

Assembly Election 2016

NIACRO's Five Key Policy Asks

NIACRO is a voluntary organisation which has been working for more than 40 years to reduce crime and its impact on people and communities.

We ask that all political parties include the following five pledges in their manifesto to contribute to a safer and fairer society with less offending and fewer victims:

1. Remove barriers to effective resettlement
2. Stop criminalising children
3. Support families and children affected by imprisonment
4. Pursue alternatives to prosecution
5. Commit to strategic partnership to reduce offending

Ask #1:

Remove barriers to effective resettlement

Resettlement back into the community after custody is critical to reducing the risk of reoffending. This is not just an issue for justice: pathways to effective resettlement include access to meaningful education, employment and training; sustainable housing; and appropriate mental and physical healthcare. However, our service delivery experience shows that there are still a number of prohibitive barriers that prevent people accessing the support they need to reintegrate with the community.

One such barrier can be attitudes, often engrained in structures and legislation, to people with criminal records. More than 30,000 people a year are convicted of a criminal offence, though only a small number pose a significant risk to the public.

The requirement to disclose convictions therefore affects many people in society. The consequences of this have a lasting impact on a person's ability to gain employment, access further or higher education or training opportunities, volunteer, or obtain insurance or a bank account. Yet having access to such opportunities is central to reducing the risk of reoffending.

We believe the Northern Ireland Assembly can contribute to a reduction in reoffending by pledging to do the following:

- **Promote Equality of Access to Further Education**

Our service users experience varying degrees of success in accessing Further Education (FE) college courses. This is mainly because the daunting disclosure process has discouraged them from applying, or they have been refused access to their preferred course because they have disclosed a conviction or other criminal record information. Worryingly, there are instances where a disclosure has only been requested part-way through a course, preventing the student from completing their studies. Our experience is that colleges have [an inconsistent approach](#) to requesting and responding to disclosures.

We call on the Assembly to ensure all colleges across the FE sector implement clear and consistent policies, based on risk assessment and relevancy, concerning disclosure, admissions and support. Further, we recommend that an accurate training and advice service (as provided by NIACRO) is available to colleges, applicants and students to ensure the relevant legislation is implemented properly and proportionately.

- **Educate Employers about Fair and Safe Recruitment**

Given the complex legislation relating to criminal records, employers are often confused or unaware of when they are required to ask applicants to disclose convictions, and what their responsibilities are when someone does disclose a criminal history.

NIACRO provides an advice line and training for employers on this matter, which often highlights both the lack of understanding amongst employers and their commitment to improving practice.

Many of the employers we have worked with have since had positive experiences of recruiting people with criminal convictions, as shown in [our short film on this topic](#).

We call on MLAs to engage with employers in their local communities to promote safe and fair recruitment of people with convictions and support employment-led resettlement, and support the implementation of the Access NI Code of Practice.

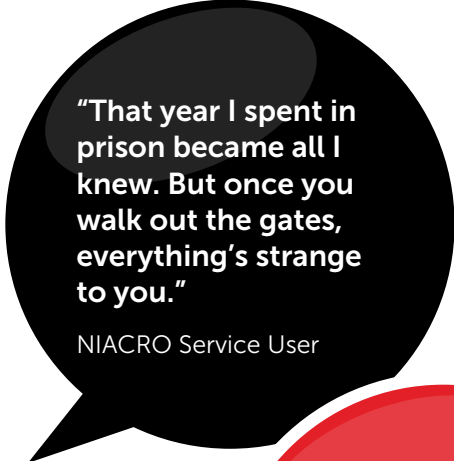
- **Ensure Access to 'Through-The-Gate' Support Services**

Resettlement is everyone's business, and it's in everyone's interest. To reduce the risk of reoffending, people leaving prison must be able to access not just employment-led provision but also basic health and housing services. This can include access to a GP, mental health support, benefits advice, and sustainable and appropriate housing.

Our experience demonstrates that this kind of support must be provided before, during and after the transition from custody to community. This 'through-the-gate' care helps people leaving prison to readjust and prepare for life in the community, and also improves their work readiness.


However, though evidence shows it's effective, funding for this kind of work which NIACRO has historically provided is reducing.

We therefore call on the Assembly to commit to investing in this cost-effective support package by ensuring access to welfare and housing advice for people preparing to leave prison, particularly given the implementation of welfare reforms and the introduction of Universal Credit, and support for accessing community-based health and mental health care.



"That year I spent in prison became all I knew. But once you walk out the gates, everything's strange to you."

NIACRO Service User



"Now, I can honestly say I won't come back to prison."

NIACRO Service User

Ask #2:

Stop criminalising children

The 2011 Review of the Youth Justice System in Northern Ireland found that “contact with the criminal justice system, even for relatively minor matters, can have serious implications for young people’s future life chances” (p82). Whether or not a young person enters custody, formal involvement with the criminal justice system can impact on their educational outcomes and increase their likelihood of further offending, leading to increased crime, victims and policing costs. It is therefore in everyone’s interest that we stop criminalising children and seek to prevent young people from ever entering the criminal justice system. To do this, we call on the Assembly to:

- **Raise the age of criminal responsibility**

The age of criminal responsibility in Northern Ireland is currently 10 years old. We believe it should be raised to 12, with the potential of raising it to 14 after a review period, as recommended in the Youth Justice Review. Northern Ireland has one of the lowest ages of criminal responsibility in the world, which the Review found internationally unacceptable.

“My project worker helped me learn how to deal with my anger. I learned how to improve my behaviour at home and school is better now.”

Child on NIACRO’s Caps Project

The reality is that most children who offend do so for minor offences and rarely pose a risk of harm to others; however, by criminalising children at the age of 10, young people may develop a “criminal identity”. Trapping young people in the criminal justice system is not a deterrent and can actually increase crime. Our [Off The Record](#) campaign highlighted how gaining a criminal record from the age of 10 creates barriers to a stable lifestyle and can mean that a young person’s chances of accessing education and training or travel opportunities are compromised and may in fact lead to re-offending.

- **Invest in early intervention**

The 2011 Review also highlighted the need to focus on early intervention to prevent offending behaviour.

It is much more cost effective to prevent children from offending or reoffending than to punish them with a criminal record for the rest of their lives. The 2010 evaluation of our early intervention service for children found care or custody interventions for children who offend cost at least 30 times more than early interventions for children showing early signs of offending behaviour.

It therefore makes economic and social sense for justice, health and education to work together with the voluntary sector to prevent childhood offending through the provision of effective programmes which support children and their families.

- **Divert minor youth offending out of the criminal justice system**

Most young people who offend tend to be involved in low level, minor offences. Research shows that drawing these young people into the formal criminal justice system only increases their risk of reoffending and serves to label them as “offenders”.

Diversion by way of restorative justice or police discretion can instead promote desistance and avoid the significant expense of prosecuting a young person. Such diversionary disposals, however, must not attract a criminal record if they are to reduce the risk of reoffending in the long term.

Ask #3:

Support families and children affected by imprisonment

The families of people in prison are a forgotten group. There is very little support for partners, children and extended family when someone enters custody, despite a wealth of evidence which shows effective support at this stage results in better outcomes for the family, the person in prison, and the wider community. Providing support for families affected by imprisonment not only improves the mental health and financial capability of that family, but can also have a positive impact on the mental health of the person in prison and contributes to effective resettlement and desistance when they re-enter the community – greatly reducing the risk of

re-offending and helping to create safer communities. We therefore call on the Assembly to recognise the needs of this forgotten group and protect them from the ‘[silent sentence](#)’ handed down to the innocent families of people in prison.

- **Ensure families get access to emotional and practical support**

There is a strong case for supporting the families of people in prison, as it improves their mental health and coping skills, improves long term outcomes for children, and reduces the risk of re-offending after release. The NIACRO project [Family Links](#) aims to help families by providing information about maintaining contact with someone in prison, encouraging community integration and signposting to services that can support them with financial, practical or emotional issues. However, until there is statutory recognition of the vulnerable mental, financial and social situation of families affected by imprisonment, critical resources and funds will continue to be diverted from this important service.

- **Introduce a statutory responsibility for children with a parent in prison**

The number of children affected by parental imprisonment in the UK is more than the number of children who are affected by parental divorce, in care, or are on the child protection register. In Northern Ireland alone, it is estimated that more than 2,400 children have a parent in prison (Children of Prisoners Europe, 2014). However, there is no statutory responsibility for the children of people in prison, despite the UN identifying them as particularly vulnerable, with

complex needs as they are more susceptible to bullying, isolation, poor mental health, poor educational outcomes and anti-social behaviour. Statistically, children who have had a parent in prison are more likely to offend during their lifetime. We believe a statutory responsibility to support these children at an early stage would help improve outcomes. The new Department of Education with lead responsibility for children and the recent Children's Services Co-operation Bill provide an opportunity to close this gap in statutory provision by capturing and responding to the needs of children affected by imprisonment. We call on the Assembly to ensure that this group of children is not forgotten.

- **Assess the impact of imprisonment on children at pre-sentence report stage**

We believe that Judges should be required to consider the impact of a parent's custodial sentence on a child and, if custody is still deemed to be appropriate, signal to the relevant authorities to provide support to that family and child. This could be done at a pre-sentence report stage. The Courts Service or Probation Board should assess the impact of a sentence on children and families, and capture needs for onward referral for support in the voluntary and community sector. We call on the Assembly and Judiciary to introduce this requirement.

"I have to cope with the stress of being mum and dad"

Parent on Family Links

Ask #4:

Pursue alternatives to prosecution

Prosecution can be an expensive and ineffective response to low level offending. This is even more so the case when prosecution leads to custody. In 2014-15, the actual Cost per Prisoner Place in Northern Ireland was £58,379 (Northern Ireland Prison Service Annual Report, 2014-15): particularly in instances of minor offending and fine default, this represents a significant expense with questionable benefits. However, we are not convinced that imposing a fine or short custodial sentence for a minor offence always has the desired outcome of reducing the risk of that person repeating their actions in the future. Instead, we believe they should be offered an early intervention programme that will address their behaviour. We therefore call on the Assembly to commit to exploring more effective (and cost-effective) disposals which will contribute to a reduction in offending, a reduction in Court caseloads, and a reduction in cost to the public purse.

- **Invest in sustainable diversion and cost-effective alternatives**

We know that often the types of minor offences resulting in a fine, caution, community disposal or short custodial sentence are the early signs of further offending behaviour to come. The identification of this low level offending offers an ideal window to ensure a person



receives the maximum support needed to address the root cause of the issue to prevent the escalation to further offending behaviour. Research shows that once someone enters the criminal justice system, they are far more likely to reoffend; it's therefore important to divert people away from the system whilst also preventing the development of offending behaviour.

Instead of costly short prison sentences or cautions and fines that do not address why a person offends, we believe that voluntary engagement on a programme of practical support can act as an effective method of early intervention to divert a person away from further offending behaviour and from the criminal justice system. Through the application of the concept of problem solving courts, referrals to anger management courses, financial capability projects or other appropriate programmes which would not attract a criminal record would be a more sustainable way of addressing low level offending, equipping a person with the necessary tools and stability to change their behaviour at an early stage and maintain that change.

- **End the imprisonment of fine defaulters**

NIACRO's position has consistently been that defaulting on the payment of fines imposed for minor matters should not result in imprisonment. We believe this is a disproportionate punishment, given that prison was deemed inappropriate by the

Court in the first place and such a default penalty actually acts to frustrate the Court's original intention. Given the high financial and personal cost of imprisonment, it is not an effective resolution to non-payment. Evidence shows that not having the means to pay, or a short repayment timeframe, are amongst the reasons why people default. We therefore call on the Assembly to permanently end the imprisonment of fine defaulters and identify alternative gradual repayment methods for instances where a fine is identified as appropriate.

Ask #5:

Commit to strategic partnership to reduce offending

Reducing crime isn't just the responsibility of the Department of Justice: it requires the participation of a range of departments, statutory bodies, and voluntary and community sector organisations. The Strategic Framework for Reducing Offending (2013) was designed to co-ordinate a range of Executive policies and strategies that can contribute to reducing offending in the long term and emphasised the duty of all departments to support a reduction in offending, in recognition of a clear need for more strategic partnership between sectors and better cross-departmental working.

We are concerned, however, that tightening resources has reduced a commitment to cross-departmental co-operation on justice and related issues. This has been



"Contact with the system actually outweighs any deterrent effect it may have."

Review of the Youth Justice System in Northern Ireland (2011)

borne out in reduced funding to voluntary sector organisations such as NIACRO, which deliver effective interventions to communities across Northern Ireland. The voluntary and community sector has a vital role in our society and delivers critical cost-effective services that improve lives and communities. However, constant cuts undermine our worth and our ability to deliver services that government cannot. To ensure a safe and economically stable future, the third sector must be recognised as an equal partner in service delivery, and sustainable investment must be maintained.



- **Implement genuine cross-departmental and cross-sector working**

In the new Executive, it is critical that the new departments work together to achieve shared objectives and commitments. One example is the need for co-operation across Health and Justice to address healthcare in prisons, an issue identified in the 2011 Prison Review, yet the joint strategy recommended is yet to be published. We call for the Strategic Framework for Reducing Offending to be implemented and monitored by MLAs to ensure all departments recognise their role in reducing offending. Further, it is critical that the role of the third sector in justice is recognised, and that voluntary organisations are valued and supported as key strategic partners.

- **Support a sustainable and dynamic third sector**

In the context of reduced resources, there is a real risk that bureaucratic procurement processes will stifle innovation and devalue the significance of experience and

community connection. An over-emphasis on initial low costs offered by organisations who unnecessarily suppress prices won't give consideration to the added value of voluntary organisations with more expertise in delivering services, but with fewer resources to invest in often complex procurement exercises.

We ask political parties to support voluntary sector organisations in our role as innovators, advocates and critical friends. We ask that public procurement becomes an equal playing field, which would be supported by

the introduction of a Social Value Act which recognises the worth of voluntary organisations. We ask that public buyers consider quality as well as cost to ensure that service delivery has the impact intended and makes a difference.

.....
For more information, please contact:

Julia Kenny
Policy and Research Co-ordinator
NIACRO
julia@niacro.co.uk
028 9032 0157

- www.niacro.co.uk
- [@niacro](https://twitter.com/niacro)
- facebook.com/NiacroNews
- youtube.com/NiacroVideos

.....
NIACRO is registered with The Charity Commission for Northern Ireland: NIC101599

Company Registration No NI 018121
Charity Registration No XN 48280