

MDA No.: 1487

Title: Economy Committee – Barriers to Work for People who have had Contact with the Criminal Justice System

1. Executive Summary

1.1 At the Economy Committee meeting on 22 February 2023 the Committee resolved that:

Authority be delegated to the Chair, in consultation with party Group Lead Members, to agree any output from the discussion.

1.2 Following consultation with party Group Lead Members, the Chair is asked to agree the Committee's letter on barriers to work for people who have had contact with the criminal justice system, as attached at **Appendix 1**.

2. Decision

2.1 **That the Chair, in consultation with party Group Lead Members, agrees the Committee's letter on barriers to work for people who have had contact with the criminal justice system, as attached at Appendix 1.**

Assembly Member

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Printed Name:

Hina Bokhari, Chair of the Economy Committee

Date:

20 April 2023

3. Decision by an Assembly Member under Delegated Authority

Background and proposed next steps:

- 3.1 The terms of reference for this investigation were agreed by the Chair, in consultation with relevant party Lead Group Members and Deputy Chairs, on the 14 December 2022 under the standing authority granted to Chairs of Committees and Sub-Committees. Officers confirm that the report and its recommendations fall within these terms of reference.
- 3.2 The exercise of delegated authority approving the Committee's letter on barriers to work for people who have had contact with the criminal justice system, will be formally noted at the Economy Committee's next appropriate meeting.

Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services): Jack Booth

Printed Name: Jack Booth, Committee Officer

Date: 17 April 2023

Telephone Number: N/A

Financial Implications: NOT REQUIRED

Note: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signature (Finance): Not Required

Legal Implications:

The Chair of the Economy Committee has the power to make the decision set out in this report.

Signature (Legal): Rory McKenna

Printed Name: Rory McKenna, Monitoring Officer

Date: 4 April 2023

Email: monitoringofficer@london.gov.uk

Supporting Detail / List of Consultees:

- Marina Ahmed AM, Deputy Chair;
- Neil Garratt AM; and
- Zack Polanski AM.

4. Public Access to Information

- 4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.
- 4.2 If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.
- 4.3 **Note:** this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, until what date:

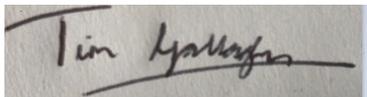
Part 2 – Sensitive Information:

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

Lead Officer / Author

Signature:



Printed Name: Tim Gallagher

Job Title: Senior Policy Adviser

Date: 11 April 2023

Telephone Number: 07704 348487

Countersigned by Executive Director:

Signature:



Printed Name: Helen Ewen, Executive Director of Secretariat

Date: 21 April 2023

Telephone Number: 07729 108986



Hina Bokhari AM
Chair of the Economy Committee

Sadiq Khan
Mayor of London
(Sent by email)

CC: Jules Pipe, Deputy Mayor Planning, Regeneration and Skills

21 April 2023

Dear Sadiq,

Barriers to work for people who have had contact with the criminal justice system

I am writing to you in my position as Chair of the London Assembly Economy Committee regarding the Committee's investigation into barriers to work for people who have had contact with the criminal justice system. This follows a meeting held by the Committee on 22 February 2023, which was attended by the following guests:

- Will Balakrishnan, Director of Commissioning and Partnerships, The Mayor's Office for Policing and Crime (MOPAC)
- Darren Burns, Director of Diversity and Inclusion, Timpson Group
- Angela Cairns, CEO, Unlock
- Natasha Finlayson, Chief Executive, Working Chance

- Duncan O’Leary, Chief Executive Officer, New Futures Network.¹

Our investigation aimed to understand the barriers that people who have had contact with the criminal justice system face when accessing employment in the UK, and why these barriers exist. We also scrutinised the actions taken by you in relation to the employment support available to this group, and discussed additional action that you and the Government could take to reduce barriers and increase employment rates.²

At our meeting, guests identified several barriers to employment for people who have had contact with the criminal justice system, including employer prejudice; substance misuse; mental health issues; physical health problems; disability; neurodiversity; poor basic skills; and fear of stigma that prevents people from applying for jobs in the first place. Research from Working Chance shows that 30 per cent of employers say they would automatically exclude a candidate who declared an unspent conviction,³ while Angela Cairns told the Committee that in the past three years ‘there has been a 60 per cent rise in the number of employers requesting basic DBS checks’. The Committee discussed the need to help employers gain a nuanced understanding of spent convictions and the risks associated with employing people with convictions, which would help create more employment opportunities for people who have had contact with the criminal justice system. Furthermore, the Committee heard that women are disproportionately impacted by short prison sentences. Natasha Finlayson argued that ‘a short sentence is just long enough to do damage to the woman’s housing, family relationships...to have all the things that create stability in your life completely fractured. However, it is short enough that you do not benefit from any rehabilitative programmes within prison’.

Skills and employment support for people who have had contact with the criminal justice system

Guests at the Committee’s meeting highlighted how proactive skills and employment support helps people build a life upon release and also helps employers address labour market shortages. Will Balakrishnan told the Committee that ‘£2 million has been put aside from the Adult Education Budget’ specifically to support ‘ex-offenders into education, training and employment’. The Committee welcomes this funding but would like to see more information about the impact of this work. The Committee discussed your £3 million pilot programme, based at Newham Probation Office, that provides specialist drug and mental health support in order to reduce reoffending among 18-25 year olds.⁴ Will Balakrishnan confirmed that it is a ‘joint enterprise’ between the Mayor, local authorities and HMPPS. The Committee looks forward to receiving an update on the impact of these initiatives in providing skills and employment support for people who have had contact with the criminal justice system.

Recommendation 1: *The Mayor should share with the Committee an assessment of the impact of his AEB funding allocation in providing skills and employment support for ex-offenders. He should*

¹ [London Assembly Economy Committee – Wednesday 22 February 2023: Barriers to Work for People Who Have Had Contact with the Criminal Justice System](#)

² This letter uses the term ‘ex-offenders’ to refer to people with convictions. It is used in this letter to compare findings with previous and ongoing studies and research on this topic.

³ Working Chance, [Progress and Prejudice: Shifts in UK Employer Attitudes to Hiring People with Convictions](#), Autumn 2022

⁴ Ministry of Justice, [£3 million pilot to reduce reoffending by young adults](#), 5 March 2021

also share details of the impact of other Mayoral skills and employment initiatives, including the No Wrong Door initiative, on the employment outcomes of people who have had contact with the criminal justice system.

Recommendation 2: *The Mayor should share with the Committee an assessment of the impact of his £3 million pilot project to reduce reoffending amongst young adults in 2021 in relation to getting people into work.*

Support for women who have had contact with the criminal justice system

Guests highlighted the need for gender sensitive support mechanisms for women who have had contact with the criminal justice system, due to the specific challenges they face. Natasha Finlayson noted that ‘the whole criminal justice system was designed for men’ and ‘women form a disproportionately small section of the prison population, but... their issues are different’. Although Will Balakrishnan informed the committee that MOPAC does ‘not commission Education, Training and Employment (ETE) work on its own’, he noted that there is a dedicated ‘women’s co-commissioning service with probation’ which includes ‘specific ETE support’ and is ‘wrapped around other provision’. Despite these initiatives, women continue to face specific challenges in prison and upon their release. The Prison Reform Trust notes that the majority (73 per cent) of prison sentences given to women are for six months or less, reflecting the fact that a higher proportion of women commit less serious, non-violent offences than men. However, once released from prison, women remain nearly three times less likely than men to be in employment.⁵

Recommendation 3: *The Mayor should work with MOPAC to signpost skills provision that could particularly be directed towards women in order to help them overcome the gendered disadvantages they face in prisons and upon their release.*

Tackling employer bias and encouraging London employers to hire people who have had contact with the criminal justice system

The Committee heard that bias and stigma against people who have had contact with the criminal justice system, especially from employers, is a persistent barrier to their employability. Darren Burns noted that ‘myths that are perpetuated in the media about ex-offenders ... they are potentially dangerous, untrustworthy, dishonest, ... we need to show positive examples of people who work within our business who are very credible, very professional’. Guests explained how businesses can learn from each other to support people who have had contact with the criminal justice system to find employment. Moreover, guests who hire people who have had contact with the criminal justice system emphasised the importance of prison visits by employers to understand the skills of this demographic that are relevant to their businesses.

The Committee also heard about the importance of transparency from employers in relation to their hiring policy for ex-offenders. Angela Cairns highlighted the need to ‘have good policies, be inclusive and have those conversations within staff teams, within management, within HR and so on as to what your position as an organisation is and be very clear about that’.

⁵ Prison Reform Trust, [Women released from prison nearly three times less likely to be in employment on release than men | Prison Reform Trust](#), 17 February 2020

The Committee also discussed the progress of the Ban the Box campaign, which advocates removing the tick-box question about criminal convictions from job applications that require ex-offenders to reveal convictions at the start of the application process.⁶ Over 100 employers have signed up to this initiative, including Haringey Council and the Civil Service.⁷ The GLA is not currently signed up to this initiative.

Recommendation 4: *The Mayor should convene London employers in order to share experiences and best practice around hiring people who have had contact with the criminal justice system, such as planning prison visits for recruitment drives, similar to the successful model at Timpson. As part of this work, he should explore how more employers could be encouraged to hire people who have had contact with the criminal justice system and adopt best practice in doing so.*

Recommendation 5: *The Mayor should review the policy across the GLA Group, including when work is contracted, on disclosing criminal convictions on job applications, and consider signing up to the Ban the Box initiative. Having evaluated the policy, he should report back to the Committee on the action taken in each part of the GLA Group and reasons for it.*

Further support from the Mayor

Guests at the Committee's meeting discussed how prison leavers need to regularly meet with their probation officers upon release and how these appointments often clash with their working hours. Darren Burns stated that 'if a prison-leaver has to report to probation every Wednesday at midday, the employer will often say, "We need you to work Wednesday", but it gets in the way'. We believe prison leavers would benefit from greater flexibility from both employers and probation officers.

Another barrier to work faced by people who have had contact with the criminal justice system is digital exclusion. The Committee was informed about initiatives to provide digital skills and coding training inside prisons in safe ways through downloaded offline servers, that allow prisoners to learn digital skills without actually getting online. However, it is vital that prisons have the resources to offer this form of provision, as well as other forms of employment support. Will Balakrishnan informed the committee that 'London is not getting access to the resources that it needs right now, and it is a big problem in prisons and it is a big problem in probation'.

Recommendation 6: *The Mayor should lobby the government for more funding and resources to enable adequate provision for employment and digital support for those serving sentences in prisons in London.*

Recommendation 7: *The Mayor, on behalf of MOPAC, should liaise with HMPPS to encourage probation services to be more flexible so that prison leavers can meet with their probation officers outside of their working hours. The main goal should be to ensure probation appointments do not act as a barrier to work for prison leavers.*

The Committee would welcome a response to this letter by 9 June 2023. Please send your response by email to the Committee's clerk, Jack Booth (jack.booth@london.gov.uk).

Yours sincerely,

⁶ Unlock, [Ban the Box](#), January 2023

⁷ Business in the Community, [Employers that have Banned the Box](#)

Hina Bokhari

Hina Bokhari AM

Chair of the Economy Committee