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1. INTRODUCTION

1.1 NIACRO, the Northern Ireland Association for the Care and Resettlement of Offenders, is a voluntary organisation, working for almost 40 years to reduce crime and its impact on people and communities. NIACRO provides services under the headings of; working with children and young people who offend; providing services to families and children of offenders; supporting offenders and ex-prisoners in the community and working with prisoners.

1.2 We receive funding from, and work in partnership with all the main criminal justice agencies in Northern Ireland.

1.3 NIACRO SERVICES

NIACRO is experienced in dealing with welfare issues for prisoners and their families, offenders and ex-prisoners.

1.4 Prisoners

As part of our commitment to resettlement, we work closely with NI Housing Executive (NIHE) and the Housing Rights Service to help tenants retain their homes during imprisonment. We assist prisoners in addressing welfare issues, including accommodation and access to benefits, prior to their release, through an Advice Service in each of the three prisons in Northern Ireland. Each year, this service deals with over 900 prisoners.

1.5 Families

Through our Family Links Service, NIACRO also offers advice and support to the families of people in prison. In many cases, the adult in prison is also the main breadwinner and families are unaware of their entitlements or how to access welfare during the imprisonment of a loved one. They have committed no crime, but may find themselves in immediate financial hardship.

There are no specialised support services for the families of prisoners and they are often isolated within their community, serving a silent sentence. In some cases, the families are too ashamed to tell anyone about their changed circumstances and without the assistance of NIACRO's Advice Service, welfare agencies would not be aware of their needs.

In our first year of operation, we made 2392 contacts with families, sent out 2012 information packs, and made 644 home visits and 3531 phone calls.

1.6 *Communities*

Our APAC (Assisting People and Communities) project provides an individual needs-led approach to integration and in particular works with the Housing Executive to assist people who risk losing their tenancy as a result of anti-social or offending behaviour. The programme has been extended to include a dedicated worker for women and another who works to meet the needs of individuals with mental health issues. Overall, APAC dealt with almost 100 cases in the past year.

1.7 *Employment*

NIACRO's Jobtrack programme is committed to assisting people with a conviction get back into employment following a sentence. It is funded by the European Social Fund and supported by the NI Probation Board and NI Prison Service. It is based on research, which suggests that employment reduces re-offending rates.¹

1.8 From 2008/09, it engaged over 750 unemployed adult offenders across Northern Ireland from 1 April 2008 to 31 March 2009. Of the 224 offenders who completed the programme, over 60% went into training or employment. From the 381 offenders who chose to leave the programme early, 17% went into employment or training. The remaining numbers are still working to complete the programme.

1.9 Jobtrack works because it understands the challenges that prisoners and ex-offenders face when seeking employment. Most ex-prisoners and offenders want to be employed, but are unable to do so due to employer suspicions, numeracy and literacy issues (71% of Jobtrack service users have a Level 1 or below qualification when they enter the programme) addictions, mental health issues and self-esteem difficulties.

NIACRO tailors education and training to individuals' needs and matches this to labour market demands. This takes time and often results in service users maintaining benefits while participating in the programme.

1.10 *NIACRO's response*

NIACRO's response has been informed by experience developed in almost 40 years of working with users of the welfare system. As a result, we have chosen to respond only on Part 1 of the Bill, where we feel we have the most to contribute.

¹ Home office (2002) *Breaking the Circle: a report on the review of the Rehabilitation of Offenders Act*, London, Home Office.

2 WORK FOR YOUR BENEFIT SCHEMES

- 2.1 NIACRO supports initiatives that promote the employment prospects of vulnerable and disadvantaged individuals. Simple measures such as work placement shadowing, volunteering opportunities, mentoring to build esteem and confidence can all contribute to helping a person make the transition to employment. However, they are most successful when the individual concerned is willing to get involved and is not forced into attendance.
- 2.2 Positive incentives to motivate people who are long-term unemployed and hard to reach groups to seek and maintain employment should be readily available and promoted.
- 2.3 Fixed-term work experience placements, apprenticeships, bonuses for participating in and completing training, benefit top-ups, help with work-related expenses and access to training, must be supplemented with support such as information on return-to-work credits, tax credits and extended payments of Housing Benefit. It is also crucial that Government understands there needs to be an element of 'buy-in' for those who are seeking employment to understand the benefits of undertaking the schemes.
- 2.4 Programmes like Jobtrack also succeed because their service users are voluntary participants and have made a decision to change their lives. Vulnerable people are not always in a strong position to make this decision and should the 'work for your benefit' scheme become mandatory, there are potential difficulties with:
 - Those who are not capable of seeking employment, risking their benefits and becoming vulnerable to criminal activities;
 - An increase in bureaucracy for employers, who may receive numerous applications from unsuitable candidates;
 - Work placements organised by service providers like NIACRO could be under threat as employers are deluged with requests from people who are seeking only to maintain their benefits and have no interest in the workplace.
- 2.5 In current economic circumstances, it is important that Government is flexible. Sanctions for non-compliance must be a last resort. Otherwise, Government runs the risk of the above list becoming the norm, leading to a lack of employer engagement and an increase in the number of vulnerable people falling into offending and anti-social behaviour.

- 2.6 The Bill must also make clear that participants should be able to continue looking for paid employment and take up any job offers while on the schemes.
- 2.7 Programmes like Jobtrack are evaluated regularly, in order to assess whether it is still delivering on its aims. NIACRO believes that any 'work for benefit' scheme should have clear targets and must be independently measured, otherwise their value is questionable. This should be incorporated into the final Bill.

3. WORK-RELATED ACTIVITY FOR INCOME SUPPORT CLAIMANTS AND PARTNERS OF CLAIMANTS:

- 3.1 The biggest obstacle preventing lone parents taking advantage of job opportunities is the lack of high-quality and affordable childcare. A flexible approach to encourage this group into employment is necessary, as opposed to one where regulations are rigidly followed and sanctions applied for non-compliance.
- 3.2 Government should provide childcare vouchers or subsidised placements for any participant on a work-related activity where the benefit claimant is a lone parent and does not receive childcare support from the extended family.
- 3.3 Claimants with confirmed physical or mental health disabilities or other such conditions should be exempt from having to comply with work-related activity requirements for a prescribed period of 13 weeks, in line with the remainder of the Bill, and subject to review.
- 3.4 People subjected to or recovering from domestic violence should also be exempt from having to comply with work-related activity requirements for a prescribed period of 13 weeks, subject to review.

4. CONTRACTING OUT:

- 4.1 Budgets and cost savings should not be a motivating factor when determining who functions are contracted out to. Benefit claimants deserve the best service and not the cheapest available option.
- 4.2 NIACRO also wants to see Government engage with a number of providers to compare performance and ensure that quality remains high on the agenda.

4.3 Where functions are contracted out, Government departments should have in place robust monitoring, accountability and scrutiny policies and practices to protect the participant and to ensure that the tax payer is receiving value for money.

4.4 NIACRO wants to see clear evidence that companies who take part in public sector procurement follow the guidelines for good practice in the fair recruitment of people with convictions. This would publicly demonstrate Government commitment to employment led resettlement.

5. LONE PARENTS:

5.1 NIACRO works extensively with lone parents, through our Family Links programme. Every time a parent enters prison, they leave their partner as a lone parent.

5.2 Aside from child care, a major obstacle for lone parents entering the workplace is the inflexibility of the working day. Whereas employers may want 9-5, lone parents may only be able to offer 10-3, especially where children are of school age and there is no family support.

5.3 Sanctions should only be used as last resort. One parent households are more likely to be in financial hardship, compared to two parent households, where one or both parents are working.

6. ABOLITION OF INCOME SUPPORT:

6.1 NIACRO does not believe the circumstances of carers can be met through existing Employment and Support Allowance or Jobseeker's Allowance provisions.

6.2 Therefore, proposed changes to abolish income support (Part 1, section 9) should be suspended to allow further consultation in the community and debate within the Assembly.

7. CONDITIONS FOR CONTRIBUTORY JOBSEEKER'S ALLOWANCE:

7.1 The amended bill has made changes to the first condition of entitlement to contributory JSA by increasing the earnings factor from 25 to 26 times that years lower earnings limit. This could potentially remove an individual's eligibility to the contributory JSA and move claimants into the means-tested version.

7.2 People with a conviction are a vulnerable group. Should they be forced into applying for means-tested allowances, they are at risk of being further deprived and at risk of offending behaviour. NIACRO recommends this amendment is not part of the final Bill.

8. CONDITIONS FOR CONTRIBUTORY EMPLOYMENT AND SUPPORT ALLOWANCE:

8.1 Reducing the number of qualifying years from three to two could remove an individual's eligibility to the contributory version of ESA, leading to claimants migrating to the means-tested version of the benefit.

8.2 The earnings factor is being increased from 25 to 26. This again could disenfranchise claimants from the contributory version of ESA. NIACRO recommends this amendment is not part of the final Bill.

9. COMMUNITY CARE GRANTS RELATING TO SPECIFIED GOODS AND SERVICES:

9.1 While we understand the reasoning behind this measure, NIACRO is concerned that it will remove the element of free will and choice from the applicant, especially if the Department has an arrangement with a specified provider.

9.2 Therefore, NIACRO is seeking safeguards within the Bill to ensure a claimant will receive quality service and not just the cheapest option.

9.3 A claimant generally applies for a community care grant for a specific purpose, necessary to their ability to survive. Removing their right to use the grant award as they see fit is taking away a claimant's ability to make independent decisions regarding their own needs.

9.4 Further, it will reinforce the stigma attached to a claimant's impoverished financial circumstances and may reduce the number of applicants, serving to financially exclude and marginalise them.

10. LOSS OF BENEFIT PROVISIONS:

10.1 NIACRO firmly believes that loss of benefit should only be applied in the most extreme circumstances and only as a last resort when all other attempts at encouraging positive and responsible behaviour have been exhausted.

10.2 Removing the only income source from vulnerable, socially and financially excluded people increases their level of marginalisation and exclusion, as well as increasing their risk of offending or criminal behaviour.

10.3 The partner and children of a benefit claimant should not have to suffer for the actions of the benefit claimant. When a sanction is imposed to remove benefit, allowances for the partner and children must continue.

10.4 Where benefit is suspended, claimants should have access to a hardship fund to meet the basic living needs of food, heat and electricity.

11. SANCTIONS FOR VIOLENT CONDUCT IN CONNECTION WITH CLAIM:

11.1 In the case of joint-claim couples, the sanction should apply to the perpetrator and the partner should not be made to financially suffer as a result.

11.2 Where a sanction is applied against a perpetrator, their children should not be made to suffer financially.

12. EXEMPTION FROM JOBSEEKING CONDITIONS FOR VICTIMS OF DOMESTIC VIOLENCE:

12.1 NIACRO wants the proposal of exemption extended to people at risk of, subject to or recovering from domestic violence.

12.2 We recommend that domestic violence should be specifically referenced in this section of the Bill, as it is a valid reason for an individual's failure to comply with regulations.

13. CONTRACTING OUT FUNCTIONS UNDER JOBSEEKERS (NORTHERN IRELAND) ORDER 1995:

13.1 Where functions are contracted out, government departments should have in place robust monitoring, accountability and scrutiny policies and practices to protect the participant and to ensure that the tax payer is receiving value for money.

13.2 The department should retain an oversight role to quality assure that the contracted-out functions are of a consistent, reasonable and efficient standard.

13.3 NIACRO wants to see clear evidence that companies who take part in public sector procurement follow the guidelines for good practice in the fair recruitment of people with convictions. This would publicly demonstrate Government commitment to employment led resettlement.

14. ATTENDANCE IN CONNECTION WITH JOBSEEKER'S ALLOWANCE: SANCTIONS:

14.1 In the case of joint claim couples, the sanction should apply only to the perpetrator. The partner and any children should not be made to financially suffer as a result. The onus must be on the relevant agency to highlight necessary changes to benefits to the partner.

15. SUMMARY OF NIACRO RECOMMENDATIONS

- NIACRO supports initiatives that promote the employment prospects of vulnerable and disadvantaged individuals. However, they are most successful when the individual concerned is willing to get involved and is not forced into attendance.
- Positive incentives to motivate long-term unemployed and hard to reach groups to seek and maintain employment should be readily available and promoted.
- Fixed-term work experience placements, apprenticeships, bonuses for participating in and completing training, benefit top-ups, help with work-related expenses and access to training, must be supplemented with support such as information on return-to-work credits, tax credits and extended payments of Housing Benefit.
- It is crucial that those who are seeking employment are helped to understand the benefits of undertaking the schemes.
- In current economic circumstances, it is important government officials take a flexible approach. Sanctions for non-compliance with regulations must be a last resort; otherwise vulnerable people are at risk. This could lead to a lack of employer engagement and an increase in these groups falling into offending and anti-social behaviour.
- Participants should be able to continue looking for paid employment and even take up job offers while on the schemes.
- Any 'work for benefit' scheme should have clear targets and must be independently measured. This should be incorporated into the final Bill.
- Government should provide childcare vouchers or subsidised placements for any participant on a work-related activity, where the benefit claimant is a lone-parent and does not receive childcare support from extended family.

- Claimants with confirmed physical or mental health disabilities or other such conditions should be exempt from having to comply with work-related activity requirements for a prescribed period of 13 weeks, subject to review.
- People subjected to or recovering from domestic violence should also be exempt from having to comply with work-related activity requirements for a prescribed period of 13 weeks, subject to review.
- NIACRO wants to see clear evidence that companies who take part in public sector procurement follow the guidelines for good practice in the fair recruitment of people with convictions. This would publicly demonstrate Government commitment to employment led resettlement.
- Proposed changes to abolish income support (Part 1, section 9) should be suspended to allow further consultation in the community and debate within the Assembly.
- The Bill should include safeguards to ensure, once a claimant has successfully applied for a community care grant, they will receive quality service and not just the cheapest option.
- The partner and children of a benefit claimant should not have to suffer for the actions of the claimant. When a sanction is imposed to remove benefit, allowances for the partner and children must continue.
- Where benefit is suspended, claimants should have access to a hardship fund to meet basic living needs, food, heat, electricity.
- Where violent conduct has occurred and in the case of joint claim couples, the sanction should apply to the perpetrator and the partner should not be made to financially suffer as a result.
- Where a sanction is applied against a perpetrator, their children should not be made to suffer financially.
- DSD should retain an oversight role to quality assure that the contracted-out functions are of a consistent, reasonable and efficient standard.