

Justice Committee

Oral evidence: [Rehabilitation and resettlement: ending the cycle of reoffending](#), HC 469

Tuesday 27 January 2026

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Members present: Andy Slaughter (Chair); Pam Cox; Sir Ashley Fox; Warinder Juss; Tessa Munt; Sarah Russell; Vikki Slade.

Questions 411 - 463

Witnesses

[I](#): Rosie Brown, Chief Executive, COOK, and Chair, Ministry of Justice National Oversight Board for Employment; Alex Clarke, Policy Officer, Working Chance; and David Apparicio MBE, Chief Executive, Chrysalis Foundation, and Chief Executive, the Corbett Network.

[II](#): Penelope Gibbs, Director, Transform Justice; and Paula Harriott, Chief Executive, Unlock.

Written evidence from witnesses:

[Working Chance \[RAR0044\]](#)

Examination of witnesses

Witnesses: Rosie Brown, Alex Clarke and David Apparicio.

Q411 **Chair:** Welcome to this afternoon's session of the Justice Select Committee, which is the next hearing in our inquiry into rehabilitation and resettlement, dealing with the issue of employment. I will ask our first panel of witnesses to introduce themselves after the members of the Committee have given their declarations of interest, beginning with Pam Cox.

Pam Cox: Good afternoon. I am the MP for Colchester. My interests are as declared on the register and I am the Chair of the APPG for penal affairs.

Chair: I am Chair of this Committee and Member of Parliament for Hammersmith and Chiswick. I am a non-practising barrister. I am the patron of two justice-related charities called Hammersmith and Fulham Law Centre and The Upper Room and I am a member of the Unite and GMB trade unions.

Tessa Munt: I am the Member of Parliament for Wells and Mendip Hills in Somerset. Everything is on the register, but I will point out that I am a director and vice chair of WhistleblowersUK and I am also the vice-chair of the all-party parliamentary group on penal affairs.

Vikki Slade: I am the Member of Parliament for Mid Dorset and North Poole. My interests are as per the register, but nothing relevant to this Committee.

Warinder Juss: Good afternoon. I am Warinder Juss, MP in Wolverhampton West. I am a solicitor, but not practising at the moment, and I am a member of the GMB trade union executive council as well as a member of various APPGs.

Sarah Russell: Good afternoon. I am the MP for Congleton. I am a member of USDAW and Community trade unions. My interests are on the register. I am also co-chair of the all-party parliamentary group on access to justice.

Chair: Thank you very much. I will ask the witnesses to introduce themselves, starting with Rosie Brown.

Rosie Brown: I am Rosie Brown. I am co-CEO of a company called COOK. Very briefly, I have been employing prison leavers for over a decade now, so I have personal experience on the ground. Through doing that, it has led me to chair the employment advisory boards, which were initiatives set up by James Timpson, which is about a four or five-year-old story, which I will come on to later.

David Apparicio: My journey started because I am a magistrate. I was bored with seeing the same people in front of me in court over and over



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again, so I created a programme called the Chrysalis Programme, which I deliver in prisons to reduce reoffending. I am also the CEO of the Corbett Network, where we work together to help people as they are released from prison.

Alex Clarke: I am Alex Clarke. I am the Policy Officer at Working Chance, which is the UK's only employment charity solely for women with convictions. Since 2009 we have supported thousands of women into employment by helping them develop their skills, confidence and self-belief, all with the aim of building a brighter future for themselves and their families. To do this, we partner with employers of all sizes and industry types across the UK to match women with the right opportunities, to educate and inspire them on best recruitment practices and to support them to attract and recruit people with convictions and bring them into the workforce. We also work with policymakers to advocate for best possible practice across systems, industry and Government.

Q412 **Chair:** Thank you very much. I will start with two or three scene-setting questions. The first one, which is fairly obvious, is what difference does employment or the prospect of employment make to rehabilitation? What is the positive effect of it, either on the individual or in statistical terms? I will throw that open to any of you.

Alex Clarke: I do not mind jumping in. As we know, there is a clear link between employment and a reduced risk of reoffending. The evidence suggests that this is because it contributes to an identity shift. It forms prosocial networks, it forms structure and routine and there is the benefit of having a stable income. Employment allows people to shift their identity from one of an offender to one of a colleague, a contributor and a worker. It is the identity as a worker that works as an identity-repairing narrative or a way to resist internalising the negative stigma associated with offending behaviour. It provides access to socially valued identities and a sense of legitimacy in mainstream society.

Secondly, it builds social capital and prosocial networks. Having formed friendships and social bonds with colleagues and workers, it is these new relationships that people are motivated to protect. Research concurs that it is not just having a job, but it is being believed in that supports desistance. It is this belief and recognition from employers that can go a long way as being a powerful driver of change. It reinforces in a person with convictions the belief that they have their own capacity to change as well. In terms of providing stability and structure, it reduces any unstructured time as well while fostering habits of reliability, self-efficacy and future orientation. It contributes to desistance by imposing a structure that is prosocial. Crucially, it is this structure that fosters wellbeing and motivation.

The final impact is about money. Having a legitimate and reliable source of income, especially for women with convictions, has a critical safeguarding function. As we know, many women with convictions have



experienced economic abuse or coercive control at the hands of partners, gang members or family members. It gives them an ability to escape any unsafe situations that they find themselves in.

Rosie Brown: It is difficult to build on that incredibly comprehensive and thorough response. We know that employment reduces reoffending by 9 percentage points, and that is significant when you think of the costs associated with reoffending. For me, it is foundational. This is a human challenge and opportunity and, as has already been said so eloquently, when people leave prison they are at a fork in the road. If we can support them into employment pathways, we don't just give them an income, but we are creating community and stability. I have seen with my own eyes fathers reunite with their families and contribute to their family life and be part of their community. For me, creating these employment pathways must be an absolute priority if we want our communities to be safer and if we want to end this cycle of reoffending.

David Apparicio: Can I challenge one word, which is "rehabilitation"? One of the key things that I have found over the years is that what we need to focus on is reintegration. We need to help people to reintegrate more effectively when they get out. Employment is crucial to that. The rehabilitation takes place in prison maybe, but when you are out you need stuff around resettlement and reintegration. With so many people I see in court, guess what? They have reoffended because they have no money and they have to steal for food, so to me there is that link to making sure that when they come out they have that opportunity and excitement and they are inspired and engaged to be employed. Being part of society is one of the key drivers that helps people to make a change.

Q413 **Chair:** Thank you very much. As a Committee, we are often quite critical of what the Government does in this area of work. Indeed, we have just had their response to the first part of our rehabilitation inquiry, which we are going to publish at the end of this week.

I think it is fair to say that quite a lot of work has been done over the past decade on employment for people leaving custody. Could you say a bit about those programmes and about the New Futures Network, and about employment hubs and employment advisory boards and what role you think they fulfil and how successful they have been? It is a big topic, but I will throw it open to you, as experts.

Rosie Brown: I am happy to speak to this because this is a story that is showing real signs of success and has the opportunity to go so much further. In 2001 I received a call from Lord Timpson and he said, "I have a vision and I have an idea", and it was to set up employment advisory boards in every prison with business leaders. The goal was threefold. It was how to create a culture of employment in the prison so that when people come into prison they are thinking about what is next; it was how to ensure the training in prison is relevant for what employers need on the outside—I think there had been a disconnect about what prisoners



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were doing and what employers wanted—and the third thing was how we then link the prisons to employers. We had three goals.

I went to work in Wandsworth. I did that for three years, which was an enlightening experience, and over the last four years we have built a network of 98 employment advisory boards in 98 prisons. They are led by business leaders and the goal is to galvanise the prison and work together to create social change. The third wheel that we need is the voluntary sector, because when we have business, the voluntary sector and the prison working together, we can create meaningful change. Since this work has started, and with the backing of the New Futures Network, which is the arm of the HMPPS to create new futures, we have changed the statistic from four years ago when 15% of people were in employment six months after leaving prison. That is nothing when you think of the cost of that. Today that is 38%, so we have taken it up from 15% to 38%, and that is through people giving their time, believing in a cause and getting employers on board.

The external landscape is changing in terms of what employers want to do. They are doing incredibly good work and it is a positive story. There is so much further we could go with more funding, more education in prisons and more joining up of the dots, but it is an inspiring story to be part of. I do not want to hog the limelight, but in a nutshell that is where we are with employment boards.

Alex Clarke: We have had a close relationship with New Futures Network since its inception. We do consider it a key partner, as its work is incredibly complementary to our own. On the ground, we have a particularly close relationship with the prison employment leads across the female estate and believe that they are doing fantastic work to improve the work readiness of the female residents. They help with CVs, disclosures and job applications while they are in prison. We have found having conversations about career aspirations early has really helped, as well as having the ID and banking administrators in prison with the right to work documents.

We are concerned that the female lead in the New Futures Network has not been replaced and we do feel that this is potentially an oversight. It reduces the ability to respond to the distinct and gendered needs of women with convictions. It is not simply a question about representation, but of function and effectiveness. When that female lead was in post they were able to provide dedicated expertise to ensure that the employment strategies were grounded in the reality of women with convictions. We feel that there is a missing voice there and we were a bit disappointed to learn that that post was not going to be replaced.

David Apparicio: For me, the crucial bit is that without the third sector we would struggle even more. The third sector—all these voluntary organisations working with the New Futures Network in particular, and with the MoJ and more widely with prisons and so on—enables everything



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to take place. When someone is in prison and they are getting ready for release, they talk to a whole group of people that they cannot talk to when they are out. We need to make sure that we work together with the organisations. We need to go in beforehand and create that relationship so that when they come out they still have someone to talk to. That is crucial to enable them to make that change.

On top of that, we provide all the services that are too numerous for probation to do. Probation should focus on enabling and supporting that individual so that they do not reoffend, but it is fitting all the other things in that need to be done, even sometimes rebuilding the relationship at home. That is where the third sector comes in and makes a real difference. We are doing it on a shoestring, but we are still helping tens of thousands of people and families every single year.

Q414 Sarah Russell: Is it that the women's representative has not been replaced or will not be replaced?

Alex Clarke: Our understanding is they will not be replaced since they have left. I think they retired.

Sarah Russell: Were you given any indication why?

Alex Clarke: No.

Q415 Warinder Juss: A question for Ms Brown. You mentioned employment advisory boards. My understanding is that since January 2025 the advisory boards have been replaced by regional employment councils. Is that right?

Rosie Brown: Yes and no. We have regional councils. It is a structure that we put in place because we were trying to manage 98 employment boards and without a structure in between it was impossible. We have split them into eight regions and then we have regional councils. The regional councils are exciting because they meet with the DWP, probation, prison, the businesses in the area and the third sector is represented, so people are beginning to create employment strategies per region to create these employment pathways that we need. There are 98 employment chairs and then they each speak to a region and there is a regional chair.

Q416 Warinder Juss: Are the regional employment councils a great improvement?

Rosie Brown: They are up and running. As far as I am aware, certainly since I have been working in this sector, it is the first time that all the different organisations employed in getting people back to work are coming into the same room to talk. Again, it is an improvement, but a long way to go. The more we can encourage different Government Departments to talk to each other, the further we can go. The system is complex, and unless we bring everyone into the room it is difficult to make progress. The regional councils are an attempt to do that.



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Alex Clarke: Sorry, can I edit what I said to you earlier? I think I might have misspoken. In terms of the reason why the female lead role no longer exists, it is because of the streamlining, and then the women's estate was enveloped into the new restructure of the regions. The women's estate is now being looked after by these regional brokers, but it is the female lead that no longer exists, which we are concerned about.

Q417 **Chair:** Did you say that over the four years the numbers of placements into employment have gone from 15% to 38%?

Rosie Brown: Yes, 38% of prison leavers in employment after six months.

Q418 **Chair:** How reliable is it as a guide to sustained employment? Six months is a reasonable period, but will you go back to look at it after 12 months or 18 months as well?

Rosie Brown: That is more a question for the New Futures Network. The whole idea of this work is that it is sustainable. That is what we are trying to prove, but to do that we do need to deal with some of the human challenges that sit at the heart of this. For me, that 38% could get to 50% and I would love to see that. You are dealing with complex backgrounds and addiction. One of the things we would all love help with is housing. People are twice as likely to reoffend if they do not have accommodation and that remains a huge problem right across the system. In my role as the national chair, it is one of the things I hear most from the chairs, that we are releasing people from prison without accommodation. All the work that we are doing on employment is great, but it is wasted if people are sofa surfing with their old gangs.

Q419 **Chair:** We have had sessions both on addiction and on housing, so that is what I was alluding to when I said we often find things wanting. I do not want to put words in your mouth, but are you saying that if there was more stability in those other areas the potential for employment is greater than it is now?

Rosie Brown: Yes, without doubt, from all my experience.

David Apparicio: When someone leaves prison and they do not have any opportunity for employment and they cannot get benefit straight away—and it can take weeks or even months to get benefit—what exactly are they going to do? When they do not have accommodation, they do not have an address, it is difficult to get a bank account and the whole thing then rolls together where nothing is possible for them to sort out. That is where the third sector really helps people to get all those things sorted out. Again, the corporate network has 180 members now—it started with 20 a few years ago—and our driver is to get people to collaborate. In collaborating, we can provide more of a service for everyone on the ground.

We have been working with Duncan O'Leary, who has come along and spoken to the network. We have done lots of work and he supports what



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we do, but it is all about helping the MoJ at large to do some of the things it cannot quite reach out to do. The network and all of the voluntary sector, not just in the corporate network, is so vast. There are so many people doing so many things. What we need to do is to look at the best practice that we are getting and do that in a better way across the whole piece.

Chair: Thank you very much. That is all from me. Now for some questions from Vikki Slade.

Q420 Vikki Slade: Can I take us back to when people are in prison, rather than when they have come out? The research suggests that programmes that start working with prisoners while they are in prison on income support, transitional support and their job placements are the ones that work most successfully. I know David has the Chrysalis Programme, but can you share some examples of prison-based programmes that involve that multifaceted approach and whether they do work better?

David Apparicio: To go back to the collaboration, none of us can do it all on our own. When I run the Chrysalis Programme, you can imagine I invite employers in to sit on the programme.

Q421 Vikki Slade: Can you take us through the Chrysalis Programme and what it offers so that we talk to it, rather than just headlines?

David Apparicio: In very simple terms, I used to be Head of Learning Development in the Royal Mail Group and I wondered why the level of reoffending was so high. When I developed programmes in Royal Mail I had to end up with a change, so to me something was not working in the learning and development we were doing because the reoffending rate was so high. I looked at what were the most impactful programmes to help effect change in people behaviourally and otherwise and I created the programme and put some high-end stuff into it.

I was going to mention the Justice Data Lab with the last question because it also reviews a lot of the work that the third sector do to see how effective it is. The Justice Data Lab came along and looked at my programme and said it reduces reoffending and the reduction is statistically significant. Many of my colleagues in the corporate network and others have had the Justice Data Lab review their work. We know that our work is working, but the focus for me with the work that I do is on giving people essential life skills so it enables them to make that change in their life.

You can give them a job, a house and all sorts of stuff, but without the glue of how they interact with society, many programmes have failed year on year over the last couple of decades. You have to give them the education that they need while they are in prison, you have to enable them so that they can walk through the gate with some of the same people they have been working with so they are not starting again when



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they come out. I can guarantee there are people today who are leaving prison and it is, "Who do I contact? What do I do?"

Q422 **Vikki Slade:** Can I tease something out on that? We have heard that sometimes you have a great programme going on in prison, you get released and then because of the way the system is so fractured, you are released 200 miles away. That job is not there anymore and that person who is walking through with you cannot possibly offer you that support because they are focused on the part of the country where the prison is. What are you doing about that?

David Apparicio: What we can do is if someone is working in one area and they have been released in another area, if they are connected to one of the members of the corporate network, we have such a wide range of support services throughout the network that we may be able to speak to a colleague, collaborate with another colleague and be able to get them support somewhere else. For a lot of my colleagues, I know distance is not an issue. If they can help, even if it starts on the phone, whatever they can do to help, they will come back to the network, come back to colleagues and say, "Look, I have someone in this area. Can you help them?" That is what enables the third sector to work even better, because we do that collaboration. We are not competing.

Rosie Brown: For me, a clear solution to this could be with the employment hubs we have now set up in prison. As part of the employment advisory boards, we have prison employment leads and they are working with the prisoner on CVs, bank details, what they want to do and purposeful activity in prison. By the way, we need more purposeful activity in prison—there is too much time wasted in prison—and other things to get people into employment.

What we need then is the same in the community. Community employment leads and the New Futures Network are currently trialling that in a couple of different locations. What happens is the employment lead does all this brilliant work in the prison, people go through the gate and all that work drops out. What you need is someone to hand that over to. The Probation Service is doing a great job with what it has, but it is limited with its time, energy and resources. If we want to create these sustainable pathways with employment sitting at the heart of it, we need people in the community so they have someone to hand over this person and this caseload to. That is being trialled at the moment.

Q423 **Vikki Slade:** We will move on to the community end of it, but I am focused very much on what is happening inside the gate. You have already mentioned the third sector, so how different is it in terms of how things are offered and how they are supported if it is third sector versus private? Is it a completely level playing field? Is it more difficult for one type of organisation than another? In terms of vetting, I assume a lot of these organisations use people who have lived experience, so how difficult is it to get those people back into the system?



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David Apparicio: All of this again comes back to the collaboration with the prison—the prison staff and the teams within the prison preparing people for work outside. I think there is an element of listening in a different way sometimes with the individuals because you get to know them quite well and many of them feel that they are not listened to. They feel as though they are going through a sausage machine and they are kicked out and someone has not really understood. When someone has committed an offence we treat everyone who has committed that offence in the same way, but everyone has their own unique story. Once you listen to that story and understand them, you get a level of engagement that you did not get before. Sometimes we are able to spend more time doing that. Sometimes in prison they are not able to.

The other thing that causes a big problem is that argument—I do not want to get into the detailed argument—on short sentences. With short sentences, you do not get enough time to assess the individual or put them in a programme. Even if you have found a programme that they can be put on, the programme does not run for another six months and they are released so you do not get an opportunity to have any intervention with that individual.

Q424 **Vikki Slade:** But we are where we are. We have visited some prisons recently and one prison that we went to, the average time there was 56 days, not enough time to bother. With the changes to the sentencing review meaning that people are going to be released into the community earlier, that is something that the system must learn to deal with. I am trying to dig a little bit deeper into ways you can shorten the times for getting things in place so that you can deliver something meaningful, even if it is a short sentence.

David Apparicio: There are a lot of programmes that are delivered in prison that can be delivered through the gate, partly in, partly out, or in or out. There are several programmes. One of the things that we do not do is sell the best practice. For us in the third sector, the problem is we get funding for one year or two years and then when the funding stops the programme stops. We might have achieved fantastic outcomes, but we can no longer deliver on that programme. We might do something very good in prison, but we do not have enough funding to then deliver the equivalent programme or continuation transfer programme outside prison.

It goes back to what Rosie Brown said about what we are doing inside, we then need to do outside. We need to be able to hand that over and say, "Right, this person is halfway through these programmes. How can we complete that outside?" Once we complete those programmes it is much less likely that the person will reoffend.

Alex Clarke: I do agree largely with what David Apparicio was saying, but I think primarily what is important is the referral to specialist organisations. For instance, if we are looking at through the gate and people go to probation, those people are not receiving referrals to go to



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specialist employment support such as ourselves. Some probation regions have been instructed to prioritise commissioned rehabilitative services over other specialist organisations, so while some probation services do continue to refer to us in other regions, we are subcontracted out by other CRS providers. The importance there is about specialist support. With ourselves, with gender-specific, trauma-informed support, we know the impact that can have on increasing employment outcomes for women.

You also mentioned vetting. For us, the issue with vetting is not the existence of different categories or thresholds. We have not seen any improvement since the introduction of Standard Plus or heard anything different with other sector colleagues. You are right in saying that many people with convictions do seek work in rehabilitative roles on probation contracts and in prisons, where this lived experience that they have should be seen as an asset and not a risk. Especially for charities like ourselves, as part of our employment policies we try to bring in people who have lived experience of the criminal justice system not just as a key diversity goal, but because we want our service and our staff to represent the people who we are supporting. If you work on these contracts it can be incredibly difficult and from our experience often people with lived experience of the criminal justice system simply will not pass vetting.

Rosie Brown: I would like to second that. I think vetting could be sped up. I will leave it there.

Q425 **Chair:** Before we go on I want to ask a quick question, which is about prison industry workshops. Are you familiar with those, and are they effective in what they do?

Rosie Brown: I think they are fantastic, and they are effective in what they do. There is the railway training track at The Mount. I was at Wandsworth and there was a team sport go-karting workshop. I was in Wormwood Scrubs not that long ago and it has a bike workshop with XO Bikes. I would love to see more of that in prisons. There is a lot of space in some prisons to do things. You can walk around a prison in the middle of the day and there are no workshops happening. For me, increasing the hours of purposeful activity in prison should be a priority if we are serious about employment. It must be a priority.

The work that is being done in some of these academies and skills workshops in prison is a great way to see people through the gate, to upskill, to give people purpose and to make their sentence meaningful. I would love to see more of it, and I think the problem is there is not enough purposeful activity because of the routines and staffing.

Q426 **Chair:** Is that because prisoners do not want to do it? We heard, for example, that they are not very well paid. Is it because there are not staff to take people there?



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Rosie Brown: I can only provide the evidence I know, which is only anecdotal because it is not my area of expertise. When I speak to people, there are staffing challenges within the system. Unlocking people and moving people around prisons, all of that is a logistical challenge as much as anything, but I am not the expert on that.

David Apparicio: You need quite a different regime. If you want 80% of the men to go out to do purposeful work—and I say “men” because 95% are male—you cannot have staff then moving them around the prison. You must create a prison environment whereby you unlock and they all go purposefully where they are supposed to, whether it is education or whether it is faith and they do that all by themselves. For me, the key bit is when you can get a local employer to bring in something that is meaningful that can be used outside and then there is the opportunity sometimes for them to go out into that employment. This is very historic and a bad example, but sewing mail sacks in industry serves no purpose—they do not learn anything from that—but when it is meaningful jobs with a potential employer and the employer is making sure they are doing it exactly how they need it, that is fantastic. That makes it work well.

Rosie Brown: We employ people in ROTL, release on temporary licence. Are you familiar with ROTL? I think there should be a big push if we are serious about employment pathways, because again it is just another way to see people through the gate. They do the job while they are in prison, before they leave, and then they can stay afterwards. Certainly we do that in COOK and it is a fantastic way for the prisoner to also earn money before they leave. Again, for me it is just one of those no-brainer things that should work for everyone, basically more ROTL.

Q427 **Pam Cox:** You were talking about stitching mail bags. We visited Buckley Hall, where they were not stitching mail bags, but there was a very high-tech textiles workshop where they were stitching other products. What is your experience of a large employer—and that was a large local employer using the prison workforce there—being involved in post-release employment schemes so that there is a carry-through?

David Apparicio: There are some big national ones. You mentioned the railway training track, for example. You have certain industries now that are struggling so hard to get employment, so I think we have been able to get more employers to come in and at least have a look. Where that employer has come in and had a look and then said, “Well, I need this,” we can introduce that as a training programme, we can introduce that as a piece of work. As Rosie said, we can do release on temporary licence so they can go out to practice those skills. They will not always necessarily get that job, but it makes it much more likely that that employer will test them. It is their trial period and it is much more likely that they will be employed.

Q428 **Pam Cox:** Is there a list anywhere of large employers that work both in prison and on the outside? I know Timpson does, but is there a list?



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David Apparicio: I am sure someone has one.

Rosie Brown: We can definitely get that to you in writing afterwards. I am sure New Futures Network would help us put that together. There are several.

Q429 **Warinder Juss:** Can I ask you about purposeful activity? I was at an APPG yesterday on occupational health and safety and there was somebody from the POA who was talking about violence against prison officers. One thing that was mentioned was that if there was more purposeful activity that would help to relieve the number of attacks on prison officers. We have been to prisons where we have been told about prison officers, staff, being off on sick leave because of the stress or because of being attacked. Is there a suggestion that if there were more staff available, if there were more prison officers at work, it would help to increase purposeful activity? Are you suggesting that it would help purposeful activity with more staff?

Rosie Brown: I do not feel I am expert enough in how prisons run—I have never been a governor—to answer that sensibly. I can only tell you what I have heard anecdotally. I do not know. I agree safety must be a total priority. If we can have safety and purposeful activity, that is where we want to get to.

David Apparicio: Some prisons are not even set up to do enough industry training. The prison is basically about, alas, people being locked up for long periods. There are not enough facilities for workshops and stuff like that, especially in some of the older prisons. In the newer prisons you will see there is much more scope for them to engage with the local community and do those things. In some of the older prisons there is not the scope to do that. The other thing is how a governor runs the prison and creates that environment: this is an academy prison where they are here to learn and everyone has to be out on education or in a work activity every single day. Once that environment is set up, it transforms the prison, because everyone goes to work, everyone goes to education every single day.

If you don't want to do that, you can go and sit in the prison where you can lock yourself up all day long, but if you are there you have to be out working. There are two elements of it. You need a prison that has the space to do some of these activities, but you also need the governor and the staff driving an environment. It is the staff saying, "So what did you do today? What did you learn?" That makes a hell of a difference when people are engaged with what the prisoners are doing.

Alex Clarke: Very quickly, there is also a gender element that we need to consider here around purposeful activity. Anecdotal evidence from women who come to our service says that they have absolutely loved doing the purposeful activity while they have been in there. It has been an opportunity to break up the mundane nature of the day and the ability to get out of the cells, but more often than not we see workshops and



courses around hair, makeup and beauty—that is fantastic, and for some people that does meet their needs, but it will not fit everybody's needs.

There is also an important element there about courses and workshops, where they gain qualifications that only go up to a level 2, where the labour market standard is usually a level 3. We are building people up to motivation, where they say, "I am going to do a physical training qualification and then I am going to get a job on the way out" and then the labour market standard is a level 3, so that is just another blow at a crucial time.

Q430 Sarah Russell: On the statistics for employment when you leave prison, Rosie Brown referred to a percentage. Do you know what the percentages are by gender? Is there a significant difference?

Rosie Brown: I do not know, but again we can get them to you. I know anecdotally it is lower for women. It is more challenging to get women into work than it is for the men's estate, but I do not know by what exactly.

Q431 Warinder Juss: Can I speak to you about employment support in the community? We have a situation where prisoners on remand are found guilty but because of the amount of time they have already spent they are released into the community, but have not been able to engage in prison-based programmes. You have others who, because of the amount of time they have spent in prison, have lost their job even though they have been acquitted. Again, they are out in the community without engaging in prison-based programmes. We have already discussed the employment councils and how we will get different organisations—DWP, prisons and local employers—working together. How do the employment support services then help those prisoners who have not been able to engage in any prison-based programme, who do not have a job and are out in the community?

Rosie Brown: My understanding is that the New Futures Network does have remand prisoners now firmly on its radar. When we started this five years ago, there was no support at all. When I was at Wandsworth there was a trial for remand prisoners that we put in place. We had a prison employment lead for sentenced prisoners and a prison employment lead for remand prisoners. That yielded some great results. Particularly what we found there was when we called up the employer of the prisoner on remand, explained the story, gave them a prison reference and said, "Will you hold the job open?" nine times out of 10 the employer would say yes. It was an easy win in terms of creating an employment pathway when that person was then released.

There were several other learnings from that trial and I think those have carried forward into work that the New Futures Network is doing. My personal belief is that support for remand prisoners needs to be stepped up. It can be a challenge because when you are on remand you are not thinking necessarily about employment, you are thinking about where



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you are going to live and are you going to get sentenced, so it is difficult to get your head around a job. There is a specialist set of support that is required for remand prisoners, but there are a lot of them as things stand, so I do not think they should be ignored.

David Apparicio: There is also an element of if you are remanded and you know that you are innocent, why would you engage with a programme? That is like admitting that they have done something wrong. We need to get them thinking it is of benefit. They are there anyway, so why don't they do something that may enable them to get back into their old job? Maybe we could even engage with their old employer, but there is something about, "I am not going to do anything because that is admitting that I am wrong". I have found that with several of the people that I have worked with.

Alex Clarke: Due to the uncertain timings about when they are going to be released, we also find that prerelease teams often cannot submit referrals to places such as housing or safe accommodation, so there is quite a tight and very dangerous element there about the support needs. It relies on having quick referrals to organisations such as support organisations like ourselves. We know remand prisoners also experience much higher levels of anxiety, depression and other psychological conditions. For example, studies have found that 76% of women on remand have a neurotic disorder and 14% of women show signs of psychosis, so there is a gendered issue there as well. They are best supported by specialist organisations that understand gender and the trauma-informed nature and are able to bring about the best results for them.

Q432 **Warinder Juss:** Moving on to offenders who are supervised in the community, in your experience, how well does the Probation Service work with other stakeholders in the third sector? How well does the Probation Service work with the DWP, local businesses and prisons and what is the level of engagement between all the stakeholders? Are they able to communicate well with each other?

David Apparicio: It is variable.

Rosie Brown: In my experience, it is variable. The Probation Service has been very stretched. It is primarily there to manage risk. This is from my experience at COOK. As far as employment goes, we have had more luck working with prisons and the voluntary sector. That has been the goal. From an employment board perspective, that is something we are trying to change. We want to work with probation, DWP and the Prison Service and join together on that because we have to. There are some trials being worked on, because when a prison leaver was leaving prison, they spoke to their probation officer about employment and then they had to see their work coach at the DWP about employment, so everyone was having separate conversations. It is very confusing already when you leave prison and try to start a new life and you must report to all these different people talking to you about similar things. One of the trials that



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is being run by the New Futures Network is probation and the work coach joining together to have that meeting so that everybody is on the same page.

The other thing we need more of is more information-sharing agreements. Traditionally it has been, "You cannot see my information," but the more information sharing we can do for the good of the prisoner, the better. We need to have a more human-centred system where we put the prison leaver at the heart of it and then everyone can see what is happening and we are all having the same conversation, rather than five different agencies having the same conversation with the individual. For me, information-sharing agreements are another absolutely key thing we need to change the system.

Warinder Juss: The regional employment council should make that difference.

Rosie Brown: That is part of that. Again, it is just a part of the jigsaw, but that should help. That is what we are trying to move forward.

David Apparicio: There is also an element of when you are working with a voluntary organisation, they are not probation, they are not the prison and you may share more with that organisation. I think we develop a relationship where they share more. If I was very controversial, I would say that if you took recall away from probation and made it focus on looking after the individual, that would change the relationship between probation and the individuals coming out of prison. At the moment, why would I tell them that I am struggling with drugs; why would I tell them that I have a bit of a problem with what is happening at home? If I say the wrong thing, I am going to get recalled. If we separated that from probation and put that back to the courts, that would create a completely different dynamic with probation if it was there to support the individual and not to send them back to prison. To me, that is a mistake that we have made with recalls being with probation.

Q433 **Warinder Juss:** What impact do licence conditions have on those supervised in the community and their employment?

David Apparicio: Of course it depends on the licence condition, but again some of these decisions need to go back to the court. For example, someone will get a job in London and they live in Birmingham. That means if they have conditions of a curfew, then if they miss a train they do not get home. If that comes to court we will say, "Right, we are going to move the curfew times to a reasonable time" so even if they miss a couple of trains they are still home. We want them to retain that job. Sometimes we have found that individuals are frustrated because probation would not allow them to change their curfew times. That is something that should come back to the court.

Q434 **Warinder Juss:** My next question is probably more related to Alex Clarke. Do you feel that women have particular requirements and



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therefore they need specific support to get employment in the community? What do you consider to be barriers for women? They may have family responsibilities or suffer from previous trauma. In relation to this question, I would also like to know your view about women's centres, because I visited one last November, Black Country Women's Aid in West Bromwich, and from what I could see it was providing good employment support. When you answer that question, can you tell us how you think that we can provide better support for women?

Alex Clarke: Yes, of course. In terms of specialist support, yes, absolutely, women do need specialist gender-specific tailored support. For the last 16 years, Working Chance have supported thousands of women into employment. There are two key themes for almost all of the women who come to us, and that is having extremely low confidence and extremely low self-worth. You might be aware, but this is usually due to legacies of trauma, often stemming from childhood, particularly for those who have had a custodial sentence. They might have had multiple adverse childhood experiences, which then going into adulthood moves on to domestic abuse, coercive control and sexual violence. The list goes on. We also have women who come to us who have not had this experience, who have flourished in their lives, who have had fantastic careers and have found themselves with a conviction but then struggle coping with the shame and humiliation from this fall from grace. What unites these two distinct groups coming into our service is trauma.

Generic provision can work for some women, but what specialist treatment and services do is take account of these histories of trauma. It provides a safe space. They have a key worker who is there to be a cheerleader for them, and importantly help shift their mindset to a more positive and hopeful one about their future. It is not just about giving them the tools—for example, CVs, disclosure statements and helping them with job applications—but it is about that psychological shift and that identity shift.

The specific barriers for women are vast and intersecting. First, on average, women are kept 66 miles away from their families, their loved ones and their general support networks while they are in custody. This distance impacts women during their time in prison. It contributes to poor mental health, fewer visits and weakened relationships—we know relationships support desistance—but it also makes planning for release incredibly difficult. As I have previously mentioned, nearly 70% of women have a history of domestic abuse, so these experiences can undermine and erode confidence and mental health. It makes the practical and emotional demands of finding employment particularly difficult.

You mentioned childcare responsibilities. Absolutely, they are disproportionately borne by women and that can limit the form of work that they can do, especially if they are full-time or inflexible and if there are early starts or long commutes. Compounding that is the lack of affordable childcare options. Again, it creates this particular barrier to



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employment. Finally on the barriers, women are disproportionately affected by the impact of having a criminal record because of the nature of the industries that they are trying to go into. They are looking often, in our experience, to go into education, health or social care, or the third sector, which aligns with their skills and values, but often requires an enhanced DBS check. I know the second panel will be talking about this in more depth. In our experience, many women do not apply for roles once they see a DBS requirement on there because they want to avoid the toll of the rejection, shame and stigma, so it acts as a form of self-exclusion from the labour market.

In terms of what you say about women's centres, they do fantastic work. We work very closely with several different women's centres in the sector, but much like other third sector organisations we are struggling for funding. That is the primary issue and I know that was mentioned earlier. We have been very delighted to have benefited from MoJ funding, but they are often short-term project-based funding streams, which means that we cannot necessarily plan for the future or increase our numbers and our scope to reach more women because we are restricted by having a waiting list and increased demand. There are similar themes across the sector, and women's centres come into that as well.

Q435 Sarah Russell: I want to take the opportunity to raise that I visited Cheshire women's probation team, which is co-located with My Cheshire Without Abuse. They do fantastic work for women, particularly those who have experienced domestic abuse in various forms. Is that co-location common? Is that exceptional? You were talking about the importance of being trauma-informed, and that integration was really on display there.

Alex Clarke: I am not the best person to answer all the questions about women's centres because not all the women who come to us have gone through a women's centre. In terms of that wraparound support, that is incredibly useful. From speaking to our lived experience advisory panel, they consistently talk about that wraparound support. Having a one-stop shop for holistic support is incredibly useful for desistance.

Q436 Warinder Juss: I have a couple of very quick questions. What is your view on the effectiveness of the Probation Service to provide employment support in the community? How well do you think that the third sector organisations work with the Probation Service? What is your view on the financial resources available for all of that to happen?

David Apparicio: Can I say something in defence of the Probation Service just for a moment? It gets a good ticking regularly. There were some massive changes a few years ago that for anyone working in the sector destroyed their ability to operate effectively. They have been working very hard to come back from those catastrophic changes. They did not work and they did not help. They caused more problems. They broke up relationships across the piece so individuals in prison did not have the constant contact with someone. It was catastrophic. Probation is coming back from that.



Without the third sector, the whole system probably would have failed. I can say that; that is what I believe. The third sector stepped in and helped where probation was struggling. It had a lot of very young people brought in and got rid of all the older, experienced individuals. We were able to work with it and help it to get going again. It did not mean that everything was nice all the time. It was very frustrating because it was trying to keep everything and could not cope with all the work. I would just mention that to start off with.

Rosie Brown: From my perspective, probation is absolutely critical, but only part of the problem. I do not think employment should just be laid at its door, because if it gets laid at its door I am not sure we will get where we need to go. We need to see it as a systemic problem. It starts in the prison and it starts with work assessments. It goes through academies. It goes through an employment hub, it gets through the gate to—hopefully, in time—community employment leads that work with probation and DWP. That would be my take on it. It is a critical partner, but if we think probation is going to sort out employment, it is only one part in the system that can help us make a change.

Alex Clarke: I could not agree more. It is crucial, but its ability to meet the demands are constrained in that it has these incredibly high caseloads, a high staff turnover and it is understaffed. All these elements work against it to better support people with convictions into employment. In terms of high staff turnover, for example, we had a woman talk to us just last week who said that she had had six different probation officers in the space of an 18-month licence period. What that does is it fractures relationships. It prevents the formation of any trusted relationship with the probation officer, who is directly there to support them at a very crucial time, but it also requires repeated disclosures, which many people find very triggering and retraumatising. I do think probation plays an important role, but its ability is constrained.

Q437 **Warinder Juss:** Finally from me, when the Sentencing Bill becomes operational, it is going to result in more offenders being supervised in the community. Do you think that the Probation Service and the other providers will be able to cope with the increased demand?

David Apparicio: I have to say it before anyone else does: we need more funding. We cannot do more with less. Over the past few years we have ended up with more and more workload with less and less funding. Of course education and hospitals come first and then the last sector ends up being the criminal justice sector. We need some more funding to support what is going on. The New Futures Network understood the importance of the third sector and everything that it has done has been working with employers, but also working massively with the third sector because all the work that was done—and I mention Duncan again—was linked to the Corbett Network. He felt that without the Corbett Network, they could not do their job properly. There needs to be an element that we have to understand. They cannot do everything on their own. They



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need more support. They need some specialist areas that focus in that they do not have the detail to do. Guess what? We need to fund it and we will save more money than we spend.

Rosie Brown: I agree with that. There is a compelling economic case for reducing reoffending and I would invest that in employment. For me, it is the ultimate no-brainer.

While I am here, I will also say that I would create some pull in the system, and by that I mean I would incentivise employers to hire prison leavers as part of the systemic change we are trying to create. I know that companies that employ prisoners get a national insurance break. For example, the precedent exists for people employing servicemen and women. We know it exists. Again, you want everybody in this system working together. I would look at how we get more employers on board to create those jobs and be open to it.

Alex Clarke: Absolutely. We need to tackle the high staff turnover and the issues with staffing in the Probation Service. I know in 2025 HMPPS estimated, even after the recruitment efforts to increase probation officers, around 3,150 sentence management staff as a gap. We are still facing the same issues of high staff turnover and understaffing and then the implications that has on people's motivation and ability to utilise probation as a gateway into employment.

I would say exactly the same about employer prejudice, that remains an incredibly stark issue. We did some market research a couple of years ago and interviewed over 1,000 employers. We found that 55% of employers would not consider hiring a person with a conviction and 30% of them would automatically exclude a person with an unspent conviction, despite only a small proportion stating that they would reject those applicants due to organisational policy. We are seeing that prejudice and, yes, risk aversion drive hiring decisions and not doing what is right for the business, which is also hiring people with convictions.

Q438 **Tessa Munt:** Thank you. Having employed people in the past who had both spent and unspent convictions, I understand that it is so important that we bring people back into society. You have mentioned already the national insurance break. I wondered what other support the Government provides to employers to promote hiring people who have been offenders in the past.

Rosie Brown: None that I am aware of. Currently COOK, my company, has the RAW talent programme. RAW stands for Ready And Working. I know Timpson does it through the foundation; Pret does its programme through the foundation. All these programmes are paid for by foundations and out of the company's back pockets. Could we create some pull in the system where business becomes a meaningful part of the solution? There might be better ideas in the room. I am not a policy person. That is just a starter for 10.



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Q439 Tessa Munt: What do you think? Where might the Government go with this if they were being open and helpful and stuff?

Rosie Brown: They would provide some form of incentivisation. Businesses understand money and so they would do that. A challenge that will be talked about will be records, which I am not going to go on to now because that is the next session. However, what people disclose when and how could be changed because at the moment it is not helping people, especially for minor offences a long time ago. I will have a further reflection. I had not thought of that answer and so I will have a think and let you know anything that comes to mind in writing.

Tessa Munt: I invite you to write to the Chair. That would be good. I might do the same. Have you anything you want to add?

Alex Clarke: In terms of what the Government can do, yes, great improvements can be made to probation and Jobcentres, especially in how they interact and collaborate with the third sector, but that is mainly a question of practice rather than policy. We advocate for an increased use of release on temporary licence and funding for specialist organisations. I know we spoke about ROTL a little bit earlier, but ROTL does support people in prison to transition back into the community while they are still serving their sentences. They can engage with the connections and they can find employment. That psychological piece that I was mentioning earlier about feeling part of the community is important for relational desistance. ROTL is absolutely there.

It is also about funding for specialist voluntary organisations. We play a critical role in plugging the gaps between statutory services and ensuring that we provide tailored, gender-specific, trauma-informed support. We need to ensure that the fabric of provision is sustainable and strong, particularly for the smaller specialist organisations that are not primed for government contracts. That will definitely help, especially for bettering women with convictions.

David Apparicio: For me, simply there is an element of education and changing the narrative. The majority of people in prison have not committed a violent offence, but if you speak to lots of employers, they assume that these are violent offenders and just because someone has done this offence they cannot operate a till. There is an education element to get people to understand the makeup of people in prison and some of the issues. There needs to be more programmes for employers so that they understand the benefits of them doing this and how they are adding some social value as well for their organisation.

Q440 Tessa Munt: Thank you. Quickly, may I ask you of your experiences as employers of people who are ex-offenders? What would you say?

Rosie Brown: Where to begin? I can only say it is a privilege to be a part of these journeys. It is extraordinary what they have done for our company culture. Everyone has the chance to be part of a community



that is genuinely inclusive, which provides stability and supports growth. However, we learn as much as the people on the programme do. That has been our biggest learning of all. We thought we were helping people. It turns out they are helping us. We have developed an incredibly rich, kind and compassionate culture as a result of being intentionally inclusive. For me, it has been fantastic for business. We have found great talent. We have developed a lovely culture. It is a huge business win. Yes, the experience has been testing at times. I am not going to lie, it is not plain sailing. However, overall it has been an incredibly positive experience for the business and everyone involved.

Alex Clarke: When we talk to employers, when we are doing our education piece, we consistently talk about the multiple benefits that people with convictions can bring to a workforce. There are business benefits and social benefits. It is, frankly, good for business. I encourage employers and we encourage employers to see the context behind a conviction and not the name of the conviction itself. We often find that employers are particularly risk averse. It comes down to a bit of an assumption that potentially a person with a conviction will reoffend when they are in the workplace, which spreads that “us and them” narrative about how people with convictions are inherently dangerous or untrustworthy, which is frankly untrue and goes against the data. We need to break down that employer prejudice and stigma. I urge employers to see the human behind the conviction and listen to the context behind them.

David Apparicio: Because my work is primarily in the criminal justice sector, to me it adds individuals with that lived experience. They can talk to people and people are more willing to talk to them and share with them, because they feel that they are talking to a peer. Even with the work that I do inside prisons, I make sure I have mentors who are from the group. They have done the programme and they mentor. Again, they help selection and they give ongoing mentoring support after the programme. That makes a difference because they feel they can talk to someone and will not be judged.

Tessa Munt: As a last observation, it was quite interesting when members of the Committee visited HMP Bronzefield, where prison staff were bringing local employers into the prison to speak with prisoners with the aim of reducing that stigma of hiring ex-offenders. Probably the more that happens, it sounds as though that would be a good thing.

Q441 **Chair:** Two quick questions from me and then we will let you go. First, Rosie, you talked about employment advisory boards and the success story that they have been. Should we extend that model to probation as well so that we have boards for each regional area of probation?

Rosie Brown: I do not know enough about how probation works, but absolutely, the model of the employment boards has been genuinely successful and will be genuinely successful. It is completely backed by the NFN, which has been brilliant. The more that model can be replicated,



the better for society. The idea of bringing people together, bringing different parts of the sector together and bringing all the jigsaw together to drive change is needed. A replicable model there could be used elsewhere and should be used elsewhere. It is effective.

Q442 **Chair:** I had a couple of references to criminal records. We are going on to talk about that. Do you have a view on whether a form of criminal records would help remove barriers to employment?

David Apparicio: I am not sure if it was Alex who said it. There is an element of what the offence is and what that then means to an employer reading it. The context of that changes with everyone who has committed technically the same offence. The conditions are different. When that is not taken into consideration, the individual feels that they have not been given a fair chance. I am not asking anyone to lie about what the offence is, but each offence has different background criteria and, if you listened to it, you might say, "Okay, I understand now. I might consider that differently".

Q443 **Chair:** Do you find that employers treat different types of offences differently? You mentioned violence offences, but are employers more likely to be resistant to that or is it more dishonesty offences?

David Apparicio: Sexual offences, arson—which can invalidate your business insurance—and any terrorist type of stuff will of course make it difficult to get those individuals into employment. Enough are out there that we can work on all the others first and we will worry about the harder to reach later on.

Rosie Brown: I will quickly echo the sexual offences. They are two big words and they cover such a huge range of crimes. It is a proper problem. Most employers say no because everyone thinks about rapes in the park for sexual offences and of course that is not the case. The terminology is deeply unhelpful in terms of creating employment pathways.

Q444 **Tessa Munt:** Quickly, do you sense a difference between younger offenders and those who are perhaps older in their chances of going into employment? I wondered.

David Apparicio: Again, it is variable. Sometimes we will have someone who is a perpetual shoplifter and they are so set in their ways. They have committed 150 sentences and they are not willing or interested in working. To me, there is a percentage of people, but we can help 80% to 90%. Sometimes you have to focus on the ones that you can help first and then the ones that are a bit harder to reach. When we have the rest sorted out, we will worry about them. We have to try to get some quick wins.

Tessa Munt: I was wondering particularly about younger people who may have been involved in things like county lines, who can turn their lives around if they are in a different place or in a different set of



circumstances and away from trouble.

David Apparicio: It is not about age sometimes. Sometimes it is about opportunity and sometimes it is about someone believing in that person for the first time. That can inspire them to make a change because many of them feel that no one has ever given them a chance. When they get a job, someone believes in them, someone cares about them, and so that person is more likely to change because someone believes in them. Yes, there is an element of younger people being easier to change, but I have seen it with someone who was 78 years old. Once you have given them that opportunity and that support, you have helped them through the gate and then they have a job, it has transformed their life.

Q445 **Pam Cox:** This is more of an observation. Thank you so much for your testimonies. It seems that one challenge for this sector is that the criminal justice sector focuses on criminal justice clients. From a local MP's perspective, I am thinking about the employer networks I am already trying to build up for apprentices, for veterans, for care leavers, for those long-term unemployed working with DWP. Maybe this is something to reflect on in any ideas you might like to send into us about how we can best work with offenders in that ecosystem because, by and large, we are talking about the same kinds of employers who are willing to go the extra mile with a range of vulnerable employees. We have not cracked that, and that is partly the challenge of the siloing of this sector.

Rosie Brown: One hundred per cent. The programme I run at COOK is for people with barriers to employment, of which being a prison leaver is one. Previous addiction issues, mental health issues and homelessness, we deal with all of that. There needs to be a Government stream thinking about how we create employment pathways for vulnerable people.

Pam Cox: I completely agree.

Chair: Warinder, did you want to come in briefly?

Q446 **Warinder Juss:** Quickly, considering that employment will reduce reoffending and having heard what you have said, and also the prejudice that exists about employing ex-offenders, should we do more to encourage employers to employ ex-offenders? I remember when I heard about Lord Timpson employing ex-offenders and there was a lot of positive publicity surrounding that. Could you do more to encourage employers to employ ex-offenders?

Rosie Brown: Without doubt, the New Futures Network is trying to engage a large numbers of employers, exactly. I am not convinced jobs are the problem now. There are lots of prison leavers and lots of jobs. We can always engage more employers. We have a good number of good employers and that is growing all the time, thanks to the work people are doing. The challenge is more in how we manage that through-the-gate transition, how we support people person by person. Where the system at the moment is a bit of a soup, how do we get that neat and clear? How



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do we resource it properly so we can support people? Business is there and I am here to show up for business and business will show up for this, but we need a system that works to make the job work.

David Apparicio: If we get someone into a job, we then need to support both the employer and that individual for a period of time. If we do that, it is more likely that person will remain in the job. The employer will be happy and the individual will be happy. I had one individual—the employer said that they were going to sack them, but they had put them on nights. This person had just spent five years in prison in a cell on their own. You put them on nights? That was not working for them. It was driving them crazy. They moved them to a day shift and everything was okay. It needs that ongoing support through the gate, both supporting the employer and potentially supporting the individual as well.

Alex Clarke: We do a lot of training consultancy with employers on breaking down some of the myths around people with convictions and hiring people with convictions. Any Government support that can help with that is fantastic, because we find that people have these preconceived ideas about what makes a person with a conviction and how they are inherently dangerous and are untrustworthy. That is, frankly, not the case. When we go and talk to employers and we talk to them about the realities of people with convictions, you can see their mindsets change and you can see that stigma slowly start to disappear. That is crucial if we want to try to break down some of the barriers for people with convictions.

Chair: Thank you very much indeed. It has been a fascinating and informative session. We will let you go. We need to press on with our business. We will briefly suspend the Committee for two or three minutes so that the panels can change over. Thanks again for your time.

Examination of witnesses

Witnesses: Penelope Gibbs and Paula Harriott.

Q447 **Chair:** We resume this afternoon's session of the Justice Committee, talking about rehabilitation and resettlement, and specifically its effect on employment. We have a new panel of witnesses whom I will ask to introduce themselves, beginning with Paula Harriott.

Paula Harriott: Hello. I am the CEO of Unlock. It is a charity that supports people with criminal records. Predominantly we operate a helpline that has over 10,000 calls a year from individuals concerned about their criminal records with a variety of inquiries. We have a website that is like an encyclopedia of advice that can benefit people with criminal records. We have over 1.4 million unique users every year of that website. In addition, we are a lived-experience charity founded 25 years ago in the sector, and I am the latest in a line of lived-experience CEOs. We employ people with criminal records. We give training and support to employers and to statutory institutions about criminal records because it



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is a complicated piece of legislation. It is complicated to understand. Training and competency frameworks in probation and prisons are not well resourced and so we deliver training to those groups as well.

Yes, as a CEO with lived experience, a woman who has been in prison, I can absolutely testify to the incredibly difficult journey of living in the long shadow of a criminal record. It is not just that a criminal record affects a person leaving prison, but it affects them throughout their life in their encounters with employment, for instance, and all sorts of other parts of your life that fall under the long shadow. Also I will point out in this introduction as well that at Unlock we are clear that we are not just supporting people who are prison leavers or people who are on probation, and that a huge number of people—millions of people—in this country are affected by criminal records. They have not been in prison and they have not been on probation or are no longer on probation, but are still encountering problems that come into their lives as a consequence of having a criminal record.

Penelope Gibbs: I am Penelope Gibbs. I am Director of Transform Justice, which is a charity that works across criminal justice reform questions. Transform Justice works with Unlock on a campaign called Fair Checks, which has over 10,000 members. You may have had letters from Fair Checks members calling for reform of criminal records disclosure.

Chair: Thank you very much. This is a short session on criminal records specifically, and we will start with some questions from Tessa Munt.

Q448 **Tessa Munt:** Thank you for coming. Thank you for what you do. Can you briefly outline what a criminal record is and what information can be held on one?

Penelope Gibbs: On the Police National Computer is a huge amount of data on individuals who have been in trouble in any way with the law. The statistic is that one in four people in England and Wales has information on the PNC that could come out on an enhanced DBS check. That is a quarter of the population. There are three basic types of disclosures check. I am excluding here any talk of barring or vetting, which are different things. I am talking about employment checks here. The basic check can be run by any employer whatsoever on either an existing employee or somebody they are interested in recruiting, and in the main will show recent convictions and cautions. Nearly all sentences come off those basic checks after a period. It is so complicated. I could not go into every single different offence and sentence.

Two other types of checks were mentioned in the last session. One was standard, which is for the professions, and the other was enhanced. The vast majority of checks are enhanced. Last year 7.3 million DBS checks were done, of which 90% were enhanced checks. Those checks, standard and enhanced, do not abide by the same rules as basic checks. They reveal sentences and offences for much longer and, in some cases, for life. For instance, if somebody has ever received a suspended sentence or



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a sentence of even one week's imprisonment, it will never come off a standard or enhanced DBS check.

Standard can be asked for by professions. Enhanced is for people working with or volunteering with or in any contact with, in a work context, vulnerable adults and children. That reach increases all the time. We predict more enhanced DBS checks will be requested.

Q449 **Tessa Munt:** Thank you. Can I ask a quick question? I know that some new arrangements came into play last Wednesday.

Penelope Gibbs: Yes, on private tutors and self-employed people who might—

Tessa Munt: Can people check their own record?

Penelope Gibbs: They can check their own record, but it will also go to the people employing them. If somebody is a private tutor who works on their own, the parent who is interested in that tutor can ask to see the check. They do not have to, but they can.

Tessa Munt: Do they know that the tutor has requested it? They will not know that.

Penelope Gibbs: They can say, "I will not hire you until I have seen your enhanced DBS check". They are allowed to do that, then that person has to either order one or produce one they already have.

Q450 **Tessa Munt:** Okay. I should know this because I am working here: can I apply to do a check on myself?

Penelope Gibbs: I think you can, but Paula might know.

Paula Harriott: You can under these new arrangements. Generally you would have had to have gone through an organisation. An organisation would order a check on an individual, but it would always come back to the individual. The certificate always comes back to the individual rather than the organisation, but generally a check is initiated through the umbrella organisations.

Tessa Munt: It is such a big change. That 7.3 million will rise because a lot of people want to know what is held on them.

Paula Harriott: Yes, we anticipate more checks.

Q451 **Tessa Munt:** Thank you, that was helpful. You said it was complicated about how long certain types of criminal record are held and revealed on different sorts of checks. Is there a document somewhere? Is it possible for you to write to the Chair?

Penelope Gibbs: The Unlock website has a disclosure calculator. The system is so complicated. You have to put the exact offence, when it was done and other details as well. Then the Unlock disclosure calculator will



bring up for you the basic check time limits and whether it would come up on an enhanced or a standard check and for how long. In general, prison sentences will always come up on enhanced and standard and other offences in general will have a shelf life. This is why it is so complicated. If your offence is on the specified offences list—and some of those do not appear that serious—such as affray, which is getting involved in a fight, if you are convicted of affray or in fact get a caution as an adult for affray, it will come up on your enhanced check for your whole life. That is why it gets so complicated and why you need the disclosure calculator, which is on the Unlock website.

Paula Harriott: Thank you. Although the Government's website has a disclosure calculator, you as a person with a criminal record cannot phone up a statutory agency and say, "Can you give me advice?" We do get referrals at Unlock, which is a charity funded through philanthropic gifting and donors. We get referrals from the DBS service to us; we get referrals from probation to us; we get referrals from the police to us; we get referrals from solicitors to us seeking clarification about the complicated nature of how long this will show on somebody's DBS, when it should be disclosed and to whom it should be disclosed. The law is complicated according to the age at which something happened, the duration of the sentence and the jurisdiction where that person received that sentence in terms of the devolved nations. The law in Northern Ireland is different from the law in Scotland, for instance. It is so complicated. It is not just Unlock that gets these sorts of queries, but I suppose Unlock is probably the most well-known. Other third sector organisations in this field, such as Working Chance and Offploy, for instance, are doing this work.

I suppose one of the big gaps in knowledge is that no organisation is funded to do this work by the Government. The understanding across the sector about the complexity of it is patchy. People with criminal records are as confused as any other professional in this space. When you are sentenced, you are not given a corresponding piece of paper that says, "This is when your sentence will expire. This is when it will stop showing up on a criminal records disclosure application. This is what you need to disclose to an employer and what you do not need to disclose". Some of the problems that people have are that they overdisclose when they do not need to or they underdisclose and then they are viewed as being dishonest by an employer. We need some clear guidance and some clear protocols to support people.

Q452 **Tessa Munt:** Thank you. I have a particular interest because I have a piece of casework, and I might have to speak to you later.

How common are errors or outdated information on DBS certificates?

Penelope Gibbs: The answer is that we do not know because audits have not been done of errors made by the DBS agency. Clearly errors are made, because anecdotally Unlock hears a lot about them, but it has not been researched or audited, as far as we know.



Tessa Munt: Is it easy to correct something that is incorrect?

Paula Harriott: You need caseworkers to do that. At Unlock we have a service called Case Support Plus, where we will take up issues where an employer may have done a check that they were not authorised to do. The Rehabilitation of Offenders Act has protections about disclosure within it, but it is not necessarily adhered to by employers. We will take up cases for people when their criminal record is being used adversely against them and correspond with employers and educational establishments—especially about young people—about how to read risk, whether they are in breach of the protections of the ROA, but also whether their HR departments are using the information on somebody's DBS check proportionately.

There is a lot of misunderstanding among employers and educational institutions in the sector about how they should treat anything that emerges on a DBS check and whether that means an automatic "computer says no". People do that, and that is in breach of the Rehabilitation of Offenders Act, for instance. Some employers do not necessarily say that, but act as if that is the case. We do some dedicated casework with people to support them. We have success when people have the advocacy support behind them from the expert view, but as I said, we are a small charity. We are not a big organisation and we can do only what we can. The wealth of helpline calls and the numbers of visits to our advice pages tell a tale about a depth of need that is not necessarily being responded to.

It is key also to educate employers about how to read somebody's criminal record. When is something relevant? How do we create the clarity and the confidence in hiring teams about criminal records and what emerges and what is relevant to the work that is being undertaken? How do we take employers on a journey about understanding how to avoid stigma and discriminatory attitudes towards employers?

Chair: We will have to go a little bit quicker. Time, as always, is against us. Do you have any more questions?

Tessa Munt: You were present in the cheap seats for the previous panel?

Penelope Gibbs: Yes.

Q453 **Tessa Munt:** We have picked up that employment piece, and the education piece is important. I wonder if you could talk about the impact of having a criminal record and the disclosure of that. How might that impact on somebody's rehabilitation opportunities?

Penelope Gibbs: We have heard about the link between employment and reoffending and—

Tessa Munt: Are there other aspects like perhaps travel?



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Penelope Gibbs: A criminal record impedes travel, getting insurance and being able to drive, because of the insurance link. If you cannot drive, some jobs are barred to you and so on. This may be of less relevance to this particular inquiry, but this is a lifelong rehabilitation issue and a social mobility issue because clearly people leaving prison probably have the greatest difficulty getting work because of their criminal records. With one in four people in this country having this criminal record, clearly millions out there every day are affected by something they might have done 20 or 30 years ago. They have moved on completely from whatever it was, but it will come up on that enhanced or standard check.

In terms of employment, for us it is about whether people who have been in trouble with the law have a fair chance not just to get a job, but to fulfil their potential in terms of jobs. Does that criminal record prevent them getting into the professions, prevent them going for a promotion or prevent them from changing career later in life? Yes, it does. The evidence shows that. We do not want to see it as just directly about employment and a criminal record. It is about what employment as well. For us, it is about the social mobility piece. The people who get in trouble with the law are the most excluded in society, therefore we are putting another brake on social mobility of people who are the least advantaged in society.

Q454 **Tessa Munt:** Reforms were made to the Rehabilitation of Offenders Act 1974 by the Legal Aid Sentencing and Punishment of Offenders Act 2012. What were those reforms, and what impacts did they have for those with criminal records?

Penelope Gibbs: Those were fantastic reforms, spearheaded, it has to be said, by Sir Robert Buckland as a passion cause, but they do not affect enhanced and standard DBS checks. Those 90% of all checks done nowadays were not affected by that. It was about basic checks. The rehabilitation period on basic checks was shortened, which was positive. Slightly earlier, a Supreme Court case did affect enhanced checks because, as a result of the Supreme Court case, childhood cautions do not come up on enhanced checks. That was about three years before that.

Chair: We have jumped around a little bit, but I knew you were—

Tessa Munt: I am sorry. I get going on this. I love this subject.

Q455 **Pam Cox:** I was struck by something you said, Paula, that all these agencies like the police and other agencies come to Unlock for guidance. Why do they not go to the Disclosure and Barring Service, which is a Government agency?

Paula Harriott: The Disclosure and Barring Service do not answer queries from external callers, individuals, about their criminal records checks.

Pam Cox: What advice does it give?



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Paula Harriott: It does not give any. It does not give any to institutional callers, but definitely people who call our helpline have been directed to us for support by the DBS service.

Pam Cox: Chair, I would quite like the Committee to write to the service to find out what its role is relative to what we are hearing here.

Paula Harriott: I do not know if it has an external customer-facing role.

Q456 **Pam Cox:** That would be interesting to know, given the scale of the challenge. If one in four people have a criminal record, as we are told in the brief and by you, some people must function with a criminal record. How does that happen? Where are the stories where people have been able to negotiate? It is important for us to be able to understand that part of it as well so that we can build on best practice.

Paula Harriott: Absolutely. I suppose I could relate to my own story here, as a person who has lived through that. What does it take to thrive, to come from a cell to a CEO over 17 years? I came out on ROTL. I went into an inclusive workplace that was supportive of people leaving prison with criminal records. While I was in my first role, I had clippings of *The Sun* newspaper in which I had featured sent to the HR by external people. I do not know who. There was gossip in the staffroom about my criminal record. I felt undermined. I was saved from that by the CEO of that organisation, who sent a global email to the staff saying he was quite aware of my criminal record and that if anybody had a query, they should come straight to him.

These are unsettling environments in which to try to thrive when you are trying to create a new identity. Inclusive workplaces that accept that people may have criminal records within the workplace and build a culture of inclusion and a culture of support are important.

Q457 **Pam Cox:** Do you have examples of good, inclusive workplaces here that perform better than DBS?

Paula Harriott: There are plenty, and some of those employers will have gravitated to the employment support boards. More generally, a recent Reading Partnership report last week said that one in seven employers—

Penelope Gibbs: One in five will reject any applicant if they have anything on their criminal record. We have a spectrum. We have heard about the employers who employ straight from prison, but most people who get criminal records checks are in health, social care, teaching and so on. There will be lots of great and tolerant employers and some successful people have criminal records. However, we plead for the DWP to do the data analysis of the link between unemployment, underemployment, being NEET, also being on disability benefit and criminal records. We suspect strongly from all the anecdotal evidence that if you have a criminal record, you may be successful, but you are less likely to be successful in work, particularly in being socially mobile.



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Paula Harriott: You were mentioning all those other cohorts of individuals. Criminal records are sprinkled among all those groups, but we do not collect the data and so we are unclear.

Q458 **Pam Cox:** Sure. We are in a situation where we need to maintain criminal records, but that need not have a cumulative disadvantaging effect on people over time. That is where I guess we want to get to. What two or three headline reforms do you want to see?

Penelope Gibbs: I will speak to a couple and then Paula will speak to one. We would like to look at this imprisonment issue. At the moment, we feel that it is disproportionate for somebody who has done a short prison sentence or had a suspended sentence to have to declare that in an enhanced and standard DBS check for their whole life. We are talking about sometimes 50 or 60 years later. We ask the Committee to look to the situation in the USA. There the criminal records are different state by state, but in many states they are in a completely different position from us as to what is declared on criminal records checks, particularly about imprisonment. Certainly for children, they have a system where prison sentences are wiped clean. Many states have a situation where after a particular number of years, if that person has not been reconvicted, they have an opportunity to get that prison sentence not come up on employment checks. That is one. We say short and suspended prison sentences should come off enhanced and standard checks at some point. There should be an opportunity.

Another point is about cautions. At the moment you can get automatic disclosure of cautions for three months after a conditional caution is acquired, or for cautions for specified offences. Cautions, as many of the Committee know, are often given in police custody behind closed doors and so there is no public venue for that decision, without legal advice, for comparatively minor offences. No automatic disclosure of cautions would still allow the police on enhanced disclosure to disclose a caution that they are concerned about for an enhanced DBS check, but the automatic disclosure of cautions seems to us disproportionate for the level of offence and for the circumstances of getting a caution, which is not a court sanction in any way. Paula might want to talk about childhood.

Paula Harriott: Yes. We are campaigning for those childhood offences being wiped as people move into adulthood.

Penelope Gibbs: Yes. Again, a certain number of years after the end of the sentence that the child has.

Pam Cox: For all offences?

Penelope Gibbs: Lord Ponsonby has some amendments tabled in the Lords on the Policing and Crime Bill, and we are proposing that all except the most serious crimes for which children are imprisoned should have this opportunity of being wiped clean. That would include detention and training orders, but no other prison sentences.



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Paula Harriott: In the long term, the other issue that I would like to raise is that we have recently published a report called “The Right to Be Forgotten”, which highlights how the protections of the Rehabilitation of Offenders Act and people’s privacy around the disclosure of criminal records has been undermined by how crimes are reported in the country and how the Independent Press Standards Organisation interprets what is in the public interest.

We heard stories about people’s convictions as young people. By the time they get to adulthood, a young person’s conviction could be no longer showing on their DBS check, but because it has been reported in the press and now because of Google and AI tools, it can always emerge. Hiring managers doing background checks on the internet has lots of implications around the ROA, infringements of GDPR and holding private information about people for a hiring decision by scraping the internet. We are worried how that may be used adversely to prevent people from moving on beyond their convictions.

Our report is urging the Information Commissioner’s Office to do more in that space. We are concerned that the Independent Press Standards Organisation may not be enforcing the rule about what is in the public interest from what is not in the public interest. In America, big newspaper groups routinely go through their archives for spent convictions and take them down to support young people to move on with their lives. We could listen to that. One big upcoming issue is about how the digital imprint of a criminal record, let alone what is disclosed but is in the public domain, is being used to prevent people from moving on when they want to and when they have demonstrated that they have moved on beyond that criminal record, but it is holding them to their past, potentially unhelpfully for social mobility and for civic reintegration.

Q459 **Warinder Juss:** For those who have committed an offence under the age of 18, is that record removed after five and a half years?

Paula Harriott: Not for all offences.

Penelope Gibbs: No, not if they were imprisoned. That never goes for an enhanced or standard check. It is this difference between basic and enhanced and standard. For basic checks, it is five and a half years, but for enhanced and standard, it is longer for a lot of childhood offences and also it is forever for any imprisonment offence. Children cannot get suspended sentences, so it is any period of imprisonment, plus there is this long list of specified offences.

In this sad example, a 13-year-old girl was caught up in one of the post-Southport riots. She was encouraged to go by a friend. I do not know, but anyway, she was just a 13-year-old girl. She ended up at an asylum seekers’ hotel and wrongly kicked the door of that hotel. She was prosecuted for that crime. A few months later the police went through the CCTV and so on. It was not an immediate arrest. She pleaded guilty and got a referral order, which is the lowest possible criminal sanction for a



child. Because of the nature of that offence, which was a racially aggravated violent disorder, which was the technical thing of kicking the door of the asylum seekers' hotel, she then has that offence—which looks terrible on a piece of paper—come out for her whole life. At age 13 she got the lowest possible criminal sanction and it will come out when she is 65 because it is a specified offence.

Paula Harriott: As does affray.

Penelope Gibbs: As does affray, which is getting involved in a fight.

Paula Harriott: We had a case recently of a young woman convicted of affray after her GCSE results. She was tipsy in the park with a group of girls. All the girls got arrested; all the girls got charged with affray. That then impeded her from going on to a social work course at university.

Warinder Juss: If it was a reprimand, final warning or a caution?

Penelope Gibbs: For a caution, no, it would not. For children, cautions are complicated. If it is a conditional caution, it is displayed on a basic check for three months, but it will not come up after that. It is court convictions, and a referral order is still a court conviction.

Q460 **Warinder Juss:** I have one final quick question. Do employers have complete freedom to request whatever check that they want?

Penelope Gibbs: No. All employers can ask for a basic check. Only employers on an admittedly massive list that the DBS agency has can do standard and enhanced checks, but the list of roles is long. Nowadays, if a hospital contracts a building company to do some work in the grounds of the hospital, even if they are not in the hospital itself, they may be under pressure—and they are certainly allowed by the DBS—to get enhanced checks on every single person who is employed on that site.

Paula Harriott: It is in those instances on the helpline, when people who have worked for a firm and the firm gets a new contract that requires a different type of disclosure when people's pasts sometimes emerge. I recently had a call from an employer who was concerned that he had found out that somebody who had worked for them for 20 years—they had moved on to a different contract and had done a DBS—had a burglary conviction from when he was 17. The man was 43 at the time.

The employer was not sure how they should respond in that moment and came to Unlock to ask, "How should I respond? Does this mean that this man cannot work on the contract?" I was able to advise him that it is always at the employer's discretion how you respond to issues that emerge from a DBS check. It does not mean that you are automatically not allowed to carry on employing that person. That was successfully resolved, but this is the type of confusion around how to read a DBS check and what it means in terms of employability.

Q461 **Tessa Munt:** I have two questions I want to ask you. You had done



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some polling about the potential reforms you were looking for to the criminal records checks. Who did your polling for you and what were the headlines of your research?

Penelope Gibbs: Public First did the polling and we did a big sample of victims of crime and of the general public. More than two-thirds of respondents felt that these short prison sentences should not have to be disclosed for longer than five years and most people thought that these childhood and teenage offences should not have to be disclosed for everybody's life. In general, we have done three sets of polling now on criminal records, all demographically representative, by proper polling companies.

The public is, unlike on some things like sentencing, pretty convinced that somebody should not have to have a life sentence for something they did on a criminal record all their life. The public are in favour of people being able to move on. That is because of the one in four. Everybody knows somebody who did something a long time ago and it has come up when they wanted to volunteer at their grandchild's school or something.

Q462 **Tessa Munt:** Yes. For my other question, I am aware that you have had endorsement from Sir Brian Leveson. I am also aware that the Lord Chancellor said the Government would take up opportunities to simplify criminal records. Has that conversation gone anywhere? How much time have you spent talking to the Lord Chancellor about this?

Paula Harriott: David Lammy has supported the Fair Checks campaign for quite a long time.

Q463 **Tessa Munt:** Good. Is that turning into something material?

Paula Harriott: We are hopeful, and we are seeking meetings to push the agenda.

Penelope Gibbs: Yes. As you know, the Ministry of Justice and the Home Office have a lot going on. We would love them to make this a top priority. We are talking to civil servants in both Departments and we have a meeting with the Youth Justice Minister next week. Childhood criminal records are maybe where that will start.

Tessa Munt: Thank you very much indeed.

Chair: Thank you very much. That is all the questions we have. We are grateful for you coming and staying and observing as well. If you want to let us know anything further, please do. We have no further questions for this session and therefore I will close proceedings for this afternoon.