

September 2016



CLINKS
RESPONSE

Clinks response to the House of Lords Select Committee on Financial Exclusion

About Clinks

Clinks is the national infrastructure organisation supporting voluntary sector organisations, working with offenders and their families. Our aim is to ensure the sector, and those with whom it works, are informed and engaged in order to transform the lives of offenders and their communities. We do this by providing specialist information and support, with a particular focus on smaller voluntary sector organisations, to inform them about changes in policy and commissioning, to help them build effective partnerships and provide innovative services that respond directly to the needs of their users.

We are a membership organisation with over 500 members, including the voluntary sector's largest providers as well as its smallest. Our wider national network reaches 4,000 voluntary sector contacts. Overall, through our weekly e-bulletin Light Lunch and our social media activity, we have a network of over 15,000 contacts. These include individuals and agencies with an interest in the Criminal Justice System (CJS) and the role of the voluntary sector in the resettlement and rehabilitation of offenders.

About this response

Clinks welcome this important and timely call for evidence on experiences of financial exclusion. We have focused our response on the questions of most relevance to the work of our members and the experiences of their service users. This response is based on Clinks' existing knowledge, combined with intelligence gathered from prior research and engagement with our members. Where appropriate we have grouped our responses to the questions. We have adopted the Joseph Rowntree Foundation's broad definition of financial exclusion: "the inability, difficulty or reluctance to access appropriate, so-called mainstream, financial services."¹

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supporting voluntary organisations that
work with offenders and their families

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Executive summary

In this submission we highlight several issues and recommendations based on existing research and consultation with the voluntary sector, summarised below.

- **Having contact with the CJS exacerbates and contributes to peoples' experiences of debt, poverty and financial exclusion.**
- **Proactive action is needed** – to support effective rehabilitation it is important that the Government takes proactive steps to ensure that having contact with the CJS does not have a detrimental impact on, or contribute to, someone experiencing financial exclusion.
- **Tailored support for families** – the family of people in contact with the CJS are particularly vulnerable to experiences of financial exclusion and it is essential that they receive tailored financial support and advice to meet their needs.
- **Respond to the distinct needs of those in contact with the CJS** – people in contact with the CJS are not a homogeneous group and experience unique needs; it is essential that support to address financial exclusion is tailored to meet these needs.
- **Engage strategically with voluntary sector organisations** – as well as delivering financial services, voluntary sector organisations have substantial knowledge and expertise about the local communities they work in, the service users they work with and the strategies needed to meet their service users' needs. It is important to engage with them strategically.
- **Bridge the finance gap** – many people leaving prison are entitled to receive benefits but, upon release, can wait up to 14 days for their benefit claims to be processed. To bridge the finance gap all prison employment and benefits advisors need to initiate core benefit applications at least three weeks prior to a prisoner's nominated release date.
- **Reverse the decline of Release on Temporary Licence (ROTL)** – ROTL is an important part of the resettlement process, but there has been a significant decline in its use since March 2015. There needs to be an explicit objective to reverse the decline in the use of ROTL to support resettlement and rehabilitation.
- **Deliver resettlement services at the earliest opportunity** – those serving longer prison sentences are particularly vulnerable to experiences of financial exclusion and need to receive resettlement services as early in their sentence as possible.
- **Increase transparency of rehabilitation services** – it is difficult to determine what financial support people in contact with the CJS are receiving. To help increase transparency, it is important that Community Rehabilitation Companies and the National Probation Service publish full details of their supply chains on a quarterly basis.

Our response

Q1 / Who is affected by financial exclusion? Do different sectors of society experience financial exclusion in different ways? To what extent, and how, does financial exclusion affect those living in isolated or remote communities?

Q2 / What is the relationship between financial exclusion and other forms of exclusion, disadvantage or deprivation? What role does problem debt play in financial exclusion?

There is a complex relationship between experiencing financial exclusion and having contact with the Criminal Justice System. Many people have experienced financial exclusion prior to having contact with the CJS and for some it is a contributing factor to their offending. There is also evidence to suggest that having contact with the CJS can exacerbate experiences of financial exclusion.

Experiencing financial exclusion prior to having contact with the CJS

Research by the Prison Reform Trust and Unlock found that, “a substantial proportion of people sent to prison were already experiencing extreme and persistent financial exclusion.”² They conducted research into the impact of imprisonment on individuals’ finances. They surveyed 144 people in prison, interviewed 47 of them, and surveyed 24 former prisoners and 29 families of people with convictions. They found that:

- 30% of people in prison had no bank account and of these, 31% said they had never had one. 85% of people interviewed in prison who did not have a bank account said they had tried to get one without success.
- More than half of people in prison said that they had been rejected for a bank loan and 8% said they had tried to borrow from a loan shark, which is 10 times higher than the average UK household.
- Almost two-thirds of people interviewed in prison said they struggled to pay bills, or were in real financial trouble, before coming to prison.
- One in four people surveyed in prison had been threatened for a debt while in the community. People who had borrowed from a loan shark were four times more likely to have been threatened over a debt.

Clinks is a founding member of the Making Every Adult Matter Coalition, formed alongside Homeless Link and Mind. The Coalition aims to improve policy and services for people facing multiple needs. People experiencing multiple needs experience different problems at the same time, including mental ill health, homelessness, drug and alcohol misuse, family breakdown and CJS. People with multiple needs are particularly vulnerable to financial exclusion. Evidence from a recent study into destitution in the UK found that over half of people who were destitute and experiencing complex needs had faced financial problems in the last twelve months. A similar proportion had experienced problems with the benefits system.³ A recent report by the Joseph Rowntree Foundation highlights that those experiencing multiple and complex needs face significant barriers to escaping poverty.⁴

A recent report, *Hard Edges*,⁵ shows that poverty is an “almost universal” complicating factor for people experiencing multiple disadvantage. Multiple disadvantage is defined as experiencing homelessness, substance misuse issues and having contact with the CJS. The report found that there is an association between prevalence rates of multiple disadvantage and areas of the country where poverty tends to be concentrated.



Women's' experiences

Prior to having contact with the CJS, many women have long histories of experiencing financial exclusion, including long-term poverty and debt. As highlighted by Dr Laura Caulfield, "there is no debate that financial problems are a criminogenic need for female offenders, and it is well established ... that women typically carry many financial burdens prior to imprisonment."⁶

Compared to their male counterparts, women in contact with the CJS have different offending histories and experience unique needs. For example, the majority of women who enter the CJS have committed acquisitive crimes that are often bound up with their domestic situation.⁷ As highlighted by the National Offender Management Service, "women may be under pressure as parents, or from partners, to provide for their families and thus may perceive theft/ fraud or sex work as means of survival."⁸ This is supported by a Joint Inspectorate report that states female offending is typified by crimes including benefit fraud and shoplifting which can be driven by a woman's need to support her family.⁹

Further to this, Clinks' research report *Who cares?* demonstrates that experiencing financial exclusion can cause women to have contact with the CJS.¹⁰ One of the projects involved in the research said "they get into loads of debt with other things as well, because their budgets are on such a fine line anyway. So then you've got fourteen quid a week, and what happens is you then get the payday loans coming in and then it's just the TV licence doesn't get paid, council tax doesn't – then court." Due to women's unique needs, it is essential that they receive gender-specific services to address their experiences of financial exclusion.

People from Black, Asian and minority ethnic (BAME) communities

People from BAME communities are overrepresented at every stage of the CJS. Outcomes for BAME individuals after release from prison are less positive than those of non-BAME individuals.¹¹ This disproportionality is caused in part by the multiple and cumulative disadvantage BAME people face throughout wider society.

BAME households are three times more likely than white households to become homeless.¹² Those from BAME backgrounds, particularly Black and Bangladeshi people, have the highest unemployment rates.¹³ A recent report by the Equalities and Human Rights Commission highlights that, across Britain, people from ethnic minority backgrounds are more likely to live in poverty compared to white people, indicating they are more likely to experience financial exclusion.¹⁴

During recent Clinks consultation events with our members to inform our submission to the 'Review of BAME representation in the CJS', voluntary sector organisations told us that fully addressing the causes of disproportionality in the CJS would need to start in the community, with a commitment to providing good quality services and positive opportunities to address the disadvantage faced by BAME people.¹⁵ Routes out of poverty, affordable housing, and access to good schools, access to community services and meaningful employment opportunities were all identified by participants as key needs in BAME communities.

The Criminal Justice System exacerbating financial exclusion

Having contact with the CJS can exacerbate and lead to someone experiencing financial exclusion. Indeed, the Prison Reform Trust (PRT) and Unlock highlight that, "when someone is convicted of a crime, the impact on their finances can be extreme. The loss of liberty is the most severe form of punishment in the UK but with it come many unintended financial consequences. The criminal justice system can increase financial exclusion, and



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reduce personal responsibility, creating problems with housing, insurance, employment and family relations, and thus contributing to a greater risk of reoffending.¹⁶

According to research conducted by the PRT and Unlock, 40% of people in prison and 64% of former prisoners felt that their debts had worsened during their sentence. Two thirds of people interviewed in prison who had debts said they owed over £1000 and one in three said they owed money for housing. This is supported by research carried out by the Department for Work and Pensions which found that almost three-quarters of prisoners surveyed said finance, benefits and debt were a very significant need on release, second only to accommodation.¹⁷

The PRT and Unlock's research also found that more than four in five former prisoners surveyed said their conviction made it harder to get insurance and four-fifths said that when they did get insurance, they were charged more. Being unable to obtain insurance can act as a barrier to accessing mortgages and many forms of employment and self-employment, which in turn can have a negative impact on an individuals' rehabilitation and desistance journey.¹⁸ It is essential that steps are taken to ensure that contact with the CJS does not have a detrimental impact on an individuals' finances and that people can have access to high quality support and advice in relation to experiencing financial difficulties.

Impact on families

The families of people in contact with the CJS are particularly vulnerable to experiences of financial exclusion. As highlighted by the Joseph Rowntree Foundation, family members often incur direct costs when their relative is in prison as they send money, clothing and electronic goods into prison to support them.¹⁹ In some cases, the person imprisoned is the main breadwinner and this can have significant financial implications for their family. Research by PRT and Unlock found that two-thirds of families said their debts had increased since the imprisonment of their relative.

As well as providing direct financial support, family members of someone in prison may also take on the caring responsibility for their relatives' dependents. This can create additional costs. There is evidence to suggest that barriers to employment are magnified for those caring for prisoners' children.²⁰

Retaining family ties is key to supporting many people on their desistance journey, but family visits can be financially draining for people visiting their relative. Wendi, whose partner is serving an Imprisonment for Public Protection, told Clinks about the impact this was having on her finances. She estimates that her partner's imprisonment has cost her around £19,000 in the last 10 years.²¹

Families visiting their relative in prison may receive some financial support to help meet the costs.²² People eligible for financial support are those over 18 and claiming one or more benefits – Income Support, Income-based Jobseeker's Allowance, Employment and Support Allowance, Universal Credit, Tax credits or Pension Credit. However, this is paid in retrospect and taxis are only paid for in exceptional circumstances. This is particularly challenging for those who have physical disabilities or older people. It is also important to note that many prisons are in rural areas that are difficult to reach via public transport and public transport often run limited services on Sundays.

Where financial support exists, this is often focused on the needs of the person in prison, rather than on the needs of their family. It is imperative that the families of prisoners receive tailored financial support to minimise the financial impact of having a relative who is in contact with the CJS.

Accessing benefits and the finance gap

As highlighted in Clinks and Homeless Links' recent joint response to the Work and Pensions Select Committee Inquiry into support for ex-offenders, it is essential that people leaving prison are able to swiftly access the financial support they need.²³ Discharge grants are available to prisoners over 18 who have served a custodial sentence of more than 14 days in prison and do not have savings of over £16,000. This grant, of £46 in England and Wales, is available immediately on release. As well as this, an additional grant or discretionary payment of £50 can be paid to an accommodation provider to help a prisoner secure a release address. Upon release, all prisoners should receive a travel warrant, or payment of their fares to their destination.

In 2013, just over a quarter (27%) of people had a job on release from prison indicating that, for many prisoners, benefits provide essential short-term financial support. On release, where eligible, prisoners are able to access benefits, including Jobseeker's Allowance, Employment and Support Allowance or Universal Credit. Many prisoners also require accommodation support. 15% of newly sentenced prisoners report being homeless before custody and 12% of prisoners depending on Housing Benefit to help with their rent before custody.²⁴ However, entitlement to Housing Benefit ends for all prisoners expected to be in prison for more than 13 weeks. This results in a significant percentage of people being unable to hold on to their tenancy whilst they are in custody, often resulting in the loss of this accommodation.

To support individuals to make a claim for Jobseeker's Allowance as soon as possible on release, there should be a Freshstart team in every prison, who work to arrange an appointment for the prisoner with Jobcentre Plus. This appointment should take place within a day or two of discharge. As the meeting at Jobcentre Plus does not take place until the person has left prison, they will not receive any of the benefits they are entitled to immediately on release, but will need to wait until the claims are processed.

The time this will take differs depending on the type of benefit claimed and how easy the claim is to process. Local authorities should process Housing Benefit and Council Tax Support claims within 14 days, but in reality this often takes longer. The statistics for October to December 2014/15 showing that, on average, claims took 22 days to process. The Department for Work and Pensions aim to process claims for Jobseeker's Allowance in 10-14 days and Employment Support Allowance in 10 working days.²⁵ Waiting up to 14 days for their benefit claims to be processed can lead many prisoners to experience a finance gap that according to the Prison Reform Trust and Unlock can "contribute to the high risk of reoffending immediately post-release."²⁶

We support their recommendation that the finance gap is bridged with "all prison employment and benefits advisors required by the Department of Work and Pensions (DWP) and the MoJ to initiate core benefit applications at least three weeks prior to a prisoner's nominated release date."

Release on Temporary Licence (ROTL)

Release on Temporary Licence (ROTL) is an important part of the resettlement process. ROTL can help prisoners gain training and work experience, enabling them to build up their skills and in some cases, secure stable employment on release. Many voluntary and private sector organisations provide valuable opportunities for volunteering, training and employment for people on ROTL. 62% of respondents to a recent Clinks and Prison Reform Trust survey told us that they, either now or historically, provided volunteering placements, with 74% providing work placements and 47% providing training placements.²⁷ However, the survey revealed that



the recent changes to ROTL policy (Prison Service Instruction 13/2015) introduced in March 2015, have resulted in a significant reduction in the numbers of prisoners accessing ROTL. 68% of organisations said prisoners reported difficulties in getting applications for ROTL approved.

We recommend an explicit objective to reverse the decline in the use of ROTL for resettlement and rehabilitation, so that the manifest willingness of employers and other organisations to help is not squandered.

The impact of Transforming Rehabilitation

Due to the Transforming Rehabilitation (TR) reforms, Community Rehabilitation Companies (CRCs) are now responsible for providing resettlement services to prisoners in the last three months of their sentence. According to the Target Operating Model published by the MoJ, resettlement services “may include providing direct support in custody and post release in ... financial advice.”²⁸ CRCs can also choose to deliver additional resettlement services in pursuance of payment by results. However, the extent to which they are choosing to do this is currently unclear.

There are eight CRC owners that operate over 21 Contract Package Areas (CPAs) in England and Wales. This makes it unlikely that there will be consistency in terms of the resettlement support prisoners receive, as different services are likely to be commissioned by the different CRCs in each CPA.

Clinks, in partnership with the National Council for Voluntary Organisations (NCVO) and Third Sector Research Centre (TSRC), are monitoring the voluntary sector’s involvement in TR. 23% of respondents to our second survey, results published in May 2016, said their main beneficiaries were people with a particular financial need including poverty. 33% said that their beneficiaries also included this group. When asked what impact TR had had on their service users, 27% of those whose main beneficiaries were those experiencing a particular financial need said the impact on their service users had worsened.

Findings from the survey also demonstrate a lack of transparency in terms of the work that supply chain partners are delivering and how they are being resourced to deliver it. This makes it difficult to determine what financial support prisoners and those serving community penalties across England and Wales are currently receiving.

We recommend that CRCs and the National Probation Service publish, on a quarterly basis, full details of their supply chains, including the names and company/charity numbers of tier two and tier three providers, the amount of funding passed down to sub-contractors and, where appropriate, the contribution that these organisations have made to Key Performance Indicators.

It is important to note “those prisons that are not designed as resettlement prisons will not have resettlement services.”²⁹ Non-resettlement prisons are where long-term sentenced prisoners serve the majority of their sentence.

We recommend that people in prison are able to access resettlement services, including financial support, at the earliest opportunity. Being in prison can exacerbate someone's experiences of financial exclusion, especially if they are serving a long sentence.

Q8 / What role should the concept of 'personal responsibility' play in addressing social exclusion? Is appropriate support available for the most excluded and, if not, how should support be strengthened? What role should the Government, the charitable sector and business play in tackling financial exclusion?

Voluntary sector organisations working in criminal justice are diverse, both in terms of their size and the services they provide. Clinks has a Directory of Offender Services, an online directory that lists 935 voluntary sector organisations working with people in contact with the CJS. 256 of organisations on the database say that they work to support people with finance, benefits and debt.³⁰

As highlighted in Clinks' state of the sector report, the majority of these organisations work locally and have a turnover of less than £1m.³¹ When working to determine what the most appropriate support is for people experiencing financial exclusion, it is essential that the Government takes steps to engage with these organisations and their clients. It is important that these organisations are not only consulted as delivery organisations but are involved as strategic partners.

Working to prevent people in contact with the CJS experiencing financial exclusion

To support effective rehabilitation it is important that the Government takes proactive steps to ensure that having contact with the CJS does not have a detrimental impact on, or contribute to, someone experiencing financial exclusion. As people in contact with the CJS are not a homogenous group and many experience unique needs, it is essential that support to address financial exclusion be tailored to meet the needs of these groups.

As highlighted by Unlock, having access to banking for someone in contact with the CJS, especially before release from prison, can support their rehabilitation and reintegration back into society.³² Having a bank account is essential for benefit or wage payments and can allow for interest to be accrued on savings. In 2014, Unlock ended a 9 year project that developed access to banking for people on release from prison, which culminated in 5936 bank accounts being opened.

Clinks supports Unlock's recommendation that all prisons that release people directly into the community should have a system in place that enables people to open a basic bank account before they are released. Alongside this, prisons that have people with a long time left until release should have a system in place which enables people to set up a suitable savings product.

Q11 / What has been the impact of recent welfare reforms on financial exclusion?

As has been demonstrated, many people in contact with the CJS are entitled to and rely on financial support and have been particularly vulnerable to the Government's welfare reform programme. Clinks' state of the sector report shows that the needs of organisations' clients



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are changing and becoming more severe, with 71% of organisations saying that the variety of their clients' needs had increased in the last financial year.³³ When asked about the impact of recent policy changes on their clients, a respondent stated that "changes in policies around benefits [is] driving people in to food and fuel poverty whilst in a period of being sanctioned."

Clinks has recently published two case studies of organisations providing gender specific support to women in contact with the CJS. Both studies highlight that service users are experiencing increased financial exclusion due to welfare reform. The case study on the Nelson Trust's Women's Centre³⁴ shows "people are getting poorer and some of the recent housing legislation [like the spare room subsidy] has meant that people are really struggling around finding decent accommodation". The case study on the Anwim Women's Centre³⁵ shows "there are more complex needs, I think - more issues with benefits, sanctions and homelessness."

Clinks report *Who cares?* highlights that welfare reform has exacerbated the financial exclusion many women in contact with the CJS face.³⁶ One project said, "They [service users] are phoning and saying, 'I haven't eaten for two days. Can somebody help me?' This is not the experience we have had in the last six years. The only things that have changed [to account for this] have been the Government's policies." Debts attributed to benefit cuts were specifically noted as impacting on women, with women increasingly turning to payday loans to ease their debts.

The families of people in contact with the CJS are particularly vulnerable to financial exclusion. As the Joseph Rowntree Foundation state "criminal justice and social welfare policy combine to impoverish, disadvantage and exclude prisoners' families, and their children in particular. At the root of their poverty is the reliance on welfare benefits, levels of which remain below the Government's own poverty level. Foreign national families may not even have recourse to public funds."³⁷

People experiencing multiple and complex needs are often the most marginalised in our society and have been are particularly vulnerable to welfare reform. A report by the Joseph Rowntree Foundation found that, for those living in the UK with complex needs "the 'shock' factor of benefit delays and sanctions loomed large for most in this group, often precipitating their move from a position where their basic necessities were just being met to one where there are not."³⁸ This is supported by the Making Every Adult Matter Coalition (MEAM) which found that changes to benefits and being sanctioned are not only having a negative impact on the finances of people experiencing multiple needs, but are also causing stress and having a detrimental impact on their mental health.³⁹

When asked, many people experiencing multiple needs felt that Jobcentre Plus and work programme providers did not fully understand what multiple needs are or how to support people experiencing them.⁴⁰

We support MEAM's recommendation that the Department for Work and Pensions should ensure Jobcentre Plus and Work Programme providers can provide appropriate, flexible and personalised support to help people with multiple needs move towards independence.

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Clinks supports, represents and campaigns for the voluntary sector working with offenders. Clinks aims to ensure the sector and all those with whom they work, are informed and engaged in order to transform the lives of offenders.

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