

“I didn’t know who to turn to”

Understanding and filling the gap in advice and support services for people with low level criminal justice system involvement



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1. Summary

The criminal justice system is often focused on responding to and delivering sanctions for the most serious and prolific offending but overlooks earlier opportunities to identify individuals at their first point of contact with the justice system, intervening before offending escalates, or even occurs at all. The majority of people in contact with the criminal justice system have low level involvement, receiving disposals like fines or cautions without any further supervision from the Probation Service. Currently, there is no cohesive approach to provide those individuals with any systematic form of support – even when their offending is being driven by social welfare needs like homelessness, debt or substance misuse. Offering effective and appropriate advice and support to this group has the potential to stop their issues from escalating and plays an important role in long-term crime prevention.

This report seeks to inform the development of appropriate advice and support services through qualitative research with people in low level contact with the justice system who have sought help for social welfare needs. Through interviews, we explored their needs, their experiences in seeking access to advice and support, and their view on how services can effectively meet their needs.

Our findings

Social welfare needs

Our interviewees had sought help for a wide range of needs, including housing, benefits support and mental health issues. They had a range of factors which might make it harder for them to access support, such as literacy issues, learning difficulties or neurodiversity, and having English as a second or additional language. Being in contact with the criminal justice system had exacerbated the needs of some interviewees by causing additional stress or creating practical problems with employment or family life.

Barriers to accessing support

Interviewees reported a range of factors that made it hard to access support. Awareness of specialist support services was limited. Practical issues such as inconvenient locations and opening times, slow activity and long timescales acted as barriers. Interviewees also often held negative or sceptical views on the value of support services.

Principles of effective advice

We identified six principles which characterised effective advice and support practice for people with low level justice system involvement requiring support for their needs:

- **Ease of access:** Services should provide straightforward routes into support with the option of both pre-booked appointments and drop-ins. The primary mode for support is face-to-face, but it should also be straightforward to contact services by phone and email.
- **Consistency:** Services should provide clients with a single point of contact who takes pro-active responsibility for managing their case and keeping the client informed.
- **Sensitivity:** Clients should be able to discuss their needs in a discrete and non-judgemental environment. Services should be responsive to clients' diverse characteristics and to people's individual circumstances, including factors that might make it more difficult for them to access support.

- **Criminal justice awareness:** Services should seek to support clients in their criminal justice engagement as well as with their social welfare needs. Clients need help with understanding jargon and processes as well as with basic tasks like finding a legal representative.
- **A whole person approach:** Services should respond to the full range of needs that clients present with, taking their initially identified support requests as a starting point to explore a broader support offer.
- **Effective transition between agencies:** Generalist services will need to refer some clients on to specialist support; they should take an active role in helping the client to access the new service and, where required, provide interim support until they have made the transition

In a policy context, where emerging practices such as community diversion and the new diversionary caution are creating more opportunities for substantive work with people who have low level criminal justice system involvement, we hope that these principles will help guide the development of flexible, responsive and effective advice and support services which can meet people's needs and contribute to long-term reductions in crime.

2. Introduction

The criminal justice system concentrates much of its resource on imprisoning or supervising those convicted of the most serious and prolific offences, yet two thirds of people sentenced receive lower level disposals such as fines or discharges;¹ many more receive out of court disposals such as cautions or community diversions that don't result in a formal disposal. Opportunities to identify and intervene with individuals at their first point of contact, or before offending escalates, is overlooked. Nine out of ten people in prison have been convicted at least once before being imprisoned, and half have been convicted at least fifteen times.²

We believe that there is a need for better advice and support provision for this group of people. Extensive evidence suggests that applying preventative approaches to address social welfare needs can be a cost effective way of stopping these needs from escalating to chronic levels³ and reduce a person's likelihood of offending.⁴ But evidence suggests that justice-involved people can face significant barriers in accessing advice and support provision due to factors such as feeling stigmatised, or because of barriers such as learning difficulties, neurodiversity or English as an additional language.⁵

Assessing the scale of this unmet need is difficult. While criminal justice practitioners have widely reported to us that many people with low level justice system involvement experience extensive needs which drive their offending, there is little or no systematic work to map the extent or nature of those needs or people's experiences in seeking support to address them. This research seeks to address this evidence gap through qualitative research undertaken with justice-involved people who have sought support for social welfare needs. The research seeks to understand the needs they face, their experiences in seeking support and the ways that support can be provided effectively.

The role of social welfare needs in driving offending

A range of social welfare needs have been identified as “criminogenic” – playing a role in increasing an individual's risk of reoffending. These include:

Drug misuse: Extensive evidence has demonstrated a link between substance misuse and crime. A recent meta-analysis found that drug users were 3-4 times likelier than non-drug users to offend, with the highest rates of offending associated with use of crack cocaine. Drug misuse was associated with a range of offense types, including robbery, burglary, prostitution and shoplifting.⁶

Alcohol misuse: Evidence suggests that a link between problematic alcohol consumption and offending. There are particular associations between heavy and binge drinking and violent crime, including domestic abuse.⁷ However, the links are complex and other mediating factors such as childhood experiences of violence or social and cultural norms are also likely to play a role.⁸

Accommodation issues: Lack of stable accommodation has been particularly identified as a risk factor for reoffending.⁹ Accommodation issues are also associated with other risk factors, including substance misuse issues.¹⁰

Employment issues: Employment has been strongly identified as a protective factor against reoffending across a range of contexts, including at the point of leaving custody and in the community.¹¹

Debt: Debt – which serves as an effective marker of difficult personal financial circumstances¹² – is associated with offending via a number of mechanisms. Chronic debt can cause people to commit crime in order to pay for essential needs, while the stress associated with debt can also contribute to impulsive decision making¹³ linked with offending. A recent meta-analysis showed a strong association between debt and crime – though the number of studies reviewed was small.¹⁴

Responding to criminogenic need

Helping people to address criminogenic social welfare needs is an effective way to reduce their risk of reoffending. Interventions devised to address criminogenic needs have been associated with reductions

in reoffending. Adherence to the criminogenic needs framework has been found to result in a 17% positive difference in average recidivism between treated and non-treated individuals when delivered in residential/custodial settings, and a 35% difference when delivered in community settings.¹⁵

It's particularly important to address these issues before they become entrenched across a range of issues. In the context of substance misuse, early intervention services which are provided whilst people are accessing other forms of services have been shown to be effective in harm reduction and in preventing progression to more serious substance misuse.¹⁶

Similarly, in the field of housing, preventative measures that seek to avert people from becoming homeless are an increasingly important element of strategic responses to homelessness in the UK and elsewhere.¹⁷ Services such as housing advice, housing rights services and tenancy support services - which can negotiate with landlords where arrears are occurring - can be successful in preventing homelessness.¹⁸

Responses to need should also consider factors which may complicate people's engagement with support. The National Probation Service has identified three key responsivity factors which should be taken into account in the design and delivery of support services: learning difficulties and neurodiversity, low psychosocial maturity, and mental health issues.¹⁹

Prevalence of need amongst individuals with low level justice system involvement

The main form of needs assessment for adults in the justice system is the OASys assessment carried out by probation, but this is limited to people at risk of community or custodial sentence. This leaves a significant gap in the evidence base around the needs of people with low level justice system involvement. However, some studies have evidenced that characteristics which might act as barriers to accessing support are common in this group, estimating a high prevalence of hidden learning disabilities²⁰ and mental health conditions.²¹ Research has called for complex needs assessments to be embedded for all individuals throughout the criminal justice process.²²

Data from probation assessments shed some light on the needs faced by offending populations – though it is important to note that their characteristics may differ from those receiving less severe sentences. In data from 2018, probation assessments found high levels of social welfare needs amongst people receiving community sentences, with 45% having needs around employment, 35% drugs, 33% accommodation and 20% alcohol.²³ The same data also highlights some of the factors which may make it harder for these individuals to access support for their needs in the community: 26% were identified as having a learning difficulty, and 11% had a mental health need.

Policy context

Interventions within the criminal justice system

Whilst the vast majority of criminal justice interventions continue to be aimed at individuals on community and custodial sentences, there have been some recent developments exploring provision alongside less severe disposals. In particular, some policing practices – including community diversion, out of court disposals and deferred prosecution – can result in people's criminogenic needs being assessed and addressed. Community diversion involves skilled practitioners identifying people's risks, needs and assets through a light-touch assessment in order to refer them into targeted, responsive interventions.²⁴ Tools such as 'critical pathways' or a 'needs wheel' may be used for this assessment, while interventions on offer include, for example, support with employment and mental health. These may be delivered by police, specialist navigators, or an external service partner.

As the new two-tier statutory framework for out of court disposals – comprising the community caution and the diversionary caution – is due to come into effect in March 2023, a number of forces are rethinking needs assessment and support, potentially improving the service provision landscape, albeit indirectly. However, as flagged in the Ministry of Justice's 2018 two-tier out of court disposal pilot evaluation, there could be a danger of net-widening (drawing greater numbers of people into potentially harmful criminal justice system involvement), with more people getting the higher-tier caution than otherwise would have.²⁵ Crucially, while support service referrals are to be welcomed, care must be taken to proportionately tailor and limit the number and intensity of interventions people are required by the criminal justice system,

through the threat of enforcement action, to complete. Failing to do this may unnecessarily extend and deepen people's involvement with the criminal justice system, potentially exacerbating their needs.

Another relevant area of activity in this area is the NHS funded Liaison and Diversion model. Emerging from the 2009 Bradley Report into the experiences of people with mental health and learning disabilities in the criminal justice system,²⁶ the 2014 Liaison and Diversion operating model codified a range of long-standing practices supporting justice-involved people with mental health needs, learning difficulties and other vulnerabilities.²⁷ There are now liaison and diversion services across wide parts of England supporting people in the criminal justice system. The operating model sets an ambitious scope for these services: they are intended to work with both adults and children, accept referrals from both police custody and court, be available 24/7 and, crucially, to work with people with a very wide range of chronic vulnerabilities including, but not limited to, mental health, learning disabilities, neurodiversity and substance misuse. Liaison and diversion teams include a core clinical function who undertake mental health screening and referral, alongside community link workers whose role is help clients access community support.

While its remit is drawn very widely, Liaison and Diversion has a significant clinical focus in terms of its caseload, with a 2021 evaluation finding that 71% of cases have an identified mental health need.²⁸ An earlier evaluation looked at the referrals made by liaison and diversion services, with 52% being made into mental health treatment and a 24% being into substance misuse treatment.²⁹ In terms of the broader group of individuals with low level criminal justice system involvement it seems likely that many who experience social welfare needs would not necessarily be identified for liaison and diversion given its focus on clinical need.

The wider policy landscape

As a specific group, low level justice-involved individuals with complex disadvantages are largely overlooked in government strategies and plans. Although individuals may be at a low level of criminal justice system involvement, many of the needs that they experience are ones that can drive offending behaviour and can become more serious over time.³⁰ Crucially, these needs are also amenable to improvement through the provision of advice services,³¹ and as such the provision of services to this group represents an important opportunity for early intervention.

The strategic attention that this group does receive tends to be indirect. Firstly, they can fall within the remit of wider policy aims, such as crime reduction. For example, the Government's Beating Crime Plan covers a number of areas such as cutting crime and cutting reoffending - intrinsically relevant to people with low level justice system involvement - but the document does not connect them to this group.³² Secondly, subsections of this group do receive strategic attention as the result of falling into another group or category of need which is itself given more direct attention, such as women, veterans, or people at risk of homelessness. For example, the Veterans' Strategy Action Plan 2022-24 commits to provide information to veterans in the justice system through a 'veteran support map',³³ which will be relevant for some people with low level justice system involvement.

While there is little direct statutory attention for this group, a number of broader policy agendas (and statutorily defined responsibilities) are relevant. The specific obligations that are most relevant for this group fall primarily on local authorities, but there are also important responsibilities held by police and crime commissioners (PCCs), as well as central Government and health bodies. PCCs, for example, have broad responsibilities (for instance to secure an efficient and effective police force for their area and contribute to the national and international policing capabilities set out by the Home Secretary)³⁴ and they are empowered to commission services and make grants, primarily aimed to tackle crime reduction/prevention or those affected by crime.³⁵ However, this falls short of any statutory obligation to specifically provide for low risk individuals. While pursuit of these agendas could naturally lead a PCC to commission interventions to support individuals with low level criminal justice context, the law does not specifically require it. A similar situation holds for a range of other bodies, such as the generic statutory responsibilities for health provision that fall on NHS England and its constituent organisations.³⁶

Local authorities have a number of statutory obligations to provide advice and support, including for individuals in contact with the justice system. The Housing Act 1996 (and Homelessness Reduction

Act 2017) require local authorities to provide free advice and information on preventing homelessness, securing accommodation, rights, available support and how to access it. Relatedly, the Domestic Abuse Act 2021 requires local authorities to provide victims of domestic abuse with housing-related advice and support.³⁷ The 2014 Care Act obliges local authorities to “establish and maintain a service for providing people in its area with information and advice relating to care and support for adults and support for carers”, and ensure that “information and advice services established cover more than just basic information about care and [...] should also address, prevention of care and support needs, finances, health, housing, employment, what to do in cases of abuse or neglect of an adult and other areas where required.”³⁸ In addition to this, guidance on the Care Act stresses the importance of preventing need or delaying deterioration wherever possible, which has wide-ranging implications given the range of needs this could encompass. The above obligations can be discharged in a number of different ways, reflecting local operational and strategic preferences.

The service provision landscape reflects these statutory realities. Advice and support services of various kinds exist across the country, with the commissioning landscape characterised by variation in provision,³⁹ a general lack of long term sustainable funding,⁴⁰ and a dearth of specific provision for justice-involved people.⁴¹ Recent trends in the service landscape have included closures (associated with the Covid-19 pandemic and cuts to local authority budgets and legal aid), as well as an increased emphasis on online and telephone service provision over face-to-face provision.⁴² The varied landscape means that people with similar needs in different parts of the country can have very different experiences of accessing advice and support.

3. Methodology

This project seeks to explore the gap in the evidence around social welfare needs amongst people with low level justice system involvement and their experiences in seeking support to address their needs. We also explore additional factors which may impact on people's capacity to access support related to those needs (such as disabilities and neurodiversity, mental health conditions, experience of domestic abuse).

We explored the following questions:

1. Understanding the social welfare needs of people with low level justice system involvement

- What are the social welfare needs of people with low level justice system involvement in contact with the criminal justice system?
- How does involvement with the criminal justice system impact the needs of people with low level justice system involvement?

2. Understanding the service landscape for people with low level justice system involvement with needs that could be addressed through advice and support

- What community support services are people with low level justice system involvement aware of?
- What community support services have people with low level justice system involvement accessed?

3. Understanding the barriers experienced accessing services by people with low level justice system involvement with needs that could be addressed through advice and support

- What barriers have people with low level justice system involvement experienced in seeking access to services?

4. Understanding effective practice for working with people with low level justice system involvement with needs that could be addressed through advice and support

- Can any principles of effective practice in providing advice and support to people with low level justice system involvement system be identified?

Recruitment approach

We employed a two pronged recruitment strategy. Five of the fifteen interviewees were recruited via Highbury Community Advice, an advice and support service based at Highbury Corner Magistrates' Court which is provided by the Centre for Justice Innovation. Interviewees were recruited by Highbury Community Advice staff re-contacting previous service users and inviting them to participate in the research.

We also interviewed 10 people who had been to magistrates' court as defendants in other areas of London in the past three years and had not accessed Highbury Community Advice. These interviewees were contacted through an external recruitment agency specialising in engaging participants such as this group.

Interviewees were screened to ensure they had experience of accessing or trying to access support or advice services to resolve one of the following needs in the past three years:

- Debt
- Housing
- Employment
- Benefits
- Mental health
- Domestic abuse
- Substance misuse
- Education and training

Sample characteristics

Nine interviewees were male and six were female. The ages of interviewees ranged from 20 to 72. Eight interviewees had experienced going to court as a defendant more than once. Offences included parking offences, council tax evasion, drug possession and low level violent offences. The majority of interviewees had never served a community or suspended sentence and had received a court fine as the result of being convicted. None of the interviewees were currently serving community sentences, although two interviewees had previously served a custodial sentence.

Fieldwork and analysis

Interviews were conducted via a semi structured approach employing 15 questions.

All interviews were professionally transcribed. The researchers devised an initial coding framework based on the emerging findings of early interviews, revised this in light of further interviews, and conducted in-depth analysis of transcripts. Transcripts were analysed using Dedoose, a cloud-based coding software.

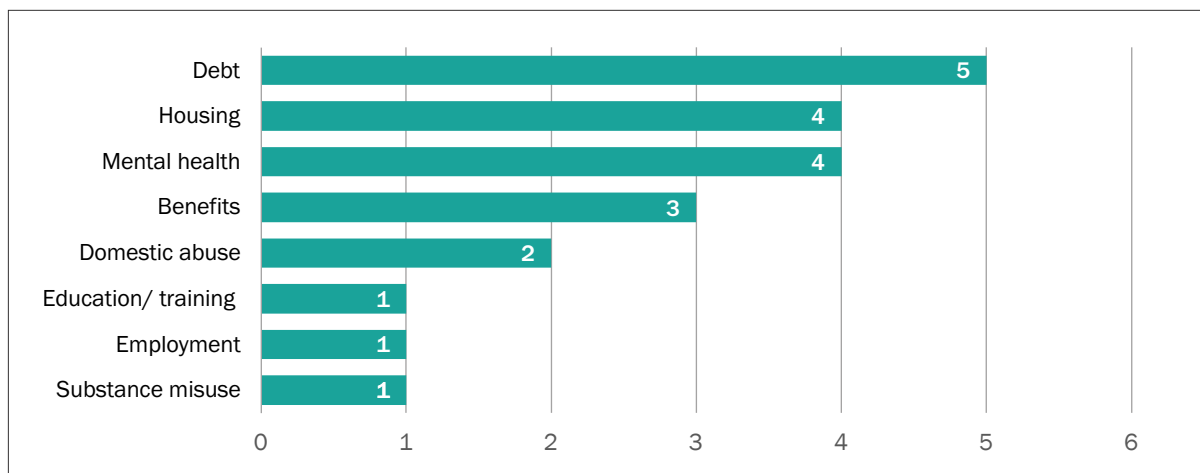
4. The social welfare needs of people with low level justice system involvement

In order to contextualise interviewees' experiences of seeking support, we set out the areas of need interviewees reported experiencing. First, we describe the prevalence of need reported by our sample, noting that many disclosed additional needs during their interviews which had not been reported at screening. We then explore how criminal justice involvement impacts and aggravates existing need.

Prevalence of need in the sample

In a screening questionnaire, we asked all interviewees to outline what needs they had sought advice or support for from services in the past three years. Needs around debt advice, housing and mental health were most frequently reported by the sample.

Figure 1: Respondents' advice needs⁴³



Information around applying for benefits or employment tended to be thought of as singular and short term need for which interviewees largely needed one-off advice on how to make an application as opposed to ongoing support. In contrast, the support seeking journey around other needs tended to be multi-stage, consisting of initial advice, followed by being referred or signposted to a more specialised service which provided ongoing support for the issue.

Six interviewees reported seeking advice or support for more than one need in the past three years in their screening questionnaire. Interviewees that had experienced issues such as domestic abuse and substance misuse reported having multiple needs that arose from their situation. For example, an interviewee who had experienced domestic abuse had to seek alternative accommodation as a result of the abuse and suffered poor mental health due to this situation. Another interviewee had a chronic substance misuse issue which had made it perpetually difficult to secure housing and employment.

High levels of undisclosed need

Many interviewees went on to disclose areas of need that they had not been asked about in the screening questionnaire; these included difficulties with reading and writing, physical health, learning and cognitive difficulties, and having English as an additional language.

"I can't read or write properly; I can write very well, but I can't read very well, and where there's these streets started shutting down, they blocked them off. I didn't know I couldn't go down them, and I ended up with loads and loads of parking tickets."

[Interview, F, 72]

“ My memory is not as good. Since I’ve stopped drinking and smoking weed, it’s become more evident that my memory is not that good.

[Interview, M, 64]

Several interviewees disclosed having needs around mental health during their interview and said they did not report it in their screening questionnaire due to never actively having sought support from mental health services. Experiencing poor mental health was rarely reported as a primary need and interviewees tended to link it with experiencing other hardships such as housing issues, unemployment, criminal justice involvement and domestic abuse.

Criminal justice system involvement complicating needs

When asking interviewees to expand on areas of need they disclosed, it became apparent that their involvement with the criminal justice system created additional stress and disruption which had, in some instances, aggravated existing needs.

Criminal justice disruption creating stress and poor mental health

Most interviewees in the sample found their experience of the criminal justice system disorientating and stressful. Many first time defendants expressed that they had struggled to understand how the system worked and even what offence they had been charged with.

“ I didn’t know who to turn to. Because there’s not really that much help out there, is there? You know, you can go and pay for the help but they don’t really explain anything, do they?

[Interviewee, M, 62]

“ You really don’t know what you’re doing, you don’t know how to dress, you don’t know how to act. You don’t know who to address, do you know what I mean? You don’t really have any idea of what you’re encountering once you step into the courtroom.

[Interviewee, M, 20]

Going through the criminal justice system therefore often induced anxiety, creating worries around attending court and the sentencing outcome.

“ I’m so nervous and anxious about the whole court thing that I can’t physically get over it. I can’t tell you. I get stomach aches when it’s time for court, I get... There’s a whole load of emotions, and my body goes through it. It’s like a turmoil when it’s time for court, because I’m just not used to that kind of stuff.

[Interviewee, F, 37]

Court fines worsening debt and personal finances

Several in the sample had sought debt advice due to receiving a court fine. One interviewee needed to take out further loans to pay their court fine, worsening their already strained financial situation:

“ Well I’ve just told you I’m in loads of debt and you’re asking me to borrow money to pay off your fee.” That’s ... a bit rubbish.

[Interviewee, M, 26]

Impact of experiencing concurrent proceedings

Several in the sample reported being in contact with the criminal justice system as victims as well as defendants. Some in the sample reported parallel involvement with the family justice system, adding another layer of stress to their lives. Many interviewees who had experienced victimisation expressed dissatisfaction with the police’s handling of their case, with some reporting that they had experienced ongoing anxiety around their personal safety.

“ I’ve received threats in the past and broken windows and just, kind of, like, used a scare tactic. And I didn’t feel comfortable anymore...I realised that I just wanted to get out, I wanted to escape, and I didn’t want to feel controlled anymore.

[Interviewee, F,26]

“ There’s a child arrangement case and that kind of links in with the domestic abuse I experienced in the past. I didn’t know what I was going through at the time.

[Interviewee, F, 26]

Long term criminal justice involvement contributing to the complexity of needs

The needs of interviewees who had prior involvement with the criminal justice system tended to be more complex. Those who had previously served a custodial sentence articulated complex relationships between their involvement with the criminal justice system and chronic substance misuse and mental health issues they were experiencing. One interviewee expressed that they turned to substance misuse to cope with long term and unresolved housing and mental health issues. This perpetuated their criminal justice involvement as they generally committed offences whilst being intoxicated.

“ It was destroying my life. I’m getting angry. I’m getting drunk. I’m getting arrested. More fines. More stress on me, and my partner and those around me.

[Interview, M, 64]

5. Use of advice and support services by people with low level justice system involvement

Awareness of services

“ They never tell you about these services, it’s up to you to find out. I believe the government has a secret code not to tell people unless they ask.
[Interview, M, 61]

When asked what community support they were aware of, interviewees cited a range of services, from general to specialist, national to local. The most commonly mentioned service was Citizens Advice Bureau (CAB), which had been accessed by several interviewees with a range of support needs. CAB was seen as a first port of call for general support and targeted onward referrals. Councils were also flagged for their role in offering general advice and, in the absence of interviewees’ knowledge about specialist services, signposting:

“ I’d just call the council and say, “Do you have details for who I’d phone for this and for that.” And the council seems to hold all that information, they’re quite good at giving you advice or giving you places to call.
[Interviewee, M, 26]

GPs were mentioned as being able to support with mental health needs, and signpost and refer to external mental health services were necessary. Alongside this, a number of specialist services were highlighted. For mental health support, interviewees were aware of the MIND and Samaritans helplines, which, together with GPs, were noted as facilitating access to IAPT (Improving Access to Psychological Therapies) services. For domestic abuse issues, Women’s Aid and Refuge were flagged. Other specialist services that interviewees were aware of included the Job Centre and Legal Aid. Local support services, including one stop shops at local civic centres and those covering specific issues, most commonly housing, were also mentioned.

As well as signposting and onward referrals, many interviewees, generally younger respondents, relied on internet search engines to find support services. As one interviewee put it:

“ I’d just google if I needed help with one of those things [areas of need].
[Interviewee, M, 31].

When asked how they came to know about CAB, a nationally-available service, interviewees indicated that its reputation was common knowledge:

“ I think Citizens Advice, they’ve just been around for years, to be honest. And you always hear people, “Have you called Citizens Advice,” just growing up, you know, you just hear a lot of people, “Have you gone to Citizens Advice?”
[Interviewee, F, 33]

Interviewees recruited through the Community Advice service at Highbury Magistrate’s Court flagged the importance of being directly approached by the support service staff with the offer of help, noting that without this they may have remained unaware of the service. Word of mouth appeared especially important for local services, whose web presence may not be well established. Some interviewees had seen leaflets or posters advertising services, and one noted that they became aware of a service as it was on their walking route.

Crucially, several in the sample were unaware of support services available for particular needs. For example, talking about debt advice and housing respectively, interviewees said: *'I guess my awareness is not that massive'* [Interviewee, M, 26]; *'I wouldn't actually know where to go for that, if I'm honest.'* [Interviewee, M, 26]. While the reliance on internet search engines and signposting by general support services makes this less of a pressing concern, if all people in need of support are able to effectively avail themselves of it then greater awareness is needed.

Barriers to accessing services

Interviewees highlighted a number of barriers to accessing advice and support services which fell largely into three groups: practical issues, poor perception in services, and negative experiences of seeking advice and support. These will be discussed in turn.

Practical barriers

Difficulty contacting services

Difficulty in making initial contact was by far the most commonly cited barrier to accessing advice and support services. One interviewee, echoing the experiences of many others, said:

" You've got an email address. You've got a phone number. Emails don't get picked up. Phone calls are constantly engaged. Something is not right here.
[Interviewee, F, 37]

Contacting services was often a time-consuming process and could prove impossible to juggle with personal and family commitments:

" I've never got through; I've always been on hold. But as I say, because of my job, I can't sit down for an hour and wait for someone to pick the phone up.
[Interview, M, 64]

" Sometimes it's easy to just give up and not call them after trying a few times. Actually, you have to try for hours and it's tough...If you've got a child or whatever it may be, other commitments, it's hard.
[Interviewee, F, 37]

Interviewees understandably expressed frustration at the perceived lack of respect shown for their time, with one saying, *'they just assume you're free and you aren't doing anything else.'* [Interviewee, M, 31]. Against this backdrop of lengthy delays seemingly as standard, being able to access services was seen as something of a lottery: *'I've seen queues coming out of the building before, so it can be hard to get access to it. But I think I just got quite lucky.'* [Interviewee, F, 24].

If they were able to access a service on the telephone, interviewees reported a convoluted process for securing an appointment to discuss their advice and support needs. One service user explained:

" Then, it's just someone that's maybe someone up north that takes the call, logs it and then sends it to your local Citizens Advice. And then they then get in contact with you and then you speak to them and then they might invite you in or whatever, but then it's only on certain days that that person will be doing that.
[Interviewee, F, 33]

Service location and opening times

Service location proved another accessibility issue, with some interviewees decrying a loss of local presence. For example, one interviewee said: *'Whereas before, you know, you had the Citizens Advice, like, in my area used to be a big, big place. Whereas now I think it's downsized a lot in terms of the offices that it's got.'* [Interviewee, F, 33]. Some interviewees recounted having 'small footprints', stating that they rarely left the borough they lived in. Others found a lack of free time to be a barrier to accessing services that were not local to them. Similarly, some services' opening hours were seen as restrictive and inaccessible to those with 9-5 jobs.

Long time-scales for support

Unsurprisingly, given the lengthy process of making contact with some services, interviewees highlighted that services could not necessarily be relied upon to provide timely advice. As one interviewee noted, *'You could be waiting past your court date to get some advice.'* [Interviewee, F, 37]. The Covid-19 pandemic was often highlighted as an exacerbating factor in these delays. For instance, one service user said:

" I guess, Covid hasn't helped anybody, has it? I know the people at the Job Centre, like I was getting pushed from pillar to post because there were a lot of people off, a lot of people isolating.
[Interview, M, 64]

Long queues for support – generally attributed to a lack of funding and Covid-19 backlogs – were assumed based on past experience or word of mouth and made the notion of accessing services less attractive.

Impacts of specific vulnerabilities

Several interviewees had characteristics and vulnerabilities which created additional issues accessing services. One Community Advice interviewee had literacy issues and was only able to avail herself of the support she needed because she was directly approached by staff. Digital illiteracy also acted as a barrier to access for some of the participants. One interviewee, for example, explained their limited attempts to access services by stating, *'I'm not very technological.'* [Interviewee, M, 64]. The Covid-19 pandemic and ensuing lockdown restrictions increased the importance of services' web presence, potentially to the detriment of those reliant on more traditional modes of awareness raising.

Poor perceptions of services

Limited or inaccurate knowledge of service provision

A lack of knowledge of the advice and support services available was a notable barrier to access. For example, one interviewee stated: *'I wasn't aware there were services out there to help with benefits.'* [Interview, M, 61], while another asked, *'Legal Aid, are they still doing it or has it been cancelled?'* [Interviewee, M, 44].

One interviewee assumed they would not meet the relevant threshold for support and so abandoned the idea of approaching a service, explaining: I felt, *"Oh, do you know what? This might just be one little thing compared to somebody else that's going through a lot more than me."* [Interviewee, F, 33] Another was put off accessing services because they assumed advice and support would not be offered in person, *'I don't know if there's anywhere that I could walk into to have a conversation with anybody.'* [Interviewee, F, 26]

Mistrust of services

A general mistrust of public services acted as a barrier to access for one interviewee, who insisted: *'It's all money driven...people trying to help you for the benefit is wiped out the window.'* [Interviewee, F, 37]. For others, mistrust arose from the perception of advice and support services as offshoots of government and therefore neither benevolent nor impartial.

Scepticism about the quality of services

Some service users had reservations about the quality of certain voluntary sector services, especially compared to what they perceived as more formal, professionalised routes to support. For example, when asked why they chose to approach their GP rather than the mental health support lines they had mentioned, an interviewee replied:

" I just felt like there was... I don't know, it's more of a concrete and professional way to go around things. I felt like if I went through the, sort of, mental health system then obviously I'd be able to get support that was a bit more permanent and could be a weekly thing... Someone who's qualified.
[Interviewee, M, 31]

While interviewees appeared to largely see advice and support services in a positive light, they often assumed they were underfunded, and therefore not well-equipped to provide quality advice and support. For example, one interviewee said: *'Most of the charitable services that try to do their best are super, super underfunded. They need more funding to be honest with you.'* [Interviewee, M, 31]. Another service user suggested that client expectations should be adjusted downward given services' limited funding: *'They need to be punctual, but they seem really underfunded. So you can't put too much on them, you know what I mean?'* [Interviewee, M, 31].

Others' scepticism stemmed from hearing of others' poor experiences with services, which naturally coloured their own perceptions. For instance, one interviewee said:

" I appreciate there's the job centre, but I don't think they're very helpful.... I don't think they're very considerate of your needs when matching you up to a position... I've just heard from a few people that they're just not very good.

[Interviewee, F, 26]

Scepticism about the confidentiality and sensitivity of services

A perceived lack of confidentiality acted as a barrier to access for one interviewee who noted:

" [T]here's a mental wellbeing support service at my work, but it's all kept on the desk of the HR lady. So she knows if you want to pick it up and if you want to get the brochure, so it's not very discreet.

[Interviewee, F, 24]

The prospect of having to re-tell their story to yet another person, and for this to be dealt with insensitively, risking re-traumatisation, was highlighted as another barrier. One interviewee stressed, *'I didn't want to go, because you have to talk about everything you've been through.'* [Interviewee, F, 37] This links to some interviewees' fear of being judged, especially in the context of being a defendant, or requesting support around substance misuse or debt, for example.

Negative experiences of receiving advice and support

Inflexible and inconsistent support

Some interviewees' negative past experiences were rooted in the inflexibility of services. Interviewees were frustrated at not being permitted to change appointment times, even with plenty of notice, and at appointments being during working hours only. Inconsistency of staff was another frequently raised drawback in service provision and was even cited as a reason for withdrawing from support:

" It [the support worker] got chopped and changed about three to four times. At the end I said, "You know what? I can't keep telling my story...It's mentally draining that I can't do it. I can't keep doing it."

[Interviewee, F, 37]

Another frustration interviewees encountered when accessing advice and support was discovering that their issue fell outside a service's remit. For instance, one interviewee said: *'They asked me what it's for, I said, "Council tax." He says, "No, we don't do that!"'* [Interview, M, 44].

Impact of the Covid-19 pandemic

The Covid-19 pandemic negatively affected some interviewees' experiences with advice and support services, with a dearth of in-person support proving especially problematic:

" [I]t's easier to sit down with somebody face to face and show them all the paperwork that you've got, whereas online, you can't do that.

[Interviewee, F, 33]

“ Then when COVID hit in between, the rest of the classes were Zoom, so I’d say it’s obviously not that easy, accessible.
[Interviewee, F, 26]

It was assumed by some that remote working, with less scope for in-person support, would be a matter of course post-pandemic.

Crucially, a previous negative experience with a given service does not necessarily mean a service user will be put off accessing any support or advice service in the future, or indeed that particular service again. It may make them more likely to access a different kind of service, for example one operating an in-person drop-in rather than a telephone helpline. A positive experience could also make a service user less likely to access that service, or services in general, again. For instance, one interviewee felt they had reached the limit of what a particular service could provide, making future attempts at access unnecessary: *‘they were very helpful ...I don’t think I would call them again, because now I know all they can advise.’* [Interviewee, F, 24]

6. Filling the gap: key features of effective practice in providing advice and support to people with low level justice system involvement

While accessing mainstream community-based advice and support can be difficult for people with low level justice system involvement, our findings suggest that a more flexible, responsive model of support can be more effective in meeting the needs of this particular group. Based on a synthesis of the interviews, this section presents a summary of effective practice provision principles for support services when working with people with low level justice system involvement. Key themes were identified around services being easy to access, consistent and sensitive conduct from staff, staff having knowledge of criminal justice system issues, and staff adopting a joined up and ‘whole person’ approach. There was notable alignment between what interviewees highlighted as effective practice generally and service user experiences of the Highbury Community Advice service.

Principles for effective provision of advice and support	
Ease of access <ul style="list-style-type: none"> • Pro-active contact/ referral • In person • Easy to contact / reschedule • Choose how to receive updates (written/telephone) • Flexible/walk in appointments 	Consistency <ul style="list-style-type: none"> • Familiarity with staff • Clear point of staff contact who provides updates proactively • Accountability: Keep records of previous contact
Sensitivity <ul style="list-style-type: none"> • Feeling safe disclosing sensitive issues • Assurances of confidentiality • Protected characteristics/ vulnerabilities catered for • Service facilities feel safe and confidential 	Criminal justice awareness <ul style="list-style-type: none"> • Support through criminal justice process • Decoding specialist terminology • Providing help with practical tasks
A whole person approach <ul style="list-style-type: none"> • Responsive to whichever needs client presents with • Screening for additional needs • Good links to local specialist providers • Active support for ongoing referrals 	

Ease of access

In terms of accessibility, different interviewees saw the benefit of services operating both by appointment and as walk-in clinics, with both options providing flexibility and ease of access depending on an individual's circumstances:

“ I think it should be appointments, definitely. So they could send you an email, whatever, you could make an appointment, and then you can turn up and then that be it, someone sees you. Rather than just taking the first eight people.

[Interview, M, 66]

" I think walk-ins are important, I would have a walk-in service. Especially things like domestic abuse and things like that you wouldn't know when, you can't say, "Oh sorry mate, I've got an appointment at 12.30." Walk-ins are quite important for that kind of thing, I think. Yeah.

[Interviewee, M, 26]

Interviewees wanted services to be delivered in accessible locations and be easy to contact. Interviewees highly valued pro-active contact from services, such as receiving check-ins and follow-up calls. Interviewees thought that services needed to be responsive via phone and email. They felt that this would make it easier to cancel appointments without being struck off from the service because the service was not getting their message in time.

Interviewees felt that services should communicate with service users via a range of different channels such as offering to ring service users with updates, or provide updates via email or via letter. Some interviewees, particularly those experiencing memory difficulties or digital illiteracy, really valued being able to drop into the service regularly to ask questions.

" Yes, phone calls, message, a text message sometimes. Something like that, it doesn't need to be a lot. Just a little text, some information or whatever.

[Interviewee, M, 20]

Consistency

Interviewees valued consistency and continuity when using services. Many expressed a preference for having a clear, single point of contact within a service:

" I'd say if you had an allocated worker, like social services, yes, allocated social worker, if you had a certain person that was assigned to a number of cases and then [through] that, that would be really good that they would have somebody who they're comfortable with and have built a rapport with.

[Interviewee, F, 33]

Interviewees felt that staff continuity would help to prevent them from having to continuously re-explain their story and needs to services, which could be re-traumatising, as they could 'pick up where they left off' with the relevant staff member.

" If they can find a way just to link it to the NHS so you don't have to re-explain everything that you've spoken about previously. It just creates a lot more burden for the actual patient, I guess.

[Interviewee, F, 24]

Another way of ensuring consistency which was suggested was ensuring staff kept accurate records of a person's previous contact with the service to ensure that new members of staff interacting with them were well briefed on their circumstances. Some interviewees voiced that receiving written confirmation from a service describing what had happened at their appointment would be helpful for them to have and provide a means of holding the service to account to follow through with any promised actions.

" Most of mine was in person but followed up in writing, because I think you can take notes down wrong or interpret advice wrong, and in writing there's links to relevant information and stuff. It's pretty accessible. I think that's the best format.

[Interviewee, F, 24]

Sensitivity

Many interviewees expressed sensitivity around discussing their area of need. Interviewees were particularly sensitive around discussing the offence they had been charged with as well as needs around debt, domestic abuse, mental health, physical health and substance misuse issues. A vital need that emerged was for services to create a safe and comfortable environment which reduced service users' discomfort discussing sensitive subjects. Interviewees stressed that warm and friendly staff mannerisms could help to mitigate discomfort. This entailed communicating with service users in a caring way and ensuring that all information and questions were easy to understand.

“ They were really, really great, really supportive, kind of gave me a ton of information, all different aspects of life, on who I can contact, who I can go to, what support services I can access, whether it's financial, emotional, childcare related, housing.

[Interviewee, F, 33]

Some interviewees expressed that the privacy of service facilities impacted the extent to which they felt safe discussing sensitive issues. Interviewees valued a space which felt comfortable and secure in which their appointment could not be overheard.

“ I think if I was looking for help I would want more one to one chat. I also haven't called up recently, but I think that I wouldn't feel comfortable discussing those sorts of things on a phone call or an email with somebody I haven't met. It needs to have a more personal approach. So, if I was going to have my own company that helps people, I think you'd have to have one on one meetings where you can discuss things with people.

[Interviewee, M, 26]

Some interviewees voiced that speaking to members of staff who felt like peers enhanced their feelings of comfort in using services, as well as their willingness to be transparent about the needs they were experiencing. This could take the form of speaking to someone with lived experience of the issue they were experiencing or speaking to someone of a similar age.

“ If somebody has not been through it, it's very difficult for them to understand exactly where you're coming from. Like, how can you possibly reach a level with this person if they've never been through it?

[Interviewee, F, 33]

“ I don't know, maybe talking to someone face-to-face, maybe a younger person. Sometimes with older people you just feel like you're going to get judged.

[Interviewee, M, 20]

Staff providing assurances of confidentiality was important to some service users, especially around discussing sensitivities such as debt and mental health. Some interviewees also stated they appreciate transparency from staff regarding how their information would be used and if their engagement with the service would go on their record in any way.

“ Confidentiality is what you're after, yes, but you said, so going into it, you were really anxious, but at the other end you found it a useful thing, yes.

[Interviewee, F, 33]

Criminal justice awareness

Many interviewees stated that a service which had specific expertise in providing advice and support to people in contact with justice system would have proved helpful to them during their criminal justice system journey. It was felt that such a service could provide support around criminal justice processes, decoding sometimes inaccessible information such as the nature of a particular charge and providing practical guidance with tasks like applying for legal aid and accessing representation.

“ And that way they feel a bit more prepared. And then they can know a bit more, if it is your first time, obviously, being a defendant in court, then obviously they will feel a lot more reassured and a lot more confident when it comes to the case itself because they’ve got that, sort of, booklet of guidelines that they can go back to.

[Interviewee, M, 26]

A whole person approach

Interviewees appreciated services where that they were able to discuss all areas of needs within the context of their life rather than focussing on an individual issue. This provided an opportunity for service users to discuss multiple needs and possibly access a range of support services.

“ I would have had no idea what I could access. I didn’t think that I was entitled to legal aid until I spoke to Refuge. That was another thing that I accessed, which has taken a huge amount of pressure off me.

[Interviewee, F, 26]

Effective transitions into specialist support

Some interviewees had experienced being referred from one service to another. Times when services actively managed onward referrals from services were pinpointed as being especially helpful by several interviewees as it meant they did not have to spend time and effort contacting the new service and informing them about their situation.

“ I know there are referrals, if you find a service that actually cares they were then likely [to] refer you to other services that they think will help. I had a referral from probation to NACRO housing when I was younger and a referral from probation to [local authority] housing this time. It was very helpful to be honest

[Interviewee, M, 31]

“ I could try and get support ... through my doctor, which is completely separate. And they had no idea of what was going on in the other side of things, with courts and all the penalty notices, etc. So I had to explain it all to them again, and it’s sometimes not taken at face value so then there’s a big gap there because they’re not linked.

[Interviewee, F, 24]

Another need that was expressed by some interviewees was for services to provide follow up and interim support. This entailed signposting or referring service users to a temporary source of support while they were on the waitlist for a service and providing follow up or gradually ‘phasing out’ once the interviewee had finished their course of treatment or resolved their issue.

“ It was just kind of checking on how I was doing, whether I’d accessed any support and whether I’d found anything helpful, if I needed any more help moving forward. It was a very brief call to be fair, because I felt like at that point I was settled. I was fine where I was, but it was a very brief kind of just checking-in and seeing how everything’s getting on.

[Interviewee, F, 26]

7. Case Study: Highbury Corner Community Advice service

The Highbury Community Advice service supports people attending Highbury Corner Magistrates' Court. Operating from a help-desk in the court's main concourse, it acts as a signposting and referral service, putting people in touch with organisations and agencies that can provide them with long-term support, as well as offering immediate practical and emotional support to people who are experiencing challenge or adversity.

Community Advice was founded in 2014, based on the model of the Community Advice and Support Service (CASS+) in Devon and Cornwall. CASS+ aimed to fill a gap in provision for low level justice-involved people, created by the policy decision to concentrate probation's resources on individuals considered medium and high risk, the rise and development of which has been well documented.⁴⁴ The service aims to help low level justice-involved people gain access to community support services through the provision of a volunteer run, professionally co-ordinated, court based advice and support desk.⁴⁵

While we didn't set out to map community advice practice in this project, many of our interviewees who were recruited through Community Advice drew on it as an example of effective practice. This section brings together their experiences to present a case study of how effective practice might look – although it is important to note that this is not a formal evaluation of the service.

How does the service work?

Community Advice (CA) operates from a counter in the main waiting area and its prominent location means that it often acts as an informal 'first point of call' for enquiries about the court and its processes, allowing CA staff to reach more people than they might otherwise have.

After conducting an initial assessment of people's needs, the service provides advice and signposting support on wide-ranging issues, including housing, substance misuse, mental health and domestic abuse. The service does not provide legal advice but is able to direct service users to the relevant organisations.

Community Advice is open to anyone appearing at court, including defendants, victims and witnesses, as well as those attending court in a supportive role such as friends, families and carers.

Identified strengths of Highbury Corner Community Advice

A number of key themes emerged from our interviews about the perceived strengths of the Highbury service.

Easy to access

All interviewees with experience of the service reported that the Highbury CA service had been easy to access. A standard practice of Highbury CA was proactively approaching people in the courthouse when they were sitting in the waiting area to go into court. Interviewees observed that being approached in this way was refreshing as it fostered a perception that staff were friendly, approachable and wanted to help them.

“ They approached me as well, and said that, “We are there, we are open every day. We are there to help you, and if you need any help, we'll take you into the room, it's all private and we can talk and see if there's any way”

[CA interviewee, F, 72]

Interviewees perceived Highbury CA to be more accessible than other services. This was due to it being a walk in and in-person service that they could access flexibly.

“ You turn up, they’re always there, and helpful. So it’s quite good, actually. It’s very good. And there are never any delays, hanging around or anything.

[CA interviewee, M, 66]

Offering support for a wide range of issues

Highbury CA staff asked interviewees about a range of support needs during their first contact with the service. Service users felt that the Highbury CA team had attended to and presented options for all the needs they disclosed. Interviewees recalled discussing needs around housing, physical health, benefits needs, substance misuse and mental health issues with the Highbury service during their first encounter.

“ They gave me a lot of options, they said anything you need help with. If we can, we’ll help you. They were competent and a really good team.

[CA interviewee, M, 61]

Specialist knowledge of the court process

Some interviewees felt that, compared to other general community advice services, Highbury CA was able to offer specialist support for people encountering the court system. This specialist provision encompassed explaining how magistrates’ courts operate and helping address the impact the court process and resulting sentence can have on clients’ lives.

“ What they didn’t know in the courts, they looked it up and tried to find out things. But they knew most of everything anyway, but they were stuck on one or two things that they weren’t sure, so they looked [it] up.

[CA interviewee, F, 72]

Staff continuity

Many interviewees were on a first name basis with Highbury CA staff and appreciated that they were able to interact with a member of staff who already knew them and their query every time they returned to the service.

Interviewees were highly satisfied with the regular, proactive updates they received about the progress of their query, often remarking that staff went above and beyond.

A safe and sensitive environment

Interviewees observed that Highbury CA staff placed a high value on creating a safe and sensitive environment for service users. They reported feeling more comfortable talking about sensitive issues such as personal finances and mental health with Highbury CA staff than they did with staff at other services, noting that Highbury CA staff made the effort to understand their circumstances in a non-judgemental manner.

Vulnerabilities and protected characteristics accommodated

Some interviewees reported that they were supported by the Highbury CA team to follow through with the advice they had been given. A service user who was experiencing memory issues recounted being supported by the Highbury CA team to undertake a telephone interview to apply for benefits and being supported by the team to provide evidence of the impact of health issues on his ability to work. Interviewees with literacy issues reported finding the Highbury CA service particularly valuable as staff took the time to talk them through complex information verbally.

" I took all my forms to them, I had been trying to get an unable to work benefit but they said I didn't have the document. I spent about two hours at Highbury one day having a telephone interview to apply for [the] benefit. They were there to help and give me pointers. They wrote down things for me about my illness and why I can't work. They did photocopies for me because my memory isn't great. They done all that for me. I couldn't have done it without them.

[CA interviewee, M, 61]

Taking an active role in facilitating onward referrals

Several interviewees noted that the Highbury CA team had assisted them with getting in touch with other support services which had helped to resolve their issue. This could take the form of the Highbury CA service ringing up the other services on the interviewee's behalf and either securing an appointment for the interviewee, or asking the service to call the interviewee. Many interviewees felt this differed from how comparable advice services made referrals which often consisted of just providing service users with information about other services and placing the onus on the service user to make contact.

" They got me in touch with alcoholics anonymous and a dentist because I didn't have one. They sorted that out.

[CA interviewee, M, 61]

Reflections

While we did not set out to measure the impact of the Highbury service, clients who had used the service were vocal about its strengths. The service's co-location in a criminal justice setting and proactive approach to engaging clients seems to have enabled it to successfully engage with clients who have struggled to access other services and the team's flexible and sensitive approach to providing support appears to have been valued by clients. We'd suggest that others looking to develop advice and support provision for people with low level criminal justice involvement might benefit from emulating these approaches.

8. Conclusion

This research shines an important light on the needs experienced by people with low level justice system involvement and the gap in advice and support available to them. The people we spoke to had experienced a wide range of social welfare needs including debt, benefits issues, addiction and unsafe housing - many of which could be worsened by the stress and disruption of criminal justice system involvement. Finding a way to respond to the need to provide effective advice and support to this group is vital. Our review of the evidence has highlighted that intervention, and especially preventative intervention, to address social welfare needs can play an important role in crime reduction. However, while all of our interviewees had sought help for these issues at some point, they had experienced a range of obstacles - from practical problems like inconvenient locations, long waits and limited opening hours, to more personal barriers like a lack of awareness about services or scepticism of the value of support.

Against this backdrop, we see a clear need for a specific response to the social welfare needs of people with low level justice system involvement. While it is important to avoid the net-widening effects of extending compulsory interventions, extending voluntary support to this group, would be an important step in addressing the factors that might lead them into more persistent and prolific offending.

While we did not set out to assess Highbury Community Advice, in speaking to clients who had accessed the service it was striking that the same people who had reported difficult experiences accessing community-based advice and support told us that they had achieved positive outcomes working with this specialised service in a criminal justice setting. It is from some of our interviewees' positive perceptions of the service, as well as the views of what kind of a service would meet their needs, that our vision of good practice emerges. It's a holistic, flexible, responsive service, one which embodies a whole-person approach by working in partnership with more specialist services. Importantly, it's one which is driven by clients: by responding to their needs for practical help it can move them away from immediate need and lay the groundwork for long-term change.

Given the emergence of new models of engaging with people with low level criminal justice system involvement, such as the growing use of community diversion and the emphasis on diversionary cautions in the new two-tier out of court disposal framework, we hope that the model of good practice principles identified will support the development and delivery of effective advice and support services.

Later outputs in this series will seek to support the development and adoption of effective and affordable models of early intervention for people with low level justice system involvement across England and Wales. The latter stages of the project will consist of mapping existing advice and support provision and statutory obligations around supporting this cohort, as well as developing practice guidance for practitioners.

Endnotes

1. Figures are for April 2021-March 2022 and taken from Ministry of Justice Criminal Justice Statistics Quarterly, January-March 2022
2. Figures given are for 2017, the most recent year for which data is available and are taken from the Offending History Tool released as part of the March 2018 Ministry of Justice Criminal Justice Statistics Release, available online at <https://data.gov.uk/dataset/cbe9ff83-a459-444f-bc92-39dc70bbdec1/criminal-justice-statistics>
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41. At the time of writing, we are only aware of two services specifically for vulnerable low level offenders in operation in England and Wales: CASS Plus.
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About the Centre for Justice Innovation

The Centre for Justice Innovation seek to build a justice system which all of its citizens believe is fair and effective. We champion practice innovation and evidence-led policy reform in the UK's justice systems. We are a registered UK charity.



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