

Report

Change from Within

**Insights from people with lived
experience working to improve
the criminal justice system**

‘We need to build a movement of lived experience to drive cultural change. Organisations need to be more diverse.’

‘You will never have truly empathic systems until you have a mix of lived and learned experience at the top.’

‘Those with lived experience keep the organisation grounded and rooted. They contribute fantastic ideas.’

‘For the public sector i.e. prisons and probation, I think they need to lead from the front.’

‘Well supported people with lived experience can be powerful. We need to nurture them. This is a stepping stone to changing the whole penal system.’

Foreword

This report sets out a clear case for the future of the criminal justice workforce, a workforce that integrates and accepts the insights of those that they seek to serve and welcomes them as both leaders and employees. People with convictions have always found a way to contribute to the work of the sector, often setting up their own organisations in response to the barriers they have faced. But it is time to change the diversity of the criminal justice workforce and seek to ensure it is more representative of those it serves and embraces the challenge and the human wisdom that they bring with them.

Paula Harriott, Head of Prisoner Engagement, Prison Reform Trust

Change from Within is a report that is long overdue. It sadly remains the case that far too often people with lived experience face both practical and systemic barriers that prevent or minimise their full contribution. The system needs to significantly enhance the way that it encourages, promotes and actively practices the genuine inclusion of people with lived experience which should be the cornerstone of any system that believes in rehabilitation and desistance. Ultimately, the government needs to lead from the front and champion the importance of people with lived experience and the recommendations in this report should help to achieve that.

Christopher Stacey, Co-Director, Unlock

There are significant gaps in research regarding the effects of having lived experience and working within the Criminal Justice workforce. Having conducted research myself to explore the barriers social entrepreneurs with lived expertise face in supporting those still inside our prisons and probation services, this report seeks to address the barriers faced by the many employees with lived expertise in the sector who wish to support their peers in moving away from crime. More can and should be done to support those utilising their negative experiences in order to engage others, and it is our hope that those reading this report will see our value and attempt to mitigate these barriers in the name of progression and innovation.

Marie-Claire O'Brien, Founder and Director, New Leaf Initiative CIC

This report asks for equality of opportunity and access to decision-making spaces for those with lived experience in recognition of a unique set of skills, competencies and abilities. Such a skill set, informed by personal insight, is fundamental to a diverse and successful criminal justice workforce. For this to work, our criminal justice system needs to be less risk-averse and instead more empowering. Engendering within people a positive self-identity, by drawing on one's own biography, can impact the process of change for the individual, other people and the wider criminal justice system. This report leaves little doubt that including people with lived experience in decision-making spaces is an essential part of delivering a fit for purpose criminal justice system.

Darren Coyne, Project Manager, The Care Leavers' Association

Key findings

- 1** The criminal justice system currently faces systemic issues, from increasing levels of serious violence, to a crumbling courts system, overcrowded prisons and an uncertain future for probation services. More than ever, the system needs fresh, innovative and systemic solutions to make it fairer and more effective.
- 2** The meaningful inclusion of people with lived experience in the criminal justice workforce, not just in voluntary and consultative roles, but as paid employees, influencers and leaders, is crucial to (re)build a system that learns from those with crucial insights into the challenges that undermine the system's key objectives.
- 3** People with lived experience can provide enormous benefit to organisations working in the criminal justice sector. Their involvement in designing, delivering and managing services, as well as influencing policy and practice remains an underexplored – and undervalued – area.
- 4** If we want to tackle complex and systemic issues effectively, and lead by example on the value of employing people with convictions, there is an urgent need to better understand and support pathways into employment and progression routes for people with lived experience in the criminal justice sector.
- 5** Policy makers, senior leaders, funders and commissioners, across public, private and voluntary sectors need to champion the employment of people with lived experience in the sector, recognising that to achieve such a culture change will require a shift in decision-making power.
- 6** Without this shift, involving people with lived experience in consultation and volunteering – while remaining valuable – runs the risk of becoming tokenistic without clear pathways to paid employment and progression routes to leadership and influencing roles.
- 7** People with lived experience often make resilient, highly motivated, empathetic and knowledgeable employees, managers and leaders who can effectively engage service users, make credible links with the communities organisations are serving, and provide fresh thinking, ideas and solutions.

- 8** But people with lived experience face a range of structural, systemic and cultural barriers to employment in the criminal justice system, many of them unique to the sector. These range from practical barriers such as onerous and opaque vetting procedures, to workplace cultures and environments that do not effectively support them to achieve their full potential as key influencers and decision-makers.
- 9** This requires a shift in thinking from a focus solely on risk, to strengths and assets and how to provide effective support, mentorship, access to higher education and professional development, pre-and post-employment, to help employees thrive and progress.
- 10** A number of organisations – predominantly in the voluntary sector – are working to provide opportunities for people with lived experience to move beyond voluntary and consultative roles into paid employment, leadership and influencing positions and have benefited from the inclusion of their key insights and knowledge. However much more needs to be done to build this movement across the whole criminal justice sector, including public and private sector agencies, by recognising, celebrating and investing in people with lived experience.

1. Introduction

At a time when long-term fiscal tightening is seriously affecting public services, the criminal justice system (CJS) is under immense pressure. More than ever, the CJS needs to look for new and innovative ways to effect long-term change that will make the system fairer and more effective. The meaningful inclusion of people with lived experience within the criminal justice workforce, across a wide variety of roles and organisations, is crucial.

Service user involvement, consultation and volunteer peer roles are increasingly valued across a range of criminal justice institutions and organisations as a means to improve service design and implementation and, in some cases, to help develop policy and strategy. However, the role of people with lived experience as part of the paid criminal justice workforce is a little studied and undervalued area.

The work of Baljeet Sandhu, who researched the topic of lived experience leadership across the wider social sector, influenced the need for this exploratory work focused on the criminal justice sector. Sandhu defines people with lived experience as those who have felt direct personal impact of a social issue, or combination of issues.¹ We are aware lived experience will be defined differently by different criminal justice organisations. For example some organisations may define it as people with convictions, people who have had a family member in prison or someone who has been a victim of crime. However, for the purposes of this report, we share the insights of people with lived experience of being in prison who work in the CJS. We highlight their invaluable contributions to a fairer and more effective CJS, as well as the challenges they have encountered on their journeys.

This report is an exploratory piece based on conversations with employees with lived experience and some of their employers from the voluntary, public and private sector. Employees included those involved in frontline service delivery roles, middle management or supervisory roles, as well as senior managers, academics, consultants and trustees.

We also spoke to senior leadership from six voluntary sector organisations (User Voice, St Giles Trust, The Forward Trust, Peer Power, Prison Reform Trust and Working Chance). We are aware many charities employ people with lived experience. These organisations were selected as they employ significant numbers of people with lived experience. Their case studies are used to explore how these organisations have benefited and supported their staff.

We also convened an expert group of people representing organisations from the CJA membership that are either led by CEOs with lived experience or have a significant number of employees with lived experience. The purpose of the expert group was to advise and guide the direction of our inquiry.

The impetus for this work was guided by strategic focus groups with CJA members in 2018 which resulted in the CJA strategy 'Connecting for Change'. One of the 'golden thread' strands of work the CJA will be focusing on between 2019–2022 is a diverse and fit for purpose criminal justice workforce. A key element of that is the promotion of people with lived experience as a critical part of that workforce.

Our annual CJA Awards for Outstanding Individuals have played a part in recognising and celebrating the contribution of people with lived experience in the sector, but this report and recommendations are aimed at achieving systemic recognition, celebration and investment. This work was also inspired by a Churchill Fellowship, carried out by CJA Director Nina Champion in 2018, exploring the role of people with lived experience in leading criminal justice reform and services in other countries.

We look forward to working with our members and others to implement the recommendations of this report.

2. The current landscape

Many public services, including the NHS,² mental health³ and substance misuse services,^{4,5} have a tradition of involving and employing people with lived experience within their workforces, recognising that they can play a vital role in improving the quality of services and policies. In this respect, the criminal justice sector is behind the curve, in particular with regard to employing people with lived experience:

‘The care system does it well, including people with lived experience in policy. Why not the criminal justice sector?’ *CJA Member*

‘Does the CJS truly believe in rehabilitation? That’s the fundamental question. In substance misuse there is no ceiling as to what one can achieve in terms of the employment journey. Criminal justice is massively lacking behind the substance misuse and mental health sectors.’ *Consultant*

The reasons for this are complex – in her research on social entrepreneurship amongst people with lived experience, Marie-Claire O’Brien found that lack of trust and perceptions of ‘risk’ played a significant role:

‘The willingness and drive to use one’s own experiences to encourage others is a common one.’

‘The generative phenomenon is well documented in certain sectors such as mental health and substance misuse – the willingness and drive to use one’s own experiences to encourage others is a common one. However in the world of criminal justice, this hunger for generativity can be viewed as insincere or ‘risky’. Despite this, and due to the increasing utilisation of lived experience in engaging those who struggle with recidivism and complex issues, a delinquent history can be reworked into a source of wisdom in a mechanism of mutual aid such as peer advisor, mentor and the less well-researched social entrepreneur with convictions.’⁶

Participants highlighted the need for more context and needs-based analysis of risk.

‘In terms of convictions as barriers, sure we have to consider safeguarding, however this should be done on a case by case basis and in context. Some offences appear extreme on the face value but the context can alter everything. Many organisations have unclear policies about different convictions and how they assess risk.’ *Employer*

‘The discourse is to manage risk as opposed to looking at needs and addressing them appropriately to reduce risk.’

‘The discourse is to manage risk as opposed to looking at needs and addressing them appropriately to reduce risk.’ *Employee*

There has, however, been an increased understanding and use of service user involvement⁷ in the criminal justice sector. Clinks’ State of the Sector report 2019 revealed that 67 per cent of organisations consulted service users about the design and delivery of services. In a positive step, HMPPS has also established a Service User Advisory Group to promote the use of service user involvement more widely across prisons and probation. However, a recent HMIP review of service user involvement found that some probation staff appeared to have difficulty accepting service user roles.⁸

The Clinks State of the Sector report 2019 found that although 53 per cent of organisations who responded to their survey said they had recruited service users as volunteers, only 29 percent said they recruit service users as staff. Only 12 per cent had service users represented on their boards. There is no published data on how many people with convictions are employed across the Ministry of Justice, HMPPS and the Home Office.

Lived experience participation and leadership is a growing movement in the UK in other social sectors, but there is limited research on the contribution of those with lived experience within the criminal justice workforce and their potential role as leaders to influence change for individuals, organisations and the wider criminal justice sector.

Significant structural, systemic and cultural barriers can hinder, block or inadequately support lived experience leaders' capacity to thrive.

In helping develop the concept of 'lived experience leadership' for social change, Baljeet Sandhu identifies that significant structural, systemic and cultural barriers can hinder, block or inadequately support lived experience leaders' capacity to thrive. She highlights how recognition, celebration and investment in lived experience leaders has long been neglected and they have limited visibility with poor access to opportunities, resources and support to shape and lead systems level change.⁹

Sandhu revealed that an emphasis on technical expertise and learned knowledge continues to direct social sector thinking, behaviour and activities, leaving many lived experience leaders feeling isolated, disenfranchised, and compelled to operate outside of existing support structures due to continued disparities in influencing power.¹⁰ Sandhu also found 'large parts of the social sector continue to function with top-down approaches to servicing programmes for communities. In the wider social sector, lived experience leaders from those communities tend to have limited decision-making power.'¹¹ There is little to suggest that the criminal justice sector does not suffer from the same problem.

'The sector, is full of very, very good people and incredibly well motivated people but there is just a risk that it's still a little bit coloured by some of its origins which are Victorian and Edwardian philanthropists saying we want to do good to these poor people. That paternalistic and patronising approach is (a) wrong and (b) kind of doesn't work.' *Employer*

'How we work with people... It will never change and it will not change unless them upstairs – them giraffes, need to talk to us turtles. Until this happens, nothing is going to change.' *Employee*

'There are entrenched systems designed to keep people mute. It's about power and privilege. It impedes innovation. We need to build a movement of lived experience to drive cultural change. Organisations need to be more diverse.' *Employee*

'We need to build a movement of lived experience to drive cultural change. Organisations need to be more diverse.'

Nevertheless, we spoke to a number of voluntary sector organisations seeking to address the issue and provide greater opportunities to diversify their workforce and increase opportunities to employ people with lived experience of the CJS. These employers see lived experience of the system as a benefit, not a barrier. Their case studies appear throughout this briefing:

User Voice:

'As a user-led organisation, we believe when engaging with current service users and prisoners, the best person to do that is someone with lived experience because they can remove the barriers very quickly with that shared experience. So, for us that's the absolute positive.'

St Giles Trust:

'St Giles Trust has been developing an ethos and delivery approach for over a decade in which employing credible, professional and passionate ex-service users is central to the design and delivery of our services. This approach has coincided with a period of successful and sustained growth combined with increasing external recognition of our innovation, impact and quality of services.'

Prison Reform Trust:

'On our information and information service it's incredibly valuable to have someone whose experience is completely current. Not back in time, or from the perspective of someone who has worked in prison. So much of the advice line work is about the day to day detail.'

The Forward Trust:

'We have this general culture where people with lived experience are integrated in everything we do. The culture of this organisation is that we know what our principles are, and our principles are what guide our decision-making.'

Peer Power:

'We exist for individual well-being, employment, and system change. We want to make those systems better and more empathic. Our big vision is that Peer Power will be fully run by young adults, and that those young people that have been through [Peer Power] become our future leaders. You will never have truly empathic systems until you have a mix of lived and learned experience at the top (in decision-making roles).'

Working Chance:

'A diverse workforce that is reflective of the demographic of beneficiaries is vital in ensuring a service is accessible, relevant, user-focused and targeted. Lived experience provides a unique and invaluable insight into beneficiary needs, the barriers they face and the existent services (or lack thereof).'

Culture change will require a shift in decision-making power.

Policy makers and senior leaders within criminal justice institutions need to play a vital role in championing the involvement and employment of people with lived experience, recognising that a culture change will require a shift in decision-making power. Without this shift, involving people with lived experience in consultation and volunteering – while remaining valuable – runs the risk of becoming tokenistic without clear opportunities to progress into paid roles to design and lead services. This may undermine the credibility of positive efforts and negatively impact the individuals involved.

'We are a small organisation but we have two people on our senior management team with lived experience. One day the organisation should be run by someone with lived experience.' *Employer*

Various policies to improve employment opportunities for people with convictions have been introduced over the past decade, such as 'Ban the Box'. Ban the Box, launched in 2013 and co-founded by Business in the Community, Unlock (a leading charity for people with convictions) and others, is a voluntary process that commits ascribing employers to removing the tick box for criminal records on application forms for vacancies. Although these policies have targeted employers generally, they may have greater effect if the CJS was to lead by example, in particular the public sector itself.

'For the public sector i.e. prisons and probation, I think they need to lead from the front ...'

'For the public sector i.e. prisons and probation, I think they need to lead from the front. So, if it is that we are trying to drive more employment of people with lived experience then it needs to do that, and across government so that it is not just a prison thing. Especially in the CJS to show that it itself embodies the principles that it tries to deliver on. That means being visible and proud of what it does. As much as you hear of the employment of people with lived experience – people don't know about that, they don't talk about that, we should be shouting about that in a positive way.' *Employer*

In 2016 the then Prime Minister David Cameron committed the Civil Service to also 'Ban the Box' and the Ministry of Justice's Education and Employment strategy pledged to lead by example through its Going Forward Into Employment civil service recruitment pilot for veterans and ex-offenders.

Going Forward Into Employment

Going Forward into Employment was launched in 2017 as a cross government collaboration between the Cabinet Office, the Civil Service Commission, Civil Service Local and the Ministry of Justice. The Civil Service Commission accredits and champions government employment initiatives through a specific 'Exception in its Recruitment Principles 2018'. This Exception is designed to allow schemes which provide fixed term appointments within the Civil Service for individuals whose circumstances and previous life chances make it difficult for them to compete for appointments on merit on the basis of fair and open competition. Departments may appoint individuals temporarily for up to 2 years. The vacancy holder is supported through the

processes at all stages. After 12 months, there is then the option to make a fixed term contract permanent. The scheme won the Civil Service Award for Innovation in 2018 and forms part of the Civil Service goal to become the most inclusive employer.

The National Lead for this scheme, a new full-time post, confirmed that by September 2019 they had recruited 25 people with convictions across seven government departments as part of this scheme. However, with 450,000 staff and 55,000 appointments made each year across the civil service, 25 positions remain a drop in the ocean compared to the potential recruitment opportunities. But there are plans to scale up this work.

Eligible posts are only up to Executive Officer grade, so most are junior or administrative posts rather than in policy development, research, strategy or other more senior roles, but the scheme could offer an important 'foot in the door' into the civil service. Criminal justice focused roles found for people with convictions so far include administrative positions based in courts, legal aid offices and the IOPC.

The work involved in brokering relationships with different civil service departments and prison and probation offices is an intensive

process that may require much greater capacity and resource than has previously been allocated.

Going Forward into Employment operates a popular line manager's network providing peer support amongst managers of people who were employed through the scheme, to share experiences and good practice. Each line manager and candidate are also offered a dedicated buddy/coach, who they can pick up a phone to or meet for coffee for a confidential chat if needed.

In 2018 the New Futures Network was launched by the Ministry of Justice in 2018 to build partnerships between prisons and employers. However, this focuses on industries such as construction and retail, and not on the criminal justice sector.

Working Chance

Working Chance provides employability and rehabilitation support to women with convictions. As employability specialists for women with convictions, Working Chance leads by example and around 50 per cent of permanent staff have lived experience of the CJS. Employees with lived experience work primarily in direct delivery roles but are also represented across other levels of the organisation.

Many of their beneficiaries are keen to work in the criminal justice sector as they see it as a rewarding career. They have placed women

into a range of roles with criminal justice voluntary sector organisations doing research, policy, administration and peer support roles. Some women have told them they are keen to become probation officers, but when they have sought to broker these relationships with some CRCs, they have been hesitant despite all the pre-work and post-placement support offered by Working Chance. They highlight that the Female Offender Strategy commits to improving employment outcomes for women in the CJS, so feel HMPPS and CRCs should be leading by example to other employers.

3. Value and Impact of lived experience

Our report highlights how the employment of people with lived experience can benefit not only the individuals involved but also the organisations employing them, the people they work with, and the communities they serve.

Purpose, passion and drive

Employee motivation is a crucial ingredient for the performance of organisations and the wider sector. Motivated employees lead to better outcomes because they are more likely to engage in personal development and go the extra mile to reach their goals and those of the organisation. Employees we spoke to described high levels of purpose, passion and drive, often derived from reflecting on their own experiences and wanting to improve the system for others.

'I just want to speak out and make it easier for other people.'

| 'I just want to speak out and make it easier for other people.' *Employee*

'I wanted to give back to society and make changes.'

| 'I wanted to give back to society and make changes. It's getting bad out here now, so now it's time to make a change with these youths.' *Employee*

| 'For me it is employing someone with a passion to make a difference really, and able to communicate that passion successfully to very senior people to convince them that this is where change needs to happen.' *Employee*

Empathy and compassion

Employees with lived experience often have a strong sense of kinship with others needing assistance with a range of relatable problems.

'I think ultimately not to do something useful, it would be a bit of a tragedy.'

| 'One of the most powerful things to help rehabilitation is probably somebody who can relate to them on their past experience.' *Employee*

| 'I felt guilty about the women I left behind [in prison]. These women there, I just thought, they'd made wrong choices. But how do you make a right choice in the circumstances they are in?' *Employee*

| 'I think ultimately not to do something useful, it would be a bit of a tragedy, a bit of a betrayal of the people that might be going through it as we speak. I wouldn't wish that stuff on anyone and if a chance of stopping that then it's only right to do it.' *Employee*

Courage and Resilience

People with lived experience, who have often faced and overcome multiple barriers in their personal lives and in forging their careers, described high levels of courage and resilience.

'Don't let anything discourage you. Keep pushing forward no matter how many doors are in front of you. You have just got to keep going through.'
Employee

'You just keep pressing. You have to align yourself emotionally and spiritually; to do the work you want to do and to stay on the path you want to stay on.'
Employee

Connection to community

Employers identified the benefits of employing people that reflected the communities within which they work and how this had made a difference to the delivery of their services.

'We are responding to the needs of the communities that we work in.'

'We are responding to the needs of the communities that we work in.'
Employer

People with lived experience have the potential to effectively engage so called 'hard to reach' groups in ways that can be of benefit to the CJS. They also help bridge the gap between CJS institutions and communities, creating greater trust and enabling institutions to more effectively serve their communities.

'The police asked me to sit on their training and policy sub-groups. So I did that as the lay member. We put together training on mental health for 1100 front line officers.'
Consultant

St Giles Trust

People with lived experience of the CJS make up 38 per cent of St Giles Trust's workforce. Peer-led community-based initiatives such as the SOS Project offer intensive help to young people exposed to or at risk of violence, vulnerability, exploitation and human trafficking. The SOS project also encompasses gangs

work and family support. Partnerships with hospitals also offer intensive support to young people who have been admitted as victims of serious youth violence. The Trust has incorporated people with lived experience into its workforce to better represent the communities within which they work.

Organisational knowledge and culture change

People with lived experience can also contribute to increased organisational knowledge and the removal of barriers between 'them' and 'us'. We spoke to employers and employees who described the value and impact of having a diverse workforce, including people with lived experience, to drive organisational culture change.

'It just becomes a real mutual respect and mutual understanding. You learn so much from each other.'

'They have got more empathy now to prisoners and it's helped change their perception and also changed their strategies towards their work as well.'

'Those with lived experience keep the organisation grounded and rooted. They contribute fantastic ideas.'

'One of my colleagues is a probation officer. You just never expect an ex-prisoner and a probation officer to be working alongside each other. We banter a lot and talk about anything.' *Employee*

'Actually, it just becomes a real mutual respect and mutual understanding. You learn so much from each other.' *Employee*

'Those two worlds collide together, having a diverse workforce in my opinion... meets the needs of your clients. It also enhances you as a person... that's what it does for us all working here. It makes you better.' *Employer*

'I told them that the word offender has a negative connotation and they have stopped using it. They have got more empathy now to prisoners and it's helped change their perception and also changed their strategies towards their work as well.' *Employee*

Understanding problems and generating solutions

Employers found that staff with lived experience brought fresh thinking and generated innovation in meeting the challenges of the CJS and employees felt their experiences could help find solutions to the complex problems they had unique insights into. They didn't just want to highlight problems, they wanted to be involved in designing solutions.

'These are the problems, what are the solutions? You can't just have a whinge-fest.' *Employee*

'Ultimately I understand why the mechanisms we have in society are like they are and I also think that I have got quite a good idea of how we might resolve them.' *Employee*

'He brings understanding to what happens in custody and probation. He has given us another standpoint to understanding what we are trying to achieve here. He has brought a real focus around what we want to do with the vision moving forward.' *Employer*

'Those with lived experience keep the organisation grounded and rooted. They contribute fantastic ideas.' *Employer*

4. Pathways: Routes into the CJS workforce

There is a lack of support mechanisms to help guide and support those with lived experience into working within the CJS. Our participants found their way into paid work through a variety of avenues.

Taking initiative

Those we spoke to often had to be incredibly proactive and take the initiative to seek out opportunities.

'While I was inside, I made the change and I started making positive contacts, having positive people around me. That led me to somebody who knew about [the organisation]. I wrote to them and made contact with them and then when I was released, we met up and it started from there.' *Employee*

'I went to see the police commissioner and said I don't think this should have happened. He agreed and commissioned me to write a report on the interactions between mental health service users and the police.' *Consultant*

'I had a degree from my time in prison, level 3 in substance misuse and all the qualifications they offered, but couldn't find a job. In the end I approached the job centre and told them nobody else will employ me so you will have to. And as a result they employed me as admin. As soon as I got that first job, I began to find it really easy to get work.' *Employee*

Public speaking, blogging and social media

For some participants social media and public speaking provided a pathway to unexpected opportunities.

'I started off doing public speaking and blogs.'

'I went to a conference and the person with lived experience didn't turn up so I said I could do that, so I did. From there I built up my network.' *Consultant*

'I was always on social media saying that I was wanting to go into a criminal justice career path.'

'I started off doing public speaking, blogs. I now do a lot of consultation work with organisations that pay me to critique policy documents and give advice.' *Consultant*

'It came about by the Director reading one of my blogs on the internet and then he emailed me to meet me for a brief conversation regarding my experiences and my blog, kind of what I am doing at university and then offered me a role within the CJS.' *Employee*

'Prior to getting the job I wrote quite a lot of stuff and I was always on social media saying that I was wanting to go into a criminal justice career path. I have been very lucky because opportunities have fallen in front

of me. That said, there are opportunities I was seeking out through using social media.' *Employee*

However, some participants highlighted the risk that they can get stuck in a 'story telling' role, with limited scope for development.

'We take a user-led perspective. It's not about tokenism. It's got to be meaningful. Not just telling a story.' *Employer*

Volunteering

'We have a huge number of volunteers and peer advisors, so a lot of our paid jobs are promoted internally.'

Many participants identified volunteering, while on ROTL or post-release, as providing a route to gaining employment in the CJS through building skills and networks, as well as applying for internal vacancies:

'We have a huge number of volunteers and peer advisors, so a lot of our paid jobs are promoted internally.' *Employer*

'I've been a member of the independent advisory group for four years and was chair for two years. That was a voluntary role.' *Consultant*

'I used to go to prisons to pick up service users that had been released. One day I was asked to come in [to the organisation] and I was informed of job vacancies with probation. I applied for the job and got it. I've been in the probation service ever since.' *Employee*

'[Volunteering helped] being around people, doing teamwork. I was not really comfortable talking to people, so it built up my confidence to talk in front of people.' *Employee*

User Voice

Almost 90 per cent of User Voice's staff have lived experience, from its Board and CEO to its management team and delivery staff. User Voice's main route of recruitment is through their Councils. A Council is an elected group of people in prison or on probation who meet with the governor or probation chief executive on a regular basis to put forward solutions. The solutions are developed from engaging with their peers. If the solutions are accepted, the Council members work with the prison or probation service to implement them.

The organisational ethos is centred on giving people a voice and building their capacity. They do this by identifying leaders in local communities as potential employees.

These individuals are then taken through a step by step process, starting as Council members before being given an opportunity to progress to volunteering, delivering services before further progression into part-time or full-time employment. After this the employee can progress into management and leadership positions.

They recognise that processes must be formally embedded to facilitate a smooth progression through the employment pathway. A substantial proportion of their workforce has a non-traditional education and work history. As a result, employees may not have worked in office environments. The process therefore allows employees to test their aptitude at

each job level and identify any further skill development requirements. It also allows the employees to look at other routes of progression and prepare them for roles within or outside of the organisation.

User Voice is an accredited training centre which has developed a number of training packages focused on lived experience, such as the Peer Research, which trains staff in research skills and techniques. There are also clear progression routes into management and roles with responsibilities both internally and externally.

User Voice's process therefore allows employees to test their aptitude at each job level and identify any further skill development requirements.

However, for some participants, they had to volunteer for a long time before succeeding in gaining paid employment, which led to them feeling undervalued:

'Sitting around the table, I was the only one not being paid. At the end of the process the co-ordinating officer said yes it was unfair of them and would ensure I would be paid in the future, for any future work. I did get an award for it, a little gold thing. That was nice but it didn't pay the gas bill.' *Consultant*

Funding limitations were described as a barrier for a number of voluntary sector organisations in moving more people from volunteer roles into paid employment:

'Trying to find a grant funder presents funding issues directly affecting our ability to offer paid roles.' *Employer*

'We get mixed reactions, because [employing people with lived experience] has been part of our history, we think this is entirely normal and positive so we get surprised when some funders don't see it as a positive.' *Employer*

Prison roles

Prison roles not only expose people with lived experience to opportunities, but it also helps them build on their existing skills and confidence, as well as acquire qualifications.

'If you bring employers into prison that is a big thing.'

'I was introduced to [the employer] when they visited the prison by the class teacher in the class that I was a mentor. They came back for an informal chat and I was pretty much offered a job. If you bring employers into prison that is a big thing. It gets rid of the elephant in the room.' *Employee*

'I think it was more about the experience I had. Such as being a listener in prison. Through Listening you learn to understand other people and I think that played a very big part in getting my role.' *Employee*

'The job requirement was for my insight, but the fact I was already doing presentations in prison helped as well. The main part of my prison role was presenting, so [the employer] was clear I had some sort of skills in that department.' *Employee*

Contacts and networks

Many participants noted the importance of establishing a network of contacts. Often, it is these contacts that present opportunities for them by recommending them to other organisations or supporting them through the recruitment process.

'Who you know matters a hell of a lot.'

'So, [A] put me in touch with [B] of the organisation. The organisation was quite new as well, and they were sort of getting their heads around the whole sort of CJS. I gave them a bit of advice on how to navigate CJ institutions and then we got talking about what they could do for me.' *Consultant*

'Who you know matters a hell of a lot. I was lucky I knew a few sensible people in good jobs and they helped me with things such as CVs.' *Employee*

Prison Reform Trust – Prisoner Policy Network

PRT employs people with lived experience at all levels from volunteer roles on Release on Temporary Licence (ROTL), permanent paid roles, senior managers to trustees. Their ROTL placements, which normally last up to a year, pay the London living wage and are specifically funded as trainee schemes. Participants are then able to build up their skills and apply for full-time roles within PRT, should they arise.

PRT have also employed people with lived experience for specialist jobs, for example publication, IT, finance and human resources. They take on volunteers on an ad hoc basis, preferring short-term placements for work experience. They currently have one volunteer role associated with their Advice and Information service. This role is primarily for people on ROTL.

PRT advertise for paid vacancies in the national press, as well as on Twitter and Facebook.

However, recognising that people with lived experience often have limited access to networking opportunities, PRT created the Prisoner Policy Network made up of people in prison and in organisations that work with people that have been to prison. It is a national framework which ensures that prisoners' insight is visible in policy and decision making. The network also acts as a semi-formal recruitment network, identifying people who may have an interest in working not only for PRT but the sector as a whole.

'We have to use it (PPN), and it's absolutely in our interests to say, we are an organisation that's interested in that network and from time to time we'll offer fantastic opportunities and you will be particularly welcome here if you have got the skills that we need. For me that puts us in a very good position in a market where that potential is largely untapped.'

5. Challenges and Solutions

People with lived experience can encounter an employment environment that too often deters, rather than supports them. Because of systemic, legal and societal barriers, participants described the challenges they faced in finding employment and in working as part of the criminal justice workforce. They also described some of the positive ways they had received support or organisations had changed to find solutions in order to overcome these barriers.

Disclosure

For people whose roles were not directly connected to their lived experience (e.g. non-peer roles) participants explained that the decision whether or not to disclose their lived experience to employers or colleagues, and if so in what way, was often a difficult process. For some that decision was taken out of their hands.

'You get to the point where you get sick of having to always explain yourself. I do feel the need to give back but I don't feel like I have to explain myself to strangers. Because that only continues the problems.' *Employee*

'Other staff knowing your background is a huge barrier. In my other jobs I've felt like I need to disclose to everyone and the managers encouraged it. So I had to go through that stage of telling everyone. I just did it as and when I could find people on their own, there wasn't a structured way of doing it.' *Employee*

'It's a double-edged sword, because I was not sure how they were going to respond to me. But at the same time I would have liked them to have known to break the ice.' *Employee*

Some roles involved disclosing as part of the job, but this can also bring challenges. Some described the need to 'move on' from peer roles into other roles in the sector which did not involve regular disclosure.

'I was rolled out like a prize pig... it was either shut up and don't tell anyone you've been to prison or go out there in a conference hall in the middle of Westminster and tell 600 people at a time.' *Consultant*

'I wanted to be able to choose when to disclose. I didn't want my job to enforce that on me.'

'I think there is a point for most people when you have done disclosing, like this is me, this is my mistake sort of thing. I wanted to be able to choose when to disclose. I didn't want my job to enforce that on me. So being a manager I say to my workers if you get to that point and you want to change your direction, you want to move to a different role, we can do that, we have the space to do that.' *Manager*

Our participants identified that people with serious convictions had additional barriers.

'Employers did not understand what a life licence meant. It's a scary term. They also did not like the process of having to speak to my probation officer, because my probation officer wanted to speak to anyone that was employing me, to make sure that they understood the risks.' *Employee*

'One of them'

Some participants pointed out that workplace relationships played a vital role in whether they stayed in employment or not. Some participants expressed how they perceived differential treatment by their colleagues and the effects that had on them.

'It was a lovely place but I always felt like I was the offender in the room.'

'People tend to make jokes like 'oh but you're one of them really'. Whether I'm working with mental health, addiction or ex-offenders; I am always one of them. The things that have been said to me have been banter, but I don't think they realise the implications that has on me, the way I feel, and my safety.' *Employee*

'The comparison to how I was treated here and how I was treated there... It was a lovely place but I always felt like I was the offender in the room. I know they didn't mean that at all, but in following the guidance so closely, you felt nothing but that. But here, there is a much more accepting culture.' *Employee*

However, there were participants who felt that organisations within the CJS were better placed to understand their situation.

'They have accepted me, they don't judge me, they don't ask me questions. I volunteer information and have chosen to volunteer information with them. They got me birthday cards last week with loads of messages of encouragement.' *Employee*

'The surprising thing was that I could be myself. I didn't have to hide that I've been in prison, they knew so I felt comfortable.' *Employee*

'The surprising thing was that I could be myself. I didn't have to hide that I've been in prison, they knew so I felt comfortable.'

Feeling valued and trusted

The extent to which employers make staff feel valuable and their work is making an impact can help reduce feelings of 'imposter syndrome', which may restrict them from reaching their full potential.

'There is always this nagging feeling that actually, I only got this job because I have been to prison. I am working with lots of highly qualified people that have studied for years and years, so how could I possibly make a contribution to this organisation?' *Employee*

'I did a paid internship which was good in lots of ways. I think they thought it was a good idea to have someone with lived experience but didn't know what to do with me.' *Employee*

Participants identified that positive feedback and being given responsibility contributed to a sense of appreciation and being valued.

'I felt entirely useful, invaluable. It wasn't them doing me a favour and being a good Samaritan.'

'Straight away they were like what do you want to do? They sat me down and went through policy stuff they were working on and asked me if I could help. They had me going to meetings with mayors, the shadow attorney general. I felt entirely useful, invaluable. It wasn't them doing me a favour and being a good Samaritan.' *Consultant*

'I went back to my prison two weeks ago and I got an email from my old tutor. She said after I left the guys felt so inspired. Four have now signed up for university. When I heard that it gave me goose bumps.' *Employee*

Trust is a crucial element in the process of building relationships in the workplace. Positive work place relations that were not tokenistic, but genuine and forged on the basis of equality empower people with lived experience to have confidence in their roles.

'They value you and they respect your value and if they believe in you, they will put you in positions to represent the whole brand.'

'Last week the CEO and the senior management couldn't attend a meeting with the Department of Education, so they sent me. So, yeah, they value you and they respect your value and if they believe in you, they will put you in positions to represent the whole brand.' *Employee*

When a lack of trust is perceived, it can have a long-term damaging effect:

'It made me think my opinion was not valued. Even now I don't feel appreciated.' *Employee*

One way trust can be built with staff who have lived experience is to have mechanisms to hear their ideas and suggestions.

St Giles Trust

Employees with lived experience contribute to the overall strategy of the organisation by way of an expert panel. This panel is chaired and comprised of employees with

lived experience. They meet quarterly and their representative attends Trustee meetings. They have sub-groups that feed into the organisation's business and strategic plan.

A diverse workforce

Those working in organisations employing a greater number of people with similar lived experience described some of the benefits to an inclusive culture. Some defined lived experience more broadly than criminal justice experience.

'For me, what has kept me here is the culture and the understanding and people doing the job because we all seem to care about the same end-goal. There are not many people who are working here because they want to have a job and earn money; it's about the end-goal. There are people coming from common backgrounds, in the sense that there is a lot of disadvantage in different ways; whether you are a prison leaver, care leaver,

'We understand pain and we know how to work with people who are in that pain, to get them through to the other side. That's what's really key about this environment.'

someone who's been homeless, someone who's suffered drug addiction. We understand pain and we know how to work with people who are in that pain, to get them through to the other side. That's what's really key about this environment.' *Employee*

However, some employees and employers discussed what the 'right mix' was of lived experience and non-lived experience staff for an organisation. It often depended on the type of work being done, the amount of 'peer' roles and the ethos of the organisation.

'I have not got a target and we have not employed anybody because they have been to prison. There is nobody here with a job because they have been a prisoner. What we do try and do now, is to say in our advertisements... we really welcome applicants with lived experience.' *Employer*

'We are quite a complex organisation now but we have always had a view that our face-to-face provision we would want somewhere around a 50 per cent mix. And in our whole organisation 40 per cent is generally what we say to ourselves 'we are feeling reasonably... we're protecting our culture if we have around 40 per cent of everybody who works here has some sort of lived experience.' *Employer*

'We don't have an arbitrary target, but I would think that we would never want to go below the 38 per cent that we've got to.' *Employer*

'We are a user-led organisation, so... throughout our Senior Management Team, everyone in a delivery capacity, from our Regional Managers to our delivery staff have got lived experience. Over 85 per cent of staff have got that lived experience. There's no set level but most of our roles have an essential requirement to the job description that they have lived experience.' *Employer*

'We have certain roles within the charity where we think it is particularly important to have someone with a criminal record to do it. We define those as peer roles. Other roles do not exclude the lack of criminal record. There is a risk that lived experience almost tries to suggest it is better or worse than something else. I think that is true for certain roles, there is an element to what lived experience can bring. As a charity we accommodate both.' *Employer*

Support and mentoring

Participants identified the importance of support, in particular mentoring.

'I think having mentors and having a workplace, really helped me get through the challenge, because I had a reason to get up in the morning. Mentors are especially important because your family knows you as the person who's made the mistake, so in a way I've felt for a long time that I've had to prove something to them. The mentors in my life are almost more positive about my journey, in that sense every little thing was a celebration that I could talk

to them about. Whereas, with other people I'd still feel as though I was trying to make amends for the past.' *Employee senior manager*

People with lived experience, especially those employed soon after release from prison, might have specific support needs as they 'acclimatise' to life outside prison, as well as to a work or office environment, but also have longer term support needs.

'It took me about 3 months to transition to the work culture from being in prison. But I don't want to be a burden. I want to be seen the same as everyone else.'

'The transition was overwhelming. I felt very pressured, out of my comfort zone, out of my depth, did I really belong? Prison environment and work are completely different. In prison you can't just do what you want, you have to be escorted. On my first day at work I was getting hungry and I thought is nobody going to say when I can go for lunch. I asked someone and they laughed and said you just go mate. All that took its toll on me. It took me about 3 months to transition to the work culture from being in prison. But I don't want to be a burden. I want to be seen the same as everyone else.' *Employee*

St Giles Trust

One of their most innovative support mechanisms is a professional mentor scheme, which has been running for over a decade. The Trust has established and identified corporate partnerships, support and individuals who want to give back. These individuals are on hand to mentor St Giles Trust employees in a range of areas be it business, management or leadership.

'We should be trying to see and understand how that transition (prison to release) is just huge and having stabilizing factors is really important. I had mentors. St Giles gave me a business mentor, the Longford Trust gave me an academic mentor; these factors helped me to get over the bump, to get back into normality, to have continuity.' *St Giles Trust Senior Leader*

'I had mentors. St Giles gave me a business mentor, the Longford Trust gave me an academic mentor; these factors helped me to get over the bump, to get back into normality, to have continuity.'

Employers and employees talked about the challenge of providing support, but not being seen as offering a 'two tier' system and instead ensuring all staff benefit from a strong package of support and pastoral care.

'We keep asking ourselves about the difference between equity and equality.' *Employer*

Prison Reform Trust

PRT responds to many of the specific challenges that people coming out of prison face such as accommodation, travel costs, and health. For example, where possible they will offer financial assistance by way of loans or season travel ticket loans. Where a loan may not be feasible, they are able to connect people to other sources of help such as accommodation or health services. Those on license are given the necessary time off

to meet their probation obligations such as appointments. Support is also available to other parts of their workforce.

'There is nothing different, all staff are subject to the same support. Loans, short courses that are individually tailored. Frankly a good employer with a talented person should expect that everybody goes through times in their lives when stuff goes wrong.'

Peer Power have found that offering flexible working patterns and consistency of relationships are vital support measures to help younger staff with lived experience:

'On a practical level – brain development is a particular issue specific to young people. So, looking at the fact that mornings don't work for young people, having flexible work patterns is key, and consistency of relationships, so if they struggle there is some understanding.'

Several participants also described feelings of loneliness and needing access to social activities.

'I go to work Monday to Friday 9–5, but weekends are very long. I'm frightened to mix with anybody as I sort of gravitate towards users. I can't go and sit in a pub. I felt loneliness and boredom. But I was lucky, my boss contacted a women's support group and paid for me to travel to attend some of their meetings at the weekends.' *Employee*

Support can also be practical in terms of IT skills, given the lack of internet in prison.

'I have a colleague who did 25 years in prison and he couldn't use a computer, he couldn't use tech. But he's applied himself and now he is flourishing.' *Manager*

Some participants raised the importance of adequate support to safeguard both the employee and service users and nurture their potential:

'Not everyone has this as a vocation. Some can do more harm than good. But well supported people with lived experience can be powerful. We need to nurture them. This is a stepping stone to changing the whole penal system.' *Consultant*

'Well supported people with lived experience can be powerful. We need to nurture them. This is a stepping stone to changing the whole penal system.'

Mental wellbeing

Some employees described occasions where they had struggled with their mental wellbeing and managing that in the workplace without being a burden on their employer.

'They very much have the ethos and underpinned values of caring about people and supporting them and trying to find ways, but in a pragmatic sense you can't stick someone down for a couple of hours and try to explain why you feel s**t, because these people don't have that time to do that.' *Consultant*

Participants voiced the importance of having employers who provided mental health support and offered flexible working arrangements.

'They let me know that there's a psychologist there if I need to talk. I could take time off.'

'They let me know that there's a psychologist there if I need to talk. I could take time off. I know in my last job if something like this had happened it would have been a bit more formal, less compassionate. But everyone's had a lot of empathy and compassion in this job. So, in terms of support, I've had a lot of support, all around the board.' *Employee*

'I'm self-employed. I have health considerations so I can't work full time. I like flexibility. [Employers should] subscribe to working patterns that take into account mental health issues. [There should be a] network of organisations that say we employ people who have valuable experiences and we do it in a way which means if they don't turn up one day it's ok.' *Consultant*

St Giles Trust

At St Giles Trust, staff can access a counsellor who visits at least once a week or sign up for clinical supervisions to support any member of staff or volunteers that might need assistance. The organisation has created a culture where

this support is no longer stigmatized. The Trust also provides other support mechanisms such as an in-house welfare life advisor and housing advisor. They also put employees' contracts on hold if they need to take a break from work.

Working Chance

Working Chance offers beneficiaries who they are supporting to seek employment the opportunity to access psychotherapy services for up to one year and professional coaching. They continue to keep in touch

with beneficiaries once they are in employment and can work with them and their employers in a holistic way to help ensure their wellbeing as they navigate the workplace and settle into their role.

Some participants described how working in prisons and probation settings can be traumatising for people with lived experience and that they might need additional support as a result.

User Voice

'It's difficult for people not to be traumatised... often they haven't had a positive experience of prison or probation and then they go back into that environment and obviously this can sometimes be very difficult and can feel potentially quite helpless with other people stuck in there and you might not be able to help them as you might want to. We've got to support our staff a lot to ensure they are ok.'

There might also be challenges for employees with lived experience dealing with prison and probation staff.

Therefore, User Voice offer support with regular supervisions, taking time off work or moving roles from the prison to the community. They also have a help-line counselling service that all staff can use.

'Our staff are going back into prison, drawing keys, they're going into probation services and people find that quite challenging. Some people are open to it, some are indifferent and some are opposed to it. Within prisons some of our staff have been told very clearly you, an ex-con, shouldn't be here.'

'Within prisons some of our staff have been told very clearly you, an ex-con, shouldn't be here.'

'I'm lucky I got to this place because of several factors. To be blunt I'm educated, I'm white and I speak a certain way that's eloquent.'

Double disadvantage and Intersectionality

Intersectionality is a framework for conceptualising a person, group of people, or social problem as affected by a number of discriminations and disadvantages. It takes into account people's overlapping identities and experiences in order to understand the complexity of prejudices they face. Some participants described the 'double disadvantage' they experienced of racial prejudice combined with stigma against people with convictions.

'Colour matters a hell of a lot. When you come out of prison, your colour and who you know can determine how you are going to move forward. I was lucky.' *Employee*

'One of my colleagues had an incident in a school. He wasn't just dealing with the fact he was an ex-offender, he's also dealing with prejudices of race.' *Employee*

'I'm lucky I got to this place because of several factors. To be blunt I'm educated, I'm white and I speak a certain way that's eloquent. I understand the people coming up behind me are not like that and they should be helped to get to that point.' *Manager*

Prison and probation restrictions

ROTL can be a great enabler for people to gain the necessary skills and contacts to help them to get paid work in the sector upon release. ROTL gives people the opportunity to build on their stabilising factors such as work, accommodation or mentors.

'In terms of probation... my experience was horrific, every single obstacle that they could put in my way to prevent me from working...'

'ROTL was the reason why I was able to do so much and grow and give back to my family and adjust so quickly. Upon release the transition was so much easier even though I faced numerous challenges such as being homeless. But the fact that I had a job and being paid, I was able to prepare for the situation that I faced.' *Employee*

However, some participants identified occasions when prisons and probation stymied access to ROTL and other opportunities to progress when on licence.

'In terms of probation... my experience was horrific, every single obstacle that they could put in my way to prevent me from working, ROTLs, child care resettlement; it was just obstacle after obstacle. I had to involve solicitors and make numerous complaints about decisions that were made with no evidence.' *Employee*

Working Chance

Working Chance support women to come out to work for criminal justice charities while on Release on Temporary Licence (ROTL) which they find is a valuable pathway to help secure roles when they are released.

They help liaise with the prison, probation and employer to facilitate this. However, they find that different prisons and probation services have different rules and the process can be complicated.

Vetting

Prison Service Instruction 27/2014 sets out 'Standard-Plus' procedures for vetting people with convictions to work in prison or probation settings:

'Standard Plus is for ex-offenders who will be engaged in delivering rehabilitative activities who would not usually be successful through the usual security vetting procedures because of their previous convictions.'

One of the desired outcomes was said to be:

'To improve flexibility for those organisations engaged with reducing re-offending and rehabilitative activities to use ex-offenders within a prison or in the community to work with current offenders.'

One employer told us it can work where there are strong contractual relationships in place between the prisons and the service provider, but the challenges of Standard-Plus vetting was a recurring frustration for many employers and employees that we spoke to who were keen for the system to be overhauled to achieve the desired outcome.

'The vetting system for access to prisons works against the objectives we all share.'

'The vetting system for access to prisons works against the objectives we all share. It's one of the many things which shows the casualness in how things are badly run, but nobody takes responsibility to put it right.' *Employer*

Governors have the discretion to evaluate and decide the suitability of applications which can lead to more risk averse Governors refusing access:

'There is an element of governor discretion, so a governor can override the recommendation that comes back. But they rarely do, because that means that the governor is going to get reprimanded if the s*** hits the fan.' *Employer*

The Standard Plus Prisons clearance is limited to one specific prison location and must be reviewed annually. Therefore, people with lived experience working across a range of prisons have to submit an application for each prison even though all Standard Plus vetting clearances in prisons and the community are logged centrally. The problem is compounded by the fact that clearances expire after just 12 months. This can dis-incentivise those with lived experience and the organisations employing them, particularly because the process itself is time consuming and complicated.

'For people with no lived experience of prison, there is a generic vetting and clearance form. Once they get clearance, they get an I.D. card which allows them to go into every prison. And for those with lived experience, they have to fill in the same form for every individual prison...' *Employee*

'The vetting system is dysfunctional and the amount of hassle and pain that it causes is terrible, and nobody is taking responsibility to put it right.'

'They have got a system that relies on providing absolute accuracy, which is very long winded, creates a lot of to-and-fro which takes a very long time. The vetting system is dysfunctional and the amount of hassle and pain that it causes is terrible, and nobody is taking responsibility to put it right.' *Employee*

'For me it would be a case of filling out the form numerously and at different times and sending it to various prisons for an 8–10 week vetting process. And it only lasts for 12 months before you have to repeat the process again. Very, very difficult.' *Employee*

'It's difficult to remember the dates and where you've lived especially if your accommodation has not been secure. It's not geared up to being able to complete it having lived chaotic lives.' *Employer*

'It's just more barriers to stop you being able to do your job.'

'These forms are all on an Excel spreadsheet... I'm absolutely not good on spreadsheets anyway. You have to state convictions, what was the police force dealing with the case, so much information that most people don't even remember. It's just more barriers to stop you being able to do your job.' *Employee*

Participants highlighted that the vetting system focuses on risk assessments from past behaviour and fails to take into account the current circumstances of the individual.

'The information they collect is qualitative information from security officers or sponsoring authority, but by-and-large it's about what offences has

'What is not in the criteria is what you have done in your life since the offence.'

so-and-so done, and do they scare us or not? What is not in the criteria is what you have done in your life since the offence.' *Employer*

'All the time you are putting applications which say, 'here is the criminal record and here is what this person has done to turn their life around, and here is how they verified that they can be trusted in the year since.' But the criminal history gets taken into account more and the rehabilitation doesn't.' *Employer*

'Of course the vetting system is important and the national computer that has the records of offences is an important part of that. But they just have the wrong criteria and the wrong procedures, and it would not take a lot to put it right.' *Employer*

Charity Commission rules

Some employees and employers we spoke to identified changes to the Charity Commission's 'automatic disqualification' rules, meaning some people with certain convictions will be prevented from being able to run a charity unless they have clearance, as a potential barrier to people with lived experience from working in certain senior manager roles as well as trustee positions. Recent changes expanded the list of offences that the automatic disqualification applied to.

The charity Unlock has been involved in supporting people through the waiver process and also calling for reform of these rules. A recent blog¹⁹ (extract below) on the charity's website highlights the case of a successful waiver, but the experiences of the CEO and trustee involved highlight why this process could be off-putting charities and individuals:

Charity CEO:

'Despite the stated positive intention behind this process of protecting the best interests of the charity, it didn't feel that way. The process itself felt degrading and patronising. [...] The way in which the letters had to be written further puts the waiver applicant in a degrading position: instead of taking an asset-based approach, beginning with the reasons why the applicant should be considered for a Trustee position, it takes a deficits and risk-based approach, requiring the charity to defend itself against the harm

this person could cause going forwards. In many ways, the waiver requirement felt like yet another restriction placed to curtail the power of charities to hire and recruit the talent we need to do our work well. Otherwise, why would this restriction only apply to charities and not to other types of organisations? I'm not recommending that it should; but if companies can freely choose their Board of Directors, why can't charities?'

Waiver trustee applicant:

'When a process is difficult, intrusive and drawn out it is only natural to get frustrated but remember it's not directly the fault of the people you are dealing with. For me I handled this by remembering the 'why'. Why am I doing this? I'm doing it because I am deeply passionate about helping people in a difficult situation. If I get frustrated or take anything too personally it risks me not being able to do something that I passionately want to do.'

6. Progression and leadership development

'People like us shouldn't just be in these [service delivery] roles, we should be sitting near the Sadiq Khans and the people in parliament. We should be based in there.'

Many participants were motivated to progress to leadership roles, either in their current organisation or setting up their own enterprise, and to increase their influence and impact.

'People like us shouldn't just be in these [service delivery] roles, we should be sitting near the Sadiq Khans and the people in parliament. We should be based in there.' *Employee*

Employees in managerial, strategic or leadership roles within their organisations reflected on what had helped them to progress to more senior levels.

Higher education

Higher education plays an important role for progression within organisations across the sector both for personal development, but also to build confidence and to build 'professional credibility'.

'I'm doing a masters. I wanted to use my brain. I might learn something and it's about professional credibility. When I finish [my masters], I want to work on a regional or national level rather than a local, because it feels more meaty and you have more impact. I want to work with people who are genuinely like-minded and passionate, who are delivering change and passionate for it. Engaging at that level I know I'm being stretched with some of this work that I'm doing and that feels good.' *Consultant*

'I am studying at university as well, just going into my third year. Prior to starting my degree I didn't have any career path in mind.' *Consultant*

'I want to run the organisation! Probably managerial. Education is a massive barrier. If I want to get there, I would need to do a masters.' *Employee*

'There's something about doing a degree, in a way it matures you and makes you have to think about things.'

'There's something about doing a degree, in a way it matures you and makes you have to think about things.' *Employee*

The Longford Trust

The Longford Trust awards scholarships to young serving and ex-prisoners to go to university. They consist of financial support and provision of a trained one-to-one mentor. Over 300 people have been supported by The Longford Trust over the past 14 years. They study at all UK universities across the range of subjects, including including Law, Criminology, Computer Science, Business, Management and Social Policy. Scholars can choose to have a mentor with lived experience, or someone working in an area of interest to them and a Mentor Manager supports this work. They also broker paid internship placements for scholars to get valuable work experience in organisations and to open doors to potential future employment. This has included doing research and policy work for charities, law centres, the Cabinet Office, Local Authorities and a Police & Crime Commissioner. The Longford Trust also works with the Solicitors Regulatory Authority to support scholars who wish to enter the legal profession and has specific Law scholarships supported by the Legal Education Foundation. They provide practical support for scholars to do placements – such as travel and funding

a suit to wear if the workplace requires it. They also employ former scholars to facilitate their secure online forum for past and present scholars, which provides peer support and features relevant employment opportunities.

Longford Trust Director, Peter Stanford, says:

‘So many of the people who apply to us for support with their degrees say they want to make the system better for others. We have seen an increase in Longford scholars asking for internship placements in the criminal justice sector. It is vital that there are more high-level opportunities for people with convictions who are engaged with higher education or who are interested in working in the criminal justice workforce to get access to paid roles which can help shape and reform our criminal justice system. We currently are working with 64 individuals, but there are many more who are capable and just need a little encouragement, support and contacts to help oil the wheels. Employers, professional associations, funders and others could help widen the scope.’

‘We have seen an increase in Longford scholars asking for internship placements in the criminal justice sector.’

However, despite UCAS recently ‘banning the box’ on their applications, individual universities can still ask, providing a barrier to people with lived experience applying or accessing higher education. Unlock and the UPP Foundation’s work in this area recently led to ten universities signing a ‘Fair Chance for Students with Convictions’ pledge. The project is also designed to support fair admissions and improve access and participation for universities by implanting policies and creating a toolkit for other universities.

The expansion of prison university partnerships are providing greater connections between prisons and universities.¹² There are also examples of widening access projects at universities specifically targeting people with convictions such as the Open Book Project¹³ at Goldsmiths University in London. These partnerships and projects can lead to work opportunities for participants in the criminal justice sector or in criminal justice research after release. The Convict Criminology¹⁴ movement based at University of Westminster also provides a network for people with convictions who are studying, researching or teaching criminology or related subjects or involved in academic-activism.

Leadership and Professional Development

'I did internal training around management and leadership within the organisation to enable me to get to this point where I could lead a team.'

Participants explained that the transition from an employee to a manager or other leadership role can be challenging and they recognised the importance of having the right skills to take on leadership roles, skills which can be acquired and honed through leadership and professional development programmes.

'I did internal training around management and leadership within the organisation to enable me to get to this point where I could lead a team, otherwise I don't think I would have had any other kind of knowledge or skills to do it.' *Lived experience Senior manager*

'At the moment I am running a team and I have to get some qualifications, but after that there is opportunity to move up.' *Lived experience Manager*

St Giles Trust

Last year St Giles Trust offered a variety of Institute of Leadership and Management qualifications.

'Last year we offered a Level 5 Institute of Leadership and Management (ILM) course. An accredited leadership and management

qualification. Approximately 70 per cent of our employees who did it have lived experience of the CJS. Quite a few of them have gone on to management positions. We've got another course running, an apprenticeship route more like a Level 3 ILM course.'

The Forward Trust

Almost a quarter of the organisation's staff report they are in recovery from drug and alcohol addiction, and 15 per cent report having convictions, with a crossover of 7 per cent. The Forward Trust's apprentices are people in recovery and half are ex-prisoners. At any one time The Forward Trust has 140 volunteers – around half are prisoner volunteers.

They have a clear strategy for identifying talent. Line managers are tasked with targeting people for professional development. External training such as management training, supervision training and extra professional training for groups of staff are provided.

Those with lived experience are predominantly represented in delivery roles working with

service users but some are also represented at senior levels.

The Forward Trust also ensures lived experience is included at trustee level – half of the organisation's trustees have lived experience and they are working to improve inclusion of those with convictions.

The Forward Trust strives to instill a workplace culture where people with lived experience are integrated at every level, including overall strategy planning. At each of their 30 projects there is a service user forum with a service user lead that contributes to project planning and implementation. The organisation also regularly consults with people with lived experience to feed into new policies.

There is innovative and emerging work around employment and progression specifically for young people with lived experience:

Peer Power

Peer Power are a relatively young charity and have developed an empathy-based model with young people where co-production and participation is in the DNA of the organisation. Their model of involvement is holistic and wrap-around, ensuring a socio-therapeutic relational approach, and young people are involved in the development of services, commissioning and contracting and lead their own priorities and social action projects.

'The 'Peer-to-Professional' project that is part of our engagement model has become really important. Young people come on as Peer Power Experts, then some can go on to become Peer leaders. Peer Leaders have additional responsibilities, so they will do additional training around engaging other

young people, and a lead Peer Engagement role to support pastorally. We are also building an internship/apprenticeship model and routes into University and other employment. 92 per cent of those involved with Peer Power have gone on to University and into paid roles in statutory and voluntary sectors.'

Importantly *all* these roles are paid, starting at the London living wage and rising with progression. Young people can treat the role flexibly, responding to the pressures of their daily lives, recognising that not all are prepared for or want full-time employment. It can take time for some young people to get used to working and going into different environments – Peer Power gives them that time.

There are also examples overseas where people with convictions are supported to become leaders in the criminal justice sector:

Just Leadership USA

'Just Leadership USA (JLUSA) trains and supports formerly incarcerated people to become more effective leaders. Just Leadership USA has a partnership with Columbia Law School's Center for Institutional and Social Change. Training includes Community Building, Advocacy and Communication/Messaging.'¹⁵
Nina Champion, 2018

JLUSA believe that 'the most challenging barrier to expansive, systemic overhaul of the criminal and juvenile justice systems in the US, is the absence of clear and consistent leadership by those who have been directly affected by decades of harmful criminalization and incarceration policies.'¹⁶

They have two programmes to support senior level leaders and emerging leaders:

'Leading with Conviction (LwC) is a year-long, cohort-based advanced leadership training for formerly incarcerated, mid-senior level leaders with a specific and proven track record in advocacy and community organizing. The Emerging Leaders (EL) Trainings are day-long leadership development opportunities in cities around the country for advocates directly impacted by the criminal justice system. Emerging Leaders are enhancing the skills necessary to meaningfully influence decision makers at the local, state, regional, and national levels, and to change hearts and minds.'

Self-employment or social entrepreneurship

Barriers to employment can invoke an entrepreneurial zeal either as an alternative to paid employment or as a progression route following a period of volunteering or employment with a criminal justice organisation.

'In the future, I actually see us being one of the top rehabilitation companies owning a community centre that is organised for the youths.' *Employee turned Entrepreneur*

'Many prisoners exhibit characteristics which are likely to make them successful entrepreneurs.'

Because those with lived experience understand the difficulty of finding employment, social entrepreneurs with convictions are often best placed to recruit others with convictions.¹⁷ O'Brien's research found that:

'For those who wish to explore self-employment, theories behind prisoner entrepreneurship show that many prisoners exhibit characteristics which are likely to make them successful entrepreneurs. Policy makers need to assist in creating self-employment and business ownership opportunities to motivate them economically away from crime and towards pro-social behaviours.'

Progression to other organisations or outside the sector

User Voice

'In ten years we've employed hundreds of people with lived experience and lots of those have now gone on to do other roles within the sector that they wouldn't have been able to do otherwise as no-

one was going them a chance. They have been able to use it as a springboard and a launch pad for other work and senior roles within the sector, that's something we're very proud of.'

Progression may be outside of the sector, and some participants emphasised that there should not be an expectation that people stay within the sector.

Prison Reform Trust

'The thing we say to all our employees is that we want you to have a successful career in whatever you choose to do. We are training people in generic, transferable skills and

I am very clear that if you want to use those skills for something that's nothing to do with criminal justice in the future, well that's fine. You don't owe us anything.'

Recommendations

1. Government departments, public bodies and commissioners

Government departments and public bodies across the criminal justice sector should lead by example in employing more people with lived experience and champion their employment across the sector in service delivery, design, influencing and leadership roles. (See p. 9/10) In particular:

HMPPS should conduct a thorough review of policies and procedures that are disproportionately disrupting the ability of people with lived experience to work in the criminal justice system. For example, urgent focus should be given to updating and improving vetting and ROTL procedures and guidance. (See p. 27/29)

HMPPS should produce a strategy, toolkit, training and best practice guidance to public sector bodies and criminal justice institutions to support the employment and progression of people with lived experience in different roles in the sector. (See p. 19–30)

The **HMPPS Service User Advisory Group** should recruit at least one civil servant with lived experience and invite someone involved in civil service recruitment onto the group to help take forward this work. (See p. 6)

The **Ministry of Justice and Home Office** should carry out research into the experiences and beneficial impact of people with lived experience in the criminal justice workforce. This research should seek to understand the barriers, such as perceived risks, and find ways to mitigate those and promote a needs and assets based approach. They should publish annual numbers of people with convictions employed by MoJ, Home Office and HMPPS. (See p. 4)

The Cabinet Office should publish annual numbers of people with convictions employed in the criminal justice workforce as a result of the Going Forward to Employment Scheme and aim to increase this year on year. The Scheme should also be extended to include higher civil service grades for example in research, policy and managerial roles. (See p. 10–11)

The **New Futures Network** should expand its remit to include brokering roles within the criminal justice workforce in public, private and voluntary sector organisations and should publish data on the number of roles it has helped secure. (See p. 11)

The **Ministry of Justice, Police & Crime Commissioners and HMPPS** should use their commissioning and grant making processes and the specification criteria used by them, including prison and probation contracting arrangements, to incentivise and reward lived experience-led organisations and service providers who provide pathways and progression routes for people

with lived experience as part of their paid workforce, senior leadership teams and Boards. They should also incentivise and reward providers whose supply chains employ people with lived experience. (See p. 17)

Prison education providers should support education that might help people to gain employment in the sector such as higher level mentoring and IAG courses, leadership development, public speaking, research skills, management and social policy. They should invite people with lived experience working in the sector and criminal justice employers to meet people interested in working in the sector and promote vacancies. (See p. 17)

2. Charity Commission

The **Charity Commission** should review as a matter of urgency the changes to their automatic disqualification rules as they are a disproportionate and ineffective way to support charities and result in a significant barrier to some people with convictions making valuable contributions to the criminal justice sector as senior managers, leaders and trustees. In particular:

- the extension of the disqualification framework to senior managers should be scrapped, the provisions should only apply while a conviction is unspent; and
- the process should give more emphasis to the positive steps an applicant has taken since their convictions and decisions should be made more quickly. (See p. 29–30)

3. Employers

Employers working in the CJS from the public, private and voluntary sectors who employ people with lived experience, or who plan to, could:

- Review and revise their strategy and HR policies and processes, and staff/manager training and development, to ensure they adequately recognise and support the needs of employees /potential employees with lived experience, including support for mental health, wellbeing, disclosure and improving workplace culture (See p. 19–26);
- Review and revise the ways in which they obtain feedback from staff with lived experience as to their needs and their ideas (See p. 20–21);
- Review and revise the opportunities for progression for staff with lived experience (either within the organisation or externally) and scope ways they could be supported to progress into management, leadership, trustee positions and influencing roles, for example mentoring, coaching, professional development and leadership training (See p. 31–35); and

- Sign up to Ban the Box and adopt fair chance recruitment practices.¹⁸ Review and revise recruitment processes to ensure job advertisements are reaching people with lived experience, including those in prison and on probation. (See p. 15–18)

4. Criminal justice funders including trusts, foundations and philanthropists

Criminal justice funders, including trusts, foundation and philanthropists are key to ensuring charities can offer opportunities and properly support employees with lived experience as part of their workforce. They are also crucial in being able to fund new and innovative ways to increase the leadership potential of staff with lived experience in the sector. Criminal justice funders could:

- Champion the employment of people with lived experience in their own organisations and in those they support (See p. 17);
- Consider and resource the possible additional training and support needs of people with lived experience in the workforce when assessing appropriate 'on costs' for organisations employing people with lived experience (See p. 19–26); and
- Fund and evaluate a range of pilot recruitment support, mentoring, coaching, paid internships and leadership programmes across the country for different cohorts at different stages of their careers to understand how best to provide pathways for people with lived experience to work in the criminal justice sector and effective progression routes to leadership, management and influencing roles. (See p. 15–18 and p. 31–35)

5. Universities

Universities could sign the 'Fair Chance for Students with Convictions' pledge and revise admissions policies to support and encourage applications from people with lived experience of the CJS, for example through establishing prison university partnerships or other widening participation initiatives. (See p. 31–32)

6. Criminal Justice Inspectorates

HM Inspectorates of Prisons and Probation should monitor the inclusion of people with lived experience in the workforces they are inspecting. To do this they should speak to volunteers and staff with lived experience to get their insights and make recommendations to support pathways and progression routes for people with lived experience in the workforce. They should also lead by example by employing people with lived experience in inspection teams and leadership roles. (See p. 6, 9, 26 and 27)

Useful reading

Good practice in service user involvement: From the voluntary sector working in criminal justice (Clinks, 2019)

Leading with Conviction: The Unique Complexities Faced by Ex-Prisoner Entrepreneurs Working within the Criminal Justice System, O'Brien M. (2019)

Lived Experience Leadership: Rebooting the DNA of Leadership, Sandhu B. (2019)

Patient and Public Involvement Policy (National Institute for Care and Excellence 2013)

Progress through Partnership: Involvement of people with lived experience of mental illness in CCG commissioning, Seymour C. (Rethink Mental Illness, 2019)

Service user involvement in the delivery of mental health services (Together UK, 2014)

Service user involvement in the review and improvement of probation services, Research & Analysis Bulletin (HM Inspectorate of Probation, 2019)

State of the Sector (Clinks, 2019)

The lived experience of people with mental health and substance misuse problems: Dimensions of belonging, British Journal of Occupational Therapy, Blank A., Findlay L. & Prior S. (British Journal of Occupational Therapy 79(7), pp 434–41, 2016)

The Value of Lived Experience in Social Change: The Need for Leadership & Organisational Development in the Social Sector, Sandhu B. (2017)

Turning 180 Degrees: The Potential of Prison University Partnerships to Transform Learners into Leaders, Champion N. (Winston Churchill Memorial Trust, 2017)

Endnotes

- 1 Sandhu, B. (2017) The Value of Lived Experience in Social Change: The Need for Leadership & Organisational Development in the Social Sector.
- 2 National Institute for Care and Excellence (2013) Patient and Public Involvement Policy.
- 3 Seymour, C. (2019) Progress through Partnership: Involvement of people with lived experience of mental illness in CCG commissioning.
- 4 Blank, A., Findlay, L. & Prior, S. (2016) The lived experience of people with mental health and substance misuse problems: Dimensions of belonging, *British Journal of Occupational Therapy*, 79(7), pp 434–41.
- 5 Together UK (2014) Service user involvement in the delivery of mental health services.
- 6 O'Brien, M. (2019) Leading with Conviction: The Unique Complexities Faced by Ex-Prisoner Entrepreneurs Working within the Criminal Justice System.
- 7 Clinks (2019) Good practice in service user involvement: From the voluntary sector working in criminal justice.
- 8 HM Inspectorate of Probation (2019) Service user involvement in the review and improvement of probation services, *Research & Analysis Bulletin*.
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- 13 www.gold.ac.uk/open-book/open-book-about/
- 14 <https://link.springer.com/article/10.1007%2Fs10612-016-9327-6>
- 15 www.wcmt.org.uk/sites/default/files/report-documents/Champion%20N%20Report%202017%20Final.pdf
- 16 <https://jlusa.org/leadership/#become-a-leader>
- 17 O'Brien (2019).
- 18 <https://recruit.unlock.org.uk/fair-chance-recruitment/principles/>
- 19 www.unlock.org.uk/appointing-a-trustee-with-a-criminal-record-reflections-of-a-successful-applicant-and-charity/

The Criminal Justice Alliance

The **CJA** is a national alliance of over 150 organisations – including charities, research institutions, staff associations and think tanks – working towards a fairer and more effective criminal justice system which is safe, smart, person-centred, restorative and trusted. The views expressed in this report are not necessarily those of individual CJA members.

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Change from Within

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