated with punishment and respondents often likened the experience to intimidation. *‘People are threatening you… do what they want you to do or you’re going to lose your benefit’* (Offender, male, Scotland, wave c). *‘A lot of it is about intimidation’* (Offender, male, Scotland, wave c). It is salient to note that in many cases criminal justice sanctions had proven to be counter-productive, evidenced by the fact that many respondents had served multiple short-sentences.

“ I don’t like the idea of threat or punishment. I’ve never responded well to that in my life.”

(OFFENDER, MALE, SCOTLAND, WAVE C)

Sanctions had a deterrent effect on some respondents. A respondent who had become self-employed reported:

“ I hated the jobcentre… That was one of my main motivators to really find some way away from the whole Jobcentre and Work Programme and sanctions.”

(OFFENDER, MALE, ENGLAND, WAVE C)

A few had disengaged from the benefits system. Many others have engaged in ‘survival crime’.

Nevertheless, a few indicated that sanctions had provided the impetus to claim more appropriate benefits or seek help with alcohol or drug addictions. *‘It [sanction] made me more determined really, to try and get on with my life.’* (Offender, male, England, wave c). Several interviewees indicated that they had become superficially more compliant with the directives of front-line staff. *‘I’d be as by-the-book as possible – it’s just a game. You have to follow the rules of that game.’* (Offender, female, England, wave a). However, the most vulnerable were simply unable to follow the rules of the ‘game’. One woman complained:

“ But people like myself, addicts…How are you supposed to remember an appointment in six weeks’ time?”

(OFFENDER, FEMALE, ENGLAND, WAVE C)

Fairness and ethics

Policy stakeholders frequently viewed welfare conditionality in contractual terms: *'It's a sort of contract that, in response to receiving something from the state… then you're doing something in return… to move you away from needing that support.'* (DWP representative). Yet many respondents have been adversely affected by the asymmetrical development of sanctions and support. A Peterborough man entering work through his own efforts reflected: *'I did not get any help at all at the Jobcentre about work.'* (Offender, male, England, wave c).

Moreover, Jobcentre Plus staff were widely reported to lack understanding of the difficulties offenders faced in meeting behavioural requirements. Some felt that staff were too ready to sanction those that were seen to be 'difficult'.

"They're looking for excuses to sanction you rather than give you a little bit of support."

(OFFENDER, MALE, SCOTLAND, WAVE C)

Consequently, many felt that they had been treated unfairly.

"But what hasn't helped me… was just bullying and sanctioning me and making me sign on every day. That had a really bad impact on me. I just had a breakdown."

(OFFENDER, FEMALE, ENGLAND, WAVE C)

There was general support for the general principle of tying benefit entitlement to behavioural conditions. Behavioural requirements were often thought to be necessary to prevent individuals from 'gaming' the system. *'I don't believe that people should take the piss'* (Offender, female, England, wave a). However, it is vital that individuals claim the most appropriate benefit because this determines the state's expectations of them. Many respondents with multiple vulnerabilities had previously claimed JSA and had been needlessly exposed to sanctioning.

"There is a big issue around Jobcentre Plus identifying people that are vulnerable."

(MENTAL HEALTH CHARITY REPRESENTATIVE)

Some argued that benefit sanctions were morally indefensible because they deepened poverty and heightened vulnerabilities. Furthermore, many thought that the real purpose of sanctions was to facilitate disentitlement and reduce government expenditure rather than foster engagement with employment support. *'I think they're trying to save money.'* (Offender, male, England, wave a). A few drew our attention to the privileged social position of policymakers.

"I think they've got it all wrong, you know what I mean? Because they're Tories and that, they've never suffered a day in their life."

(OFFENDER, MALE, SCOTLAND, WAVE A)

A few contrasted the moral standards expected of claimants with the fraudulent behaviour of some private sector service providers and drew the following conclusion: *'So it's one rule for them and you do as I say not as I do.'* (Offender, male, England, wave a).

Conclusions

Promoting positive behaviour change for offenders is inherently challenging given their multiple and complex vulnerabilities and the problematic history of interactions with government agencies and services. The criminal careers of offenders cannot be readily stopped by threats. Compulsive approaches have a strong political appeal but have proven to be remarkably ineffective at fostering pro-social behaviour. *'You can't suddenly make somebody a good person, or a person who can get a job… just by saying I'm going to take your benefits away. It's not real world stuff'* (NOMS representative). It takes time to change entrenched behaviours and the problems that underlie them.

Our research has confirmed some of the existing evidence about behavioural change being a long-term process which is founded upon individuals rediscovering agency and developing pro-social identities. Benefit sanctions are antithetical to this process because they undermine positive professional relationships, stymie agency and reaffirm criminal identities and behaviour. The longitudinal element of our research has shown that change is seldom linear and relapse is common. Furthermore, many offenders are affected by 'compounded conditionality' which means that they increasingly experience both the criminal justice and welfare systems as intrusive surveillance and punishment and thus interconnected sources of alienation.

Alienation is compounded by lack of meaningful employment support made available to offenders which means that 'support' is increasingly experienced as punishment. None of those finding work had done so through Jobcentre Plus which primarily acts as a 'policeman' of benefit entitlement. Furthermore, the universally poor experiences of the Work Programme raises important questions about the wisdom of allowing commercial imperatives to determine the type and level of support provided to this group. The movement to ESA (Support) stabilised the lives of many offenders especially when combined with support to tackle mental health problems, addictions and homelessness. Furthermore, our study has shown that the prospects of those closer to the labour market can be transformed by personalised, holistic and sustained interventions that combine help with finding accommodation, applying for benefits, vocational training and guaranteed job interviews.

NOTE ON METHODS

This report is based on interviews with 25 individuals who participated in all three waves of interviews between September 2014 and May 2017. Of these, 19 were male and six were female. Most (18) were living in England and seven in Scotland. Virtually all were White British and were aged from 25 to 67 years old. At wave c most individuals lived in social housing (12), eight in the private rented sector, three were in hostel accommodation, one was living with friends and one had other accommodation. At the final interview 16 were claiming ESA (Support); one ESA (WRAG); one JSA and two claimed working tax credits. Over half (17) of the sample had been subject to a benefit sanction. Respondents frequently had multiple and complex needs including poor physical and mental health, substance misuse, homelessness, childhoods in care and virtually all had been imprisoned. Most had served multiple short sentences whilst a few had completed long custodial sentences.

There has been a growing recognition of the need to avoid stigmatising people by identifying them with certain behaviours that may be historical and to acknowledge positive potential. Consequently, there is some reluctance about the term 'offender'. We have persisted with the term for two main reasons. First, it is not used as a moral judgement but rather a reflection of a socially ascribed and institutionally attributed status. Second, the use of this term underlines our focus on exploring how processes of discrimination and stigmatisation affect the ability of some groups to engage with conditional welfare.

Key policy recommendations

- It is vital that individuals are claiming the right benefit in conditional welfare regimes. Jobcentre Plus work coaches should be given sufficient time and resources to establish the full needs of new claimants and determine the most appropriate benefit to claim.
- Behavioural conditionality is not appropriate for those with multiple and complex needs. Benefits such as ESA (Support) can play an important stabilising role when combined with other forms of support. Access to higher benefit levels combined with less stringent conditionality can provide the necessary resources and 'space' for individuals to begin to address their multiple needs.
- Government should recognise that benefit sanctions have exacerbated the vulnerability of marginalised individuals and increased the challenges that front-line staff face in working with them. The indications are that many will have been subjected to aggression and violence.
- Volunteering might be promoted to those claiming ESA (Support) since it can allow some offenders to rediscover their agency and develop pro-social identities.
- The provision of additional support to vulnerable groups like offenders should be delivered on a voluntary basis and not increase their exposure to punitive benefit sanctions.
- Much of the support provided by Jobcentre Plus is most relevant to those closest to the labour market. Many respondents need vocational training to improve their long-term prospects. Our research has confirmed that comprehensive packages of support combining help with finding accommodation, applying for benefits, vocational training, work trials and guaranteed job interviews can transform the lives of ex-prisoners.
- Those with multiple and complex needs have not been well served by the privatisation of employment support services. Much greater care needs to be given to devising procurement exercises and contracting regimes that prioritise meeting the needs of participants.
- The Work and Health Programme will provide specialised support for those unemployed for over two years and, on a voluntary basis, to those with health conditions and disabilities. The voluntary nature of participation is welcome but we are concerned that the resources allocated to the Programme do not match its ambition and recommend that service providers are selected that are committed to providing the necessary support to participants.
- Many jobseekers who would previously have been supported by the Work Programme will now receive support directly from Jobcentre Plus rather than the Work and Health Programme. Jobcentre Plus has a tarnished reputation amongst many of those taking part in this research. We welcome the Green Paper commitment to build and develop the capacity of work coaches and the intention of recruiting around 200 community partners to bring expertise from the voluntary sector into jobcentres.

This briefing was written by Elaine Batty and Professor Del Roy Fletcher, Sheffield Hallam University.

Welfare Conditionality: Sanctions, Support and Behaviour Change is a major five-year programme of research funded by the Economic and Social Research Council. The project is creating an international and interdisciplinary focal point for social science research on welfare conditionality and brings together teams of researchers working in six English and Scottish Universities.

Other briefings in this series and full list of references can be found at www.welfareconditionality.ac.uk/publications. Data from the study will be available from 2019 at www.timescapes.leeds.ac.uk.

39273 – york.ac.uk/design-print-solutions