

the **Howard League** for **Penal Reform**



Report of the Inquiry into Former Armed Service Personnel in Prison

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Foreword

When the President of the Howard League for Penal Reform asked me to chair this inquiry I accepted with enthusiasm. There is no group in society more deserving of support, sympathy and understanding than those willing to sacrifice their lives in the service of their country.

In recent years there has been much public discussion both about the number of ex-servicemen in prison (and in so far as there is a problem, it is one concerning male rather than female ex-servicemen) and also the reasons why they should have become involved in the criminal justice system.

I was privileged to be asked to try to shed light on these issues and the spoor of the evidence has taken me, and those who have helped me, up and down the British Isles and to the United States.

A large number of individuals representing many organisations have given oral evidence or submitted papers. Former members of the Forces, currently inmates in prison, have submitted to interviews and answered questionnaires which must have appeared tiresome and intrusive. I am most grateful to all of them. The names of those in prison must be anonymous, of course, but the other witnesses are listed in the Appendices to this Report.

The last government was supportive and helpful during the initiation of this inquiry. I express my gratitude to the Ministers concerned and to the officials in their departments who assisted.

In so far as I have been able to illuminate any of the issues which I was tasked to investigate, I owe debts of gratitude to a number of others and I must lose no time in thanking them as well.

First the Advisory Board who agreed to help me, General Lord Guthrie and Admiral Lord Boyce, Wing Commander Dr Hugh Milroy, Elfyn Llwyd MP, Chris Sheffield and Major General David Jenkins.

Without their wisdom and experience the inquiry would surely have lacked the focus which it retained throughout the past 18 months. Their help, individual and collective, has been invaluable.

I must also record my gratitude to the following charitable organisations which contributed to funding the inquiry: the Alchemy Foundation, the Dulverton Trust, the Esmee Fairbairn Foundation, the Charles Hayward Foundation, the Bernard Sunley Charitable Foundation, C.B. & H.H. Taylor 1984 Trust, the Wates Foundation and SSAFA.

The Howard League itself has been unfailingly helpful. Lord Carlile and Frances Crook were consistently encouraging. Andrew Neilson and Thomasin Pritchard not only gave their time and advice without stint but helped, patiently and without complaint, in the compilation of the Report.

Finally I must thank our researcher Dr James Treadwell of the University of Leicester, without whose industry the Report could not have been written.

Sir John Nutting QC



Executive summary

Introduction

The inquiry of the Howard League for Penal Reform into former Armed Service personnel in prison was launched on Armistice Day 2009. The inquiry was established with the remit of discovering why so many ex-servicemen become involved with the criminal justice system and in particular, the problems which they face on leaving the Armed Forces, the sorts of offences which they have committed, the reasons which underscore their offending, how the needs of this group can best be met both in the community and in prison, and what can be done to reduce the number who commit offences resulting in custody.

The exact number of former Service personnel in prison in England and Wales is at present unknown. There have been a number of attempts to produce a reliable figure, but none of these studies are wholly accurate and all are based on varying degrees of conjecture or statistical extrapolation.

At the present time the most accurate figure would seem to be the product of a joint quantitative study carried out by the Ministry of Defence and the Ministry of Justice. This asserts that approximately 2,820, or some 3.5 per cent of all those currently in custody in England and Wales, had served in the Forces.

The study estimated that 77 per cent of ex-servicemen in prison served in the Army, 15 per cent in the Royal Navy and 8 per cent in the Royal Air Force. Furthermore, it estimated that 51 per cent of ex-servicemen in prison are over the age of 45 years and 29 per cent are over the age of 55, which compares to 9 per cent of the general prison population being aged 50 years or over. These statistics suggest that many ex-servicemen in prison have offended a considerable time after their date of discharge.

Whatever the exact figures for ex-servicemen in prison, it is important to stress that all estimates indicate that ex-servicemen constitute a significant subset of the adult male prison population and by occupation, potentially the largest.

Life after the Forces

Leaving the Services is unlike simply changing jobs; it is a wholesale life change in which the Service leaver discards more than just employment. He also relinquishes his accommodation and the camaraderie of Services life. He undergoes a radical change in lifestyle. He enters civilian life having to discard the familiar trappings of the Services including the relationship between different ranks and the discipline of an organised and relatively institutionalised existence. The term used by the Services to describe this process is 'transition'.

It is important to stress that, for the majority, service in the Forces significantly improves life opportunities.

Historically, personnel who were discharged prematurely often left the Forces on very short notice without having had much time to plan their transition into civilian life. The Forces still offer little specific resettlement provision for those leaving prior to the completion of four years' service. For those who have served longer than four years, provision for resettlement is based on a system where access is earned and graduated on the amount of time that the individual has served, so that longer servers are eligible for greater resettlement provision.

There have been significant advances in the provision of resettlement services in recent years, and the process is now a phased process which includes advice, information and training. It involves the service-leaver being helped to make decisions about housing, education (both for the individual and, if relevant, for the individual's children or dependants), finances and employment.

One of the problems in this sphere, highlighted on a number of occasions in the evidence which we heard, was the problem resulting from the reluctance of the ex-serviceman to take advantage of the help available. Not only do some servicemen see little value in the information they receive on leaving, but they failed to recognise that the information may be needed a significant time after they have left. The problem is that the serviceman least likely to respond to the help offered is probably the very serviceman most likely to need it.

It appears to the inquiry team that there are few easy answers to the problems of transition. While some of the ex-servicemen we interviewed fitted within the vulnerable and Early Service Leavers categories, the significant majority did not. Similarly, while some individuals had left the Forces for disciplinary reasons, the majority had not. While some individuals reported problems with accommodation and periods of homelessness, such experiences were limited to a small proportion of interviewees, and none had left the Forces without some form of immediate accommodation. Many of those whom we spoke to would, on a short term basis, be regarded as having done well after leaving the Services, having found employment on discharge and having committed offences resulting in custody at least a decade or so later.

Ex-servicemen and crime

According to government figures, the average age of ex-servicemen in prison is older than the average of the general prison population. We regard this as significant. If it is correct that many recruits come from disadvantaged backgrounds and that they may well become involved in crime in their late teens or early twenties, the time which they spend in the Forces necessarily reduces the likelihood of offending during that period.

The same figures suggest that 25 per cent of ex-servicemen are in prison for sexual offences, compared to 11 per cent of the civilian prison population. Ex-servicemen are also over-represented in offences categorised under the heading 'violence against the person', with some 32.9 per cent being in prison for such offences, compared to 28.6 per cent of the non-veteran prison population. This broad pattern of offending was borne out in the prison-based interviews we conducted with ex-servicemen.

The prevalence of violent and sexual offences should nonetheless be kept in perspective. The first perspective is that the proportion of ex-servicemen who offend is very small in proportion to the total of those discharged from the Forces, and the second is that it seems that there is a significant time lag in most cases between discharge and offence resulting in imprisonment.

Some of the mainstream discussion of ex-servicemen's involvement in crime has taken the gap between leaving the Armed Forces and offending as indicative of the delayed onset of PTSD. Yet the literature on the links between PTSD and crime, particularly violent crime, is sparse and that which does exist is largely based on the experiences of United States service personnel returning from Vietnam.

The inquiry heard no evidence either from experts or from the ex-servicemen we interviewed to suggest that there is a widespread problem of PTSD in the Armed Forces as a result of service in Iraq or Afghanistan.

In terms of vulnerability, the ex-servicemen we interviewed in prison fell into three different groups. These categories are not mutually exclusive and often overlapped, with interviewees sometimes fitting two or more of the categories.

The first group were those who had experienced traumatic and difficult lives during childhood or adolescence, and had witnessed or suffered extreme violence. A number had endured periods in local authority care and/or had been involved in, although not always convicted of, criminal activity prior to joining the Forces. Some had experienced problems with drugs or alcohol prior to enlisting, and had associated with contemporaries who had had a bad influence on their lives.

Those who commit crime generally tend to be young and male and are disproportionately drawn from some of the most challenging communities in the country, particularly urban and disadvantaged areas where educational standards and attainment are low. Many infantry recruits come from just such areas.

The second category contained those who experience difficulties arising in military service. These problems sometimes constituted the reason for discharge and continued to affect the individuals in question after discharge. Some of the problems were mental health related which had begun in service, for example depression or anxiety, or physical injury, which had led to an early and unexpected end of their military careers.

Finally, the third category contains those who experience post-Forces problems. The third group included those who had had successful careers in the Armed Forces, but had difficulty in adjusting to civilian life.

Three factors occurred frequently in the accounts of offending of all those whom we interviewed. These were social isolation and exclusion, alcohol, and financial problems.

Ex-servicemen's needs and the voluntary sector

Our findings indicate that the ex-service population in custody is very diverse, ranging from young men who have served in recent conflicts to elderly and infirm veterans of the Second World War and incorporating a wide range in between. Accordingly, their needs are diverse and range from housing matters and substance abuse through to securing employment with a criminal record.

Veteran status in the United Kingdom at present confers on individuals an eligibility for a wide range of services which are not available to the civilian population. These services include, for example, assistance with financial hardship, specialist accommodation, training, education and counselling.

In the course of the inquiry, members of the team investigated a range of schemes designed to help ex-servicemen. Evidence was gathered from those with proven track records of working effectively with ex-servicemen.

Service charities highlighted to us a particular concern that there has been a proliferation of veterans' charities, arising in part from an increased public sympathy with the Forces in the wake of the military deployments to Iraq and Afghanistan, and that this expansion of

veterans' charities had the potential to cause confusion for ex-servicemen, who already seemed to struggle to recognise their eligibility for support when it is needed and to know where to go in search of it.

It needs to be remembered that the most powerful drivers of crime amongst ex-military personnel are not wholly different from those which provide the impulse to crime for the general prison population. Crime tends to be spatially concentrated in areas of socio-economic disadvantage, and is associated with, and acerbated by, low educational attainment, family deprivation, drug and alcohol abuse, homelessness and poor health. Ex-servicemen in prison share many commonalities with those who have not served in the Forces in that many have biographies in which these experiences and factors feature prominently.

However, once a prisoner is identified as an ex-serviceman, the options available for support and rehabilitation are more numerous, better funded and certainly as well staffed as those on offer to civilian prisoners, because of the number, the wealth and the commitment of the charities which exist to help servicemen.

In one obvious respect, prison is too late a stage to identify ex-servicemen and to address their needs, yet ironically it is the place in the criminal justice system where attention is focused. We hope that there will be greater emphasis on the identification of ex-servicemen at risk before the stage is reached on the 'downward spiral' when their offending results in imprisonment.

Ex-servicemen in the criminal justice system

Police officers are often the first people to deal with civilians, including ex-servicemen, who have committed crime since they deal with them at the point of arrest. In recent years in the United Kingdom, a number of 'arrest referral schemes' have been created targeting offenders who have problems with alcohol addictions, referring individuals to support or assessment. The application of such schemes to ex-servicemen is largely in its infancy. Two currently operating are run by Veterans First Point in Edinburgh and by Kent Police.

Not only the police but also the probation service is well placed to identify ex-servicemen and to ensure that they are aware of the help available to them. Specifically the probation service occupies a privileged position in the criminal justice system because it is the only organisation potentially involved at every stage of the criminal justice process.

At present, some ex-servicemen are identified at the pre-sentence stage and that information is occasionally made available to the tribunal. We would particularly encourage the identification of any ex-serviceman at that stage so that whether or not the sentence which he receives for his offending results in custody, the offender can be made aware of the availability of the charitable services to which we have referred. That information can also be used as part of sentence and supervision planning.

Within prisons, the Veterans in Custody Support (VICS) project piloted at HMP Everthorpe is a particularly impressive initiative. The VICS scheme uses the analogy of a wheel in which the ex-servicemen prisoners constitute the hub and the service charities the rim.

We are pleased to report that the evidence revealed to us shows that recently there has been developed a more integral working relationship between imprisoned ex-servicemen and Service charities, in part due to expansion of the Veterans in Custody project piloted at

HMP Everthorpe and partly due to the Prisons In Reach initiative which aims to ensure that all ex-servicemen in prison or on probation, their families and those working with the resettlement services, are fully aware of the support available from the Service Personnel and Veterans Agency (SPVA) and the ex-Service organisations. The Veterans in Custody Support scheme, in particular, uses Veteran Liaison Officers, invariably prison officers who have served in the Armed Forces, to identify an ex-serviceman and link him to the Service charity which can best assist on his release from prison.

Once released from custody it is likely that the majority of ex-servicemen will be subject to some form of statutory supervision by the probation service. The guidelines developed as part of the Veterans in Custody scheme are now being applied in a community setting for ex-servicemen after their release. Cheshire was the first regional probation service to have arranged for a special Veterans Support Officer to replicate aspects of the role played by Veteran Liaison Officers in custody.

Lessons from America

The inquiry team travelled to the United States from 6 to 9 September 2010 and visited the Buffalo Veterans Treatment Court in New York State, the Department of Veterans Affairs and Bureau of Justice Statistics in Washington DC, and Jessup Correctional Institution and Crownsville State Veterans Cemetery in Maryland.

Statistics from the Bureau of Justice Statistics revealed that as a group American prison veterans, like English and Welsh ex-servicemen in prison, are less likely to offend than the general prison population. However, the survey also demonstrates that those veterans and ex-servicemen who do offend tend to be older than the general prison population at the time when they are admitted to prison, to have committed more serious offences (in respect to which violent and sexual offences are over represented), and to have offended a significant time after leaving their respective Armed Forces.

While these statistics show several areas of similarity with veterans' data from England and Wales, there is one significant difference, namely the recorded prevalence of combat related psychological conditions within the veterans' population.

It may well be part of the reason for the discrepancy in the figures for the prevalence of PTSD in British and American Forces is due to the fact that in the United States the condition is routinely screened. It also may be that the longer deployment period and the much larger number of reservists in the United States Forces impact on the discrepancy.

'Veterans courts' have been operating in the United States since 2008 and are now spreading across the country. These specialist courts offer individually tailored support for veterans who have committed non-violent offences to enable them to get their lives back on track. Veterans who attend are assigned a probation officer and an ex-service mentor who is a veteran.

A veteran is placed with a mentor for up to 18 months, and is required to return to court several times a month so that progress can be monitored. Each veteran under supervision is drug tested every fortnight and, if he is 'clean and sober', he is allowed to continue with the programme. At the completion of the course, the successful veteran graduates from the court and is given a character reference and his offence is not listed on any criminal record.

While we have nothing but admiration for the Buffalo court and its remarkable achievement of preventing further offending, we do not suggest that such a court could or should be replicated in the United Kingdom. The lessons we have learned from our experience of the Buffalo court are twofold: firstly, the advantage of maximising the help available to assist in solving whatever problem the veteran has which may have contributed to his offending; and second, the advantage of veteran to veteran contact.

Conclusion

It is important to begin by repeating that the significant majority of those leaving the Forces lead constructive and productive lives after discharge and do not at any stage become involved in the criminal justice system. More than that, the long gap between discharge and custody for many of those who do offend makes it difficult to associate any direct causal link between service in the Forces and imprisonment. What is clear is that the conventional problems associated with criminal behaviour such as drug and alcohol abuse, homelessness, a poor ability to deal with emotions, low educational attainment and financial pressures, appear to be as common among ex-servicemen in custody as it is among the general prison population.

This does not mean that servicemen find transition to civilian life easy. While resettlement provision has much improved in recent years, it is important that the authorities do everything possible to ensure that there is no gap between policy and procedure across the Forces, particularly for those identified as vulnerable. We consider that much can also be learned from the systems which are in place at MCTC Colchester. A form of the needs assessment used there could be adapted and used to inform current practice for those being discharged, especially those whom the Forces consider vulnerable.

Any discussion of transition in the media tends to concentrate on the issue of PTSD. We are concerned that discussion of PTSD has overshadowed the issues of other mental health problems suffered by ex-servicemen (in a context where one in four of the general population will suffer from a mental health issue at some point in their life) and indeed other issues including accommodation and financial management which excite less media attention. Nonetheless, no discussion of the problems faced by ex-servicemen should ignore PTSD. But neither should we assume this is a uniquely military problem.

We acknowledge that we found no direct link in any particular instance between PTSD and offending, but clearly some of the symptoms of the condition, such as poor anger management or eroded family relationships, do have established links to offending. The Armed Forces and the voluntary sector do much work in support of those that suffer PTSD, to the extent that it has lost much of its stigma and is openly talked about within the Armed Forces. Nonetheless, efforts should be made to identify PTSD, and indeed other mental health conditions, at the earliest possible moment. We see no reason why British servicemen who might be vulnerable to the condition, depending on the nature of their service, could not be screened for PTSD as part of a general needs assessment on discharge from the Forces.

For those ex-servicemen who encounter difficulties in civilian life, we suggest an expansion of the current free Veterans Helpline provided by the SPVA. The main focus of this Helpline is to provide advice on matters such as pensions and operates during the working day from Monday to Friday. We envisage a significant expansion of this service, open 24 hours a

day, 365 days a year, and manned not just by those conversant with pensioning provision but including ex-servicemen who can talk to fellow ex-servicemen in crisis and point them in the direction of one of the many organisations which exist to help them.

Verifying whether someone is an ex-serviceman can also be difficult and yet there is a relatively straightforward solution that would improve matters. If an individual's national insurance number also functioned as their service number, as it does in the United States, then this would greatly simplify the process of verification.

In the event that an ex-serviceman becomes involved with the criminal justice system, we consider that contact with the police creates an opportunity for timely intervention and assistance by an appropriate Forces charity. We hope that sympathetic consideration will be given to ensuring that all police station sergeants 'ask the question' whether or not an arrested person has served in the Armed Forces and if so, that the individual is signposted to assistance such as the proposed national helpline or the identity and contact number of the regional SSAFA welfare officer.

We also suggest that the probation service national standards on pre-sentence reporting are revised to encourage probation officers to 'ask the question'. In addition, we recommend that the probation service should consider rolling out the Cheshire Veteran Support Officer scheme across England and Wales.

For those ex-servicemen who do enter custody, we wholeheartedly recommend that the Veterans in Custody scheme is replicated in every prison in the country and that every encouragement is given to making as much use of it as possible.

If, as we strongly suspect, some 3.5 per cent of the prison population are ex-service personnel, this group comprise a substantial subsection of the prison population about whom little is known beyond the facts they are ex-servicemen and the categories of the offences which they have committed. We therefore recommend that further statistical research on the characteristics of ex-servicemen in custody is conducted, and that Her Majesty's Inspectorate of Prisons consider establishing a thematic review of the issue in order to perform more extensive qualitative research than it was possible for this inquiry to conduct.

1. Introduction

Context of the inquiry

1.1 The inquiry of the Howard League for Penal Reform into former Armed Service personnel in prison was launched on Armistice Day 2009. This report is based on data gathered as part of the inquiry, using a number of sources and methods, including consultation with Ministers, academics and practitioners, the taking of oral and written evidence in London, prison based research, and visits to projects in Scotland and the United States.

1.2 As context to the inquiry, it is important first to consider the backdrop against which it has progressed, particularly heightened concern about the treatment of the nation's Armed Forces. During the last decade, British troops have been involved in intense deployments in Iraq and Afghanistan. These operations have brought into the media spotlight the personal sacrifices made by members of the Armed Forces of all ranks as well as their families.

1.3 In that period British soldiers have been killed in Sierra Leone and Northern Ireland, but it is the high number of fatalities arising out of the operations in Afghanistan since 2001 (where, as of 27 May 2011, 368 service men and women have been killed) and in Iraq since March 2003 (where 179 have been killed) which has significantly increased public awareness of those sacrifices. Since April 2006, when British forces were first deployed to Helmand province in southern Afghanistan, there has been a steadily rising loss of life among frontline troops. This shows little sign of abating.

1.4 According to some sources, the fighting in Afghanistan, and particularly Helmand, has been the most intense in which British Forces have been engaged since the Korean War. In the past three years, troops have fired millions of rounds of ammunition, and been involved in thousands of active contacts with the enemy (King, 2010).

1.5 This conflict has also led to greater scrutiny of conditions of service and highlighted concerns about the way in which troops are equipped, the way in which injured soldiers are compensated, as well as the state of accommodation in which Forces' families are housed (Military Covenant Commission, 2008).

1.6 It is against this background that discussion of the issue of the number of ex-servicemen involved in crime, and the number in custody, has come to the fore (Napo, 2008, for an overview see Treadwell, 2010). More recently, media attention has been focused on the Strategic Defence Review conducted by the coalition government prior to the announcement of wide ranging spending cuts. Public discussion has particularly related to the stress of war on military personnel (e.g. see Townsend, 2008; Channel 4, 2009).

1.7 There are at present over 85,000 people in prison in England and Wales and estimates of the proportion of those who have previously served in the Armed Forces range between 3.5 per cent and 16.75 per cent. This means that at any one time, between some 3,000 and 14,000 prisoners may be ex-service personnel (see Napo, 2008; Treadwell, 2010).

1.8 The numbers of those who leave the Forces each year have varied considerably in the past decade ranging between 15,000 and 20,000 personnel. While for most the transition to civilian life is unproblematic, for others it marks the start of a tumultuous journey which becomes fraught with difficulty.

1.9 The Howard League inquiry was established with the remit of discovering why so many ex-servicemen become involved with the criminal justice system and in particular, the problems which they face on leaving the Armed Forces, the sorts of offences which they have committed, the reasons which underscore their offending, how the needs of this group can best be met both in the community and in prison, and what can be done to reduce the number who commit offences resulting in custody. The inquiry is an attempt to look behind the headlines and the expressions of concern.

Definition of a veteran

1.10 The first problem to be faced when examining these issues is that of terminology, and particularly the use of the term 'veteran'. There is no consensus on what constitutes veteran status in the United Kingdom. This renders the term ambiguous and potentially unhelpful.

1.11 In the United States, where veterans' issues have received sustained interest since the Vietnam War (see Bouffard for an overview), a 'veteran' must have served at least 180 days of active duty prior to September 1980, and cannot have been dishonourably discharged. After the above-mentioned date, the veteran must have served at least 24 months and be subject to the same condition. In the United States, therefore, there are specific criteria for establishing veteran status and eligibility, and while there are some variations at State level for benefits, the definition of eligibility for veteran status is more restrictive in the United States than generally understood in this country.

1.12 In the United Kingdom the term is used in a number of different ways. It is often used to signify that an individual has formerly been a member of one of the three branches of the Armed Forces. However, even that is not strictly accurate as members of the Merchant Navy who served during the Second World War are also sometimes classed as veterans. In a more popular context, the term is applied to those who have served for an entire career; but it is also used specifically to define those who have been on active service in a combat zone or active deployment in a difficult peace keeping role.

1.13 The Royal British Legion (RBL) classes as a veteran anyone who has served in the Forces for at least seven days and has estimated that 5.5 million ex-servicemen and women are eligible for support, excluding wider family members. They make no distinction on means of discharge and do not necessarily connect the term to active combat service. Such veterans include those who have served in a diverse range of active deployments, including the Second World War, Malaya, Aden, Cyprus, Kenya, Korea, Suez, Northern Ireland, the Falklands, the First Gulf war, Sierra Leone, the Balkans, Iraq and Afghanistan.

1.14 The government use the definition of the Soldiers, Sailors, Airmen and Families Association (SSAFA), which defines a veteran in accordance with its mantra 'one day's service, a lifetime of support'. The government, therefore, assigns veteran status to a wide group of former Forces' personnel, from those who failed even to complete basic training or were dishonourably discharged, to those who have served a full career and who may have

experienced several active duty deployments and have been discharged honourably at the completion of their service.

1.15 Because the term is often used to denote any period of service, it encompasses a wide demographic of people and service experience, including World War personnel, ex-national servicemen and young men and women currently returning from Afghanistan. The veteran community, as currently conceived therefore contains a range of individuals and includes those with serious health problems or injuries, as well as those who have never satisfied the health or other requirements of active service.

1.16 A further problem with the term is that many ex-servicemen whom we encountered during the inquiry fail to see themselves as veterans, notwithstanding their eligibility. Irrespective of their length of service or reasons for discharge, they felt the term was applicable to others but not to them. By the same token, veterans of Iraq and Afghanistan, in so far as they considered themselves veterans, did so only because a third party had told them of their eligibility, not because they identified with the term.

The special nature of military service

1.17 Armed Forces personnel are in the employ of an organisation which compels its members to put their lives at risk as instruments of government policy and to take the lives of others. This in turn demands a special sacrifice and a high level of compliance. Servicemen forego rights and freedoms enjoyed by civilian society (COBSEO, 2010). In addition some remain liable to be recalled to service and sent to war, having left the Forces long since.

1.18 While other Services, such as the fire brigade or the police may place people at risk of death and injury, Forces personnel are expected to run far higher risks to both. They are under an obligation to implement government policy anywhere, at any time, regardless of personal circumstances or individual wishes (Gerth and Mills, 1954).

1.19 They are placed under specific Service laws to meet these ends. They may be required to uproot at short notice, and to deploy globally far from family and friends. Refusal can result in being sentenced to military detention for disobedience of a lawful order, or for failing to report for duty, or for going absent without leave.

1.20 The nature of their work means that Service personnel are excluded from certain employment laws, such as European working time directive and the right to overtime pay. They are also exempted from certain aspects of equal opportunities legislation, such as age and disability discrimination as well as from health and safety and from minimum wage regulations. They have no right of access to an Employment Tribunal on grounds of unfair or constructive dismissal or breach of contract generally, and currently have no right to benefit from a formally constituted independent professional association, such as a union, to safeguard their interests. Service personnel are dependent on the chain of command to achieve for themselves and their families, if applicable, rights and opportunities in matters relating to welfare and employment (COBSEO, 2010).

1.21 In addition, they serve in organisations which, in their respective ways, have their own cultures, customs, heritage and traditions (Higate, 2003).

1.22 The formation and structure of each branch of the Armed Forces underpin how individuals are trained, how they perform their roles, how they relate to each other and how they operate

as organisations. Each branch recruits very different people for very different functions and from very different backgrounds. While there may be a shared culture that is found within each Service, there are also a great many differences in the roles performed, for example, by an infantry soldier and a Royal Air Force pilot. Therefore, while it is possible to speak of the shared 'culture of the military' (Goffman, 1961), it should also be remembered that servicemen are a diverse group, concealing a significant variation between individuals, albeit united in their subjection to the formal structures of the Services (James and Woods, 2010).

1.23 It is often said that Service culture is transmitted at an early stage after an individual joins the Forces. One view is that the Services take recruits, dismantle them, and subsequently put back the pieces in a different configuration to suit their own requirements (Hollingshead, 1946). Certainly the process is quite unlike anything encountered in civilian organisations.

1.24 The Services provide those who join with a range of beneficial influences on their life. They encourage social independence, and allow individuals significantly to expand their capacities and ambitions. Service training makes high demands on standards of discipline, reliability, punctuality, cleanliness, organisation and obedience (Goffman, 1960, Gerth and Mills 1954). This is essential, since in times of conflict, the requirement of upholding and demonstrating such qualities can make the difference between life and death. A negative aspect is that the Services provide a cocoon which institutionalises some servicemen (Goffman, 1960, Gerth and Mills 1954) and this can create a dislocation from civilian life. Commentators have suggested that the clash between the standards of civilian and service life explains at least some of the problems which arise for service leavers (James and Woods, 2010).

1.25 An obvious factor which makes life in the Forces distinctive is the camaraderie. Servicemen usually form lifelong and very deep friendships because of a common sense of identity, threat and destiny. Camaraderie is often seen as being more than just friendship, because it is built on shared hardships, a sense of uniformity and common purpose, and a shared dependence.

1.26 In times of conflict, as James and Woods (2010) have noted, for most servicemen, the defining aspect of their Forces experience is the comradeship which the Services engender, and a strong sense of identification with their fellows which affords a significant degree of security and protection. Memories of the First World War, for example, demonstrate this very clearly. It is not uncommon to hear groups of servicemen described as brotherhoods because of the bonds formed within a regiment or on board ship. This sense of shared identity is re-enforced because servicemen often inflict terrible violence on the enemy. In war they are required to respond to the most difficult, stressful and arduous situations and may witness sights which they struggle later to reconcile with their own values.

1.27 An essential aspect of military culture is the ability to follow orders, and service personnel are required unquestioningly to obey instruction and direction. For some servicemen, this experience may reduce the capacity for initiative and limit the degree of personal decision making. In addition, the Services encourage individuals to avoid the distractions of personal issues. The Services take responsibility for tasks which most civilians are required to manage for themselves, such as finding accommodation or managing money. Some veterans' organisations suggested in evidence to the inquiry that this protective environment has the potential for creating a dependency culture rendering particularly difficult the transition to civilian life. Moreover the wide gulf in experience between servicemen and civilians, between

those who have experienced combat in modern warfare and who have not, creates a gulf of empathy and understanding. For some ex-servicemen this can result in feelings of social exclusion and isolation. Resentment is a by-product, and some ex-servicemen feel that the public and government do not appreciate the sacrifices made by them and their comrades (James and Woods, 2010).

1.28 One of the issues which the inquiry encountered is media speculation concerning possible links between combat exposure and crime. Some commentators assert that military service can have a detrimental effect on the lives of servicemen in that it teaches individuals to solve problems through conflict (Bouffard, 2003, 2005; Hakeem, 1946). This view places an emphasis (rightly or wrongly) on the fact that some who experience combat later develop adjustment problems, such as anxiety related conditions, depression and post-traumatic stress disorder (PTSD). Recently there has been sustained coverage of PTSD in the media, with the suggestion of a link between that disorder and crime (Caesar, 2010; McVeigh 2010; Townsend, 2008; Travis, 2009).

The Military Covenant

'Soldiers differ from civilian employees because success in military operations, when the price of failure may be death, requires the subordination of the rights of the individual to the needs of the task and the team, albeit within a legal framework.' (MoD, 2000)

1.29 Until very recently the Military Covenant officially applied only to the Army, although its core principles were taken to extend to the Royal Navy and the Royal Air Force.

1.30 The Military Covenant is an unspoken pact between the military and society. A covenant is not a law, but an understanding reinforced by custom and convention (MoD, 2000, Sparrow, 2008). In the United Kingdom, the term has received increased attention following the publication of 'Soldiering - The Military Covenant' by the Ministry of Defence in April 2000 which formally codified it. This has generated discussion of the extent to which the government and society at large have maintained their responsibilities to the nation's Armed Forces (Military Covenant Commission, 2008). The Covenant has received attention not least because of Britain's long term engagement in Iraq, and its continual presence in Afghanistan. In 2007, the Royal British Legion suggested that the covenant was not being honoured by the government, and, in particular, that troops returning from conflict were not being adequately supported.

1.31 In March 2008, the Conservative opposition launched the Military Covenant Commission under the chairmanship of Frederick Forsyth. It was tasked with examining the state of the Covenant with a view to making recommendations to the then leader of the opposition, David Cameron (Military Covenant Commission, 2008). In the wake of the publication of the final report of that group in September 2008, there was a wide political debate about serving and ex-service personnel, including discussion of how to improve the treatment of those who fight for their country, how to ensure that the government and its agencies can make suitable provision for the families of those who have lost their lives, and how to minimise for ex-servicemen the experience of unemployment, marital breakdown, and homelessness (Sparrow, 2008).

1.32 The nation's duty of care to servicemen extends to payment towards healthcare, which can be physical care for injuries, or support for mental health problems after discharge. It includes the requirement that the MoD provides support for bereaved families. It is also worth noting that the law concerning military service prevents soldiers from claiming compensation for injuries which they have received in combat, except under official compensation schemes. In addition,

recent legal rulings have exempted Forces personnel on the battlefield from the protection of the Human Rights Act. In 2010 the Supreme Court ruled that the Act does not apply to British troops serving abroad outside the confines of a British base.

1.33 The Covenant recognises that in putting the needs of the nation before their own, servicemen forego rights enjoyed by other citizens and submit to laws not applicable to civilian life. In return, they are entitled to fair treatment, to be valued and respected as individuals, and that they and their families will be sustained and rewarded by commensurate terms and conditions of service. The Military Covenant is a written undertaking that such conditions will be upheld. Since a soldier cannot sue the Crown civilly, the Covenant is viewed as important in protecting soldiers' rights. In essence, the Covenant is an unbreakable bond of identity, loyalty and responsibility between the nation and those serving in its Armed Forces.

1.34 The Covenant is perhaps best characterised as 'an informal understanding, rather than a legally-enforceable deal' (Sparrow, 2008), though it is a significant and important social pact premised on the sacrifices made by serving personnel. In May 2011, however, the government published a new version of the Covenant written for the first time on a tri-service basis recognising the Covenant as the Armed Forces Covenant. It also published guidance on what the Covenant means in today's circumstances and outlined a framework for how members of the Armed Forces community could expect to be treated.

1.35 In addition the government committed up to £30 million for a community covenant grant scheme 'to support projects at the local level which strengthens the ties for mutual understanding between members of the Armed Forces community and the wider community in which they live'. The grant is to be spread over a period of four years. The government has also undertaken to propose a bill to Parliament enshrining the Covenant in law.

Statistics: how many veterans are in custody?

1.36 The exact number of former Service personnel in prison in England and Wales is at present unknown (Treadwell, 2010). There have been a number of attempts to produce a reliable figure, but none of these studies are wholly accurate and all are based on varying degrees of conjecture or statistical extrapolation.

1.37 Home Office research in 2001, 2003 and 2004 suggested that between four per cent and six per cent of the total prison population in England and Wales may once have been in the Armed Forces. In 2007, the Ministry of Defence (MoD) estimated that the figure could be as high as 16.75 per cent. This was based on a survey of prisoners on only one wing at HMP Dartmoor undertaken by the Prison In-Reach (PIR) project, a partnership organisation encompassing the MoD, Ministry of Justice and a number of ex-services charities. This pilot study was limited and there are obvious dangers in extrapolating from a single prison wing the number of ex-servicemen in all prisons in England and Wales (Treadwell, 2010).

1.38 Recent research undertaken by the probation service union Napo claimed that the number had reached "alarming" levels (Napo, 2008). Napo relied in part on the same research conducted by the PIR project, and another study by a fellow voluntary organisation, Veterans in Prison (VIP), which surveyed the population of 10 prisons. The study identified 118 former Army, Royal Navy or Royal Air Force personnel out of a prison population of 1,191. On that basis, speculatively, Napo suggested that 9.1 per cent of the

prison population were ex-servicemen (Napo, 2008). They also suggested that it is likely that six per cent of those currently subject to community supervision by the probation service have served in the Forces (Napo, 2009). It is fair to say most of the figures provided by Napo have been estimates based on projections extrapolated from a small number of cases and where the alleged Service details were not verified (Treadwell, 2010).

1.39 At the present time the most accurate figure would seem to be the product of a joint quantitative study carried out by the Defence Analytical Services and Advice (DASA) of the Ministry of Defence and the Ministry of Justice, which has been published as two separate reports (DASA 2010a, 2010b). The study used service records and compared those of approximately 1.3m service leavers with a database of all remand and sentenced prisoners in England and Wales on one specific day in November 2008, creating a one day snapshot. While there are potential inaccuracies in this study (in that it omitted a number of individuals, for example those whose military service predated 1979 for the Navy, 1972 for the Army and 1968 for the RAF, those under 18 years of age, reservists, and those in secure psychiatric hospitals), it is likely to be a more comprehensive estimate than any produced thus far.

1.40 In September 2010, DASA published its second round of figures (DASA 2010b) containing a further estimate revised upwards to take account of omissions in the original study. It asserted that approximately 2,820, or some 3.5 per cent of all those currently in custody in England and Wales, had served in the Forces. The survey included a number of extra prisoners to the previous estimate to account for the incompleteness of DASA's service leavers' database, but the figures still excluded reservists, Territorial Army soldiers, and those under the age of 18 years. While the revised estimate is likely to be more accurate, it is still only a partial picture.

1.41 What is interesting about the second DASA study is that the revised estimate was broken down by Service. It established that of the 2,820 ex-servicemen in prison, 77 per cent are ex-Army, 15 per cent ex-Royal Navy, and 8 per cent ex-Royal Air Force. Furthermore it estimated that 51 per cent of ex-servicemen in prison are over the age of 45 years and 29 per cent are over the age of 55, which compares to 9 per cent of the general prison population being aged 50 years or over (DASA, 2010b). These statistics suggest that many ex-servicemen in prison have offended a considerable time after their date of discharge.

1.42 The DASA figures also provide a breakdown of offence types, indicating that approximately one in three ex-servicemen are held in custody for violence against the person, one in four for sexual offences, and one in twelve for offences of dishonesty. The figures reveal that sexual offences occur at higher levels than for the general prisoner population, whereas, conversely, the number of former service personnel in custody for acquisitive offences is significantly lower than in respect of the general population. However, it should be noted that some of the offences of ex-servicemen are not recorded which may serve to distort the figures quoted above.

Table 1: A comparison of the number of veterans in prison to the general prison population, by offence (DASA 2010b)

Offence group	Veterans number (%)	General prison population number (%)
Violence against the person	725 (32.9%)	23,394 (28.6%)
Sexual offences	546 (24.7%)	8,900 (10.9%)
Drug offences	236 (10.7%)	12,615 (15.4%)
Robbery	158 (7.2%)	10,480 (12.8%)
Burglary	87 (3.9%)	9,370 (11.5%)
Theft and handling	52 (2.4%)	4,313 (5.3%)
Fraud and forgery	30 (1.4%)	2,341 (2.9%)
Motoring offences	15 (0.7%)	1,278 (1.6%)
Other offences	198 (9.0%)	8,059 (9.8%)
Offence not recorded	160 (7.3%)	1,081 (1.3%)
Total	2,207 (100%)	81,831 (100%)

1.43 While the statistical studies to which we have referred above offer varying numerical estimates, it would seem that the reality is that the original Home Office figures – 2001, 2003 and 2004 – of between four and six per cent of British prisoners having a service background was not unreasonable. We suggest that the Dartmoor project was so narrowly based that its estimate is plainly wrong, and that while there may be some limitations to the DASA figures, they are most likely to reflect the actual number of former servicemen currently incarcerated. It is also important to stress that whatever the precise figure, all estimates indicate that ex-servicemen constitute a significant subset of the adult male prison population and by occupation, potentially the largest.

The criminal justice system

1.44 In recent years it has been recognised that an effective criminal justice policy must be based on addressing the factors which influence why people engage in crime. Over the last decade, there has been some progress in exposing the factors which propel people generally towards criminality in an attempt to find effective programmes of assisting those who are incarcerated, and working in the community with those who present a lower risk.

1.45 That said, to date, little of this work has addressed the issue of ex-servicemen as a specific section of the offender population. This stands as a notable omission, given the growing recognition of the importance of it (James and Woods, 2010; Treadwell, 2010).

1.46 This inquiry seeks to explore the circumstances in which ex-servicemen become involved in the criminal justice system in the hope that fewer of today's servicemen will become tomorrow's prisoners.

Methodology

1.47 The Howard League's inquiry has involved primary research in three prisons comprising comprehensive interviews with former service personnel. A total of 29 semi-structured interviews lasting between 30 minutes and two hours were conducted in two local prisons and one high security dispersal prison over a period of three weeks. All those taking part had had their service background and history verified by staff in the prisons prior to interview, thereby eliminating the possibility of prisoners falsely claiming service histories, a phenomenon not unknown in the prison system. The interviews were conducted by two researchers, and if the interviewee consented, were tape recorded.

1.48 Participants were asked a number of questions about their backgrounds with topics ranging from early life to experiences during and after service. They were also questioned about current and previous offending, family circumstances, substance abuse, physical and mental health and the factors which they believed underpinned their involvement in crime. Interview questionnaires were approved by the National Offender Management Service's research ethics committee and can be found in Annex F. In addition to this, focus groups were held at two other prisons attended by prisoners whose Service details had been verified.

1.49 Material generated from these interviews, and the focus groups, has been used in conjunction with the oral evidence taken at a number of sessions in London, as well as written evidence submitted by individuals and organisations. A list of all those who gave evidence can be found in Annexes D and E. In addition, the inquiry team went on a number of visits to explore good practice and new initiatives, including a visit to the United States of America (see Annex C for a comprehensive list).

1.50 Although we concede that the interviews give a necessarily partial picture, nonetheless, in conjunction with other evidence, we believe that they have provided the inquiry with a basis from which certain conclusions can safely be drawn.

2. Life after the Forces

The issue of transition

2.1 The British Armed Forces are a volunteer force. Their reported strength is listed by DASA in its Quarterly Manning Report which also contains figures on the intake and outflow of United Kingdom Forces. On 1 October 2010, the trained strength of the British Armed Forces was 178,470. The division between the services was roughly 100,000 Army, 40,000 Royal Navy and 40,000 Royal Air Force. Of that number, 18,060 were women (9.6 per cent of the total British regular forces) and 12,160 identified their ethnicity as black and minority ethnic (6.6 per cent of the regular force). These DASA figures therefore demonstrate a large majority of the United Kingdom regular Forces personnel, much like our interview sample, is white and male.

2.2 DASA also provide an accurate picture of the numbers who leave the Forces each year (see DASA 2010c). In the 12 months prior to 30 September 2010 a total of 18,240 servicemen and women left the regular Forces (DASA, 2010c). While some press sources have reported higher figures (Barford, 2010), the DASA figures are plainly the most accurate reflection of the number of people who serve and leave.

2.3 We have already set out the case that the three Services are unique employers in a variety of different ways. It is apparent that their aggressive recruiting strategies and enforced retirement policies are used to ensure that they retain the strength and viability necessary for their respective roles. As the Services tend to recruit the majority of their personnel at a relatively young age, and retire them before standard retirement age, many who have served will look for employment when they leave, even if they have completed a full service contract. For example, a man who joins the army at 18 and serves the full period of 22 years will leave at the age of 40 years. This means that even those who complete a full period of service are young enough to secure further employment, and will aim to find work to supplement any military pension which they may have accrued. In addition, many enlist and leave the Armed Forces having served for much shorter periods. The average infantry soldier's career lasts between six and nine years (Howard League, 2010a).

2.4 Leaving the Services is unlike simply changing jobs: it is a wholesale life change in which the Service leaver discards more than just employment. He also relinquishes his accommodation and the camaraderie of Service life (Moskos and Wood, 1988). He undergoes a radical change in lifestyle. He enters civilian life having to discard the familiar trappings of the Services including the relationship between different ranks and the discipline of an organised and relatively institutionalised existence. The term used by the Services to describe this process is 'transition'.

2.5 In recent years the issue of transition and how people cope with leaving the Forces has received increased attention from academics (see Dandeker et al, 2003) and public and press alike (e.g. see Barford, 2010).

2.6 It is important to stress that, for the majority, service in the Forces significantly improves life opportunities and the inquiry heard from Professor Dandeker of King's

College, London, that around 90 per cent of those leaving the Forces have a good transition and go on to do well. As Iverson and colleagues have noted:

'The majority of service leavers do well after leaving and are in full time employment... Only a minority of veterans fare badly after service...' (Iverson et al 2005: 181)

However, Dr Iverson and her colleagues also recognise that 'little is known about the factors associated with leaving the armed forces, or what predicts subsequent employment success for veterans' (Iverson et al 2005: 175). A similar deficiency in knowledge applies to the reasons which trigger offences resulting in imprisonment.

Early service leavers

2.7 There has been speculation that those who tend to struggle with civilian life after they have left the Services and are represented in the prison population, tend to be those who spend only a short time in the Forces, particularly those termed early service leavers (ESLs). Such personnel are defined as those who have terminated their service at under four years. This a technical definition under the terms of the resettlement provision. It is important to emphasise that many soldiers will in fact serve three year engagements and will fulfil their contract. This means that not all ESLs are automatically vulnerable on discharge as not all, for example, fail basic training. One way or another, what is true is that all ESLs leave the Forces with little resettlement provision. Certainly, it was suggested to the inquiry that those who fail to complete basic training or serve for less than a year are especially vulnerable to the problems created by transition to civilian life.

2.8 Studies show that vulnerable ESLs (for example those who have failed basic training) tend to be subject to social disadvantage. Given that, it might be expected that the prison population would feature a disproportionate number of this vulnerable group (Iverson et al, 2005; Howard League, 2010a).

2.9 While ESLs are regarded as a particularly vulnerable group, conversely, it is suggested, the longer the period of service, the better the likely outcome for the serviceman after he has left the Forces.

Interviews conducted in prison

2.10 In fact there was little to substantiate the view that those whom we interviewed in prison had left the Services particularly early, or had problematic service histories. Indeed few were ESLs and the average period which they had served was seven years. Many reported that their time in the Forces had been 'the best time of their lives' and that they wished that they had not left. Indeed, only one or two had anything bad to say about their period of service. Only a small proportion of the interviewees had been discharged early for disciplinary reasons. Those who had served for a limited period had undertaken National Service and were necessarily therefore men at least in their late sixties. Only one of those interviewed had left the Forces having not completed basic training.

2.11 In terms of length of service, the interviewees could be divided into three groups. The first group constituted those who had completed basic training and had been discharged honourably as normal service leavers. Some of them had been discharged on completion of their engagement, having submitted their notices to leave or having received a notice of discharge under redundancy. Some had served long enough to have secured a full

pension. This group constituted the majority of the 29 ex-servicemen interviewed by the inquiry.

2.12 While most of those in this category had served periods of at least six years, they complained that they had received little help on leaving the Forces, though it seems that generally speaking this was often because they had left the Services before the transition arrangements now in place had come into effect. We deal with this aspect in greater detail below. Many gave marriage or the birth of children as reasons for leaving. Several suggested that they had left to avoid being returned to potentially difficult or dangerous military theatres, such as operational peacekeeping tours in Northern Ireland or the former Yugoslavia, impacting on their families, and frequently these two considerations were combined together:

'I left to spend time with my kids, I had done a good time, and I never wanted to do another tour in Ireland or that kind of thing, so I just said "that is it" and went'. (Jake; served six years and left honourably)

'I regretted leaving almost as soon as I did, but she wanted me home to help with the kids. A couple of years on I found out about going back [into the Army], but I was just too old and I fucking had these done then, like [points to tattoos across neck and face]. Now, me relationship has gone, I will probably hardly ever get to see me kids cos of her lies, and I am fucked basically. I don't want to be a wage slave. What I have seen on telly is all that private military contractor stuff in Iraq, and that. I properly fancy that, and would love to get into it. That is what I want to do when I get out of here'. (Liam; served six years and left honourably)

2.13 The second group consisted of those who had been discharged through pre-existing physical or mental health problems, or who had been discharged after they had been injured (sometimes but by no means exclusively in combat), or who had developed a medical condition which had adversely affected their ability to continue to serve. Under current arrangements, when an individual is medically discharged, a resettlement officer is deputed to plan resettlement and the serviceman is entitled to priority medical treatment with the National Health Service (NHS). Some receive a military pension and may also be eligible for compensation if the medical injury was sustained in service.

2.14 We met interviewees who had been medically discharged, but who had received little in the way of resettlement assistance:

Interviewer: *'Why did you leave?'*

Interviewee: *'I fell out of a window on a FIBUA [Fighting In Built Up Areas] exercise, broke my legs real bad like, and shattered my tib and fib, like in both legs, done me back. I was in traction and that like for weeks, operations pins and shit. I was never gonna get fit again, so it was like, they said "You are going out on a medical" and that was it, like. I had only ever wanted to be a soldier, like, so I was fucked basically. I got a good few grand compo, but that was gone in no time and that was it'. (Chris; medically discharged after four and a half years)*

2.15 The last of the three groups consisted of those who had been discharged compulsorily, and were therefore eligible only for reduced resettlement provision. While it has also been suggested that this group might be over-represented in the prison population

(Iverson et al 2005), we found no evidence to substantiate this among the number of ex-Forces personnel whom we interviewed. This group included individuals discharged either because they had been caught using illicit drugs, or because they had committed offences against military discipline (such as going absent without leave), or because they had committed other criminal acts. Their numbers were small in comparison to those who had served a contracted period and left honourably.

2.16 Some of this group had been discharged having served a period of imprisonment in the Military Corrective Training Centre (MCTC) at Colchester and had been discharged from there having had their contract terminated for disciplinary reasons. However, while we met only one individual who had not completed basic training, we interviewed several who had been dismissed for disciplinary reasons after long periods of service, in some cases having served as much as ten years in the Forces.

'After getting kicked out [for drug offences] I had to lie to my family, so I said I bought myself out. The Army sent a box back from Germany with my stuff in, but other than that I didn't get any help at all. I moved in with my mum and step father, and then I got a flat' (Neil; served nine and a half years and dishonourably discharged).

2.17 We accept the need for caution in extrapolating general principles from a limited sample. However, the research which the inquiry conducted provided little evidence to substantiate the view that those ex-servicemen in custody are disproportionately ESLs. We encountered a very diverse group, with an average service length of around six years, although there were individuals who had served significantly longer and also considerably shorter periods. In addition, while we encountered almost entirely favourable accounts of life in the Services, accounts of resettlement and preparation for leaving the Forces were often commented on less favourably. It is to that issue which we now turn.

Military resettlement provision

2.18 Historically, personnel who were discharged prematurely often left the Forces on very short notice without having had much time to plan their transition into civilian life. The Forces still offer little specific resettlement provision for those leaving prior to the completion of four years' service. For those who have served longer than four years, provision for resettlement is based on a system where access is earned and graduated on the amount of time that the individual has served, so that longer servers are eligible for greater resettlement provision.

Interviewer: *'Did you get any help to prepare you?'*

Interviewee: *'Nah not really, I think I could have put me name on a list for like forklift and HGV courses, but I wasn't bothered, I just thought I will be sound. It's probably different now but back then no-one really cared, you decided to go and just went. There were a lot of lads I knew who had enough after about five/six years and decide to go, and nobody really stopped you. Most of them regretted it later though, I can tell you.'* (Jake; served six years and left honourably)

Interviewer: *'What about work? Did you get any help with resettlement?'*

Interviewee: *'Oh I have had an absolute plethora of jobs, but I didn't get any help with the Army. It made me bitter because I had given those nine, well almost ten years of my life. I felt like they were throwing me on the scrap heap, but I got work without their help. I stacked*

shelves, started a band with some mates, went on the bins for half a year, re-conditioned car engines, restored classic cars, teaching music, God, there are too many to remember. But then when I really needed money quickly I turned to crime. I never knew that I could have got help from being in the Army from people like SSAFA. I had no idea.’ (Neil; served nine and a half years and dishonourably discharged)

‘No I never had any help when I left. I just left, I walked out of the front gate with me kit bag with all me civvy stuff in, me two medals, me book, me Army book, the red book, my personal possessions out of my room and that was it. I walked straight out of the gate, called a taxi and then went to the train station and got the train back home, that was it, done.’ (Julian; served nine and a half years and left honourably)

2.19 In the main, the lack of resettlement provision for those whom we interviewed appears not because they fell within ESL categorisation, but because they had left the Forces at a time when preparation for transition to civilian life had not been afforded a priority. Many of those we saw had left at least a decade prior to the interview.

2.20 There have indeed been significant advances in the provision of resettlement services in recent years, and the process is now a phased process which includes advice, information and training. It involves the service-leaver being helped to make decisions about housing, education (both for the individual and, if relevant, for the individual’s children or dependants), finances and employment.

2.21 Preparation for leaving is now handled by the Career Transition Partnership (CTP), the name given to the arrangement between the Ministry of Defence and Right Management, a global career development organisation. The CTP was established in October 1998 and currently employs around 120 civilian staff, including consultants, trainers and administrators. They have nine Regional Resettlement Centres in the United Kingdom, and one in Germany, with headquarters in London, and a Resettlement Training Centre at Aldershot.

2.22 Personnel who have served six years or more are eligible for the full CTP support programme, which includes 50 job-related courses at the Aldershot Resettlement Training Centre. They are also assigned a personal career consultant who is available to provide advice to the serviceman throughout the resettlement process. The consultant works with the serviceman to develop a Personal Resettlement Plan, which sets out and timetables activities designed to help him to find a job or pursue a chosen career. The consultants also offer support to those who are not eligible for full CTP support, because, for example, they have been subject to premature voluntary release with less than four years of service, or have been compulsorily discharged, or because they are reservists who have completed an operational tour.

- Premature Voluntary Release (PVR) with less than 4 years service
- Compulsorily Discharged regardless of length of service
- Reservist who has completed at least one operational tour as a regular

2.23 The Regular Forces Employment Association (RFEA) provides additional support to find employment for service personnel of all ranks who are leaving the Armed Forces. The RFEA has been in existence since 1885. Their help is offered as part of the CTP and thereafter is undertaken on behalf of the service charities. The CTP aims to make the transition from

military to civilian life as successful as possible. The services which they provide include teaching the skills necessary to produce a CV, assisting with interview techniques, and helping individuals to research the employment market and to apply for jobs. For eligible servicemen, the support begins up to two years prior to discharge and lasts up to two years after discharge.

2.24 Although ESLs who have served less than four years or who have been compulsorily discharged are not entitled to the full level of support, all servicemen who have left the Forces after 2004 have been provided with a resettlement brief designed to signpost assistance available to them from ex-service welfare organisations. It also provides information on access to housing. Under the new programme, mandatory one-to-one interviews are also used to assess ESLs' vulnerability to the dangers of social exclusion in civilian life, and servicemen who are assessed as vulnerable are offered additional resettlement assistance (National Audit Office, 2007).

2.25 One of the problems in this sphere, highlighted on a number of occasions in the evidence which we heard, was the problem resulting from the reluctance of the ex-serviceman to take advantage of the help available. Service in the Forces tends to create a belief in the individual serviceman that he can cope with any problem thrown at him in civilian life. Some fail to realise the differences between the two existences and the extent to which service in the Forces does not necessarily equip them to solve the problems which they encounter after they have left. Although our interviewees often suggested that they received little in the way of formal resettlement assistance, it was unlikely that they would have been enthused by the prospect of receiving more:

'They gave me some forms and stuff, some bits of paper to read and that, but I didn't bother. I just binned them' (Liam)

'I wasn't interested really, I was never that bothered. I had done me time and I just wanted out really, I couldn't be arsed with all that [resettlement provision] really, just give me my compo cheque' (Chris)

2.26 Not only do some servicemen see little value in the information they receive on leaving, but they failed to recognise that the information may be needed a significant time after they have left. The problem is that the serviceman least likely to respond to the help offered is probably the very serviceman most likely to need it.

Leaving the Forces and homelessness

2.27 The military are required to provide suitable accommodation for serving personnel and the MoD do, indeed, accommodate many individuals and families. Service Family Accommodation provides some 47,000 married homes and 112,000 single living spaces to members of the Armed Forces and their families. However, once an individual leaves, he has to find accommodation for himself and his family, if applicable.

2.28 That homelessness constitutes a significant problem for ex-servicemen is subject to much media speculation. It is true that young single men are particularly vulnerable on discharge because they often have nowhere to live when their military service ends. A number will be dependent on relatives or friends for immediate accommodation, but very often such arrangements are fragile and time limited. Unstable arrangements can lead to a lack of stable accommodation, and this in turn can make it difficult for the ex-serviceman

to find employment, sometimes leading to a cycle of social exclusion. These problems are not exclusive, however, to young single men with histories of military service. The same issues affect many young people in society. It is also worthy of note that existing literature on homelessness and crime suggests that sleeping rough elevates the risk of both criminality and criminal victimisation (Grover, 2008).

2.29 A survey in 1997 by the Ex-Service Action Group on Homelessness asserted that 22 per cent of people who were 'street homeless' had a Service background. Matters have improved since then, and it is now accepted that there has been a significant reduction in the percentage of ex-servicemen among the homeless. In London, the number dropped from 22 per cent in 1997 to around six per cent by 2007 (Johnsen et al, 2008). In 2008, an update report recorded the same percentage (Johnsen et al, 2008); but in 2010 the Combined Homelessness and Information Network (CHAIN) reported that only three per cent of those sleeping rough claimed a military connection (Broadway Homelessness and Support 2010).

2.30 For those who do encounter homelessness on discharge there is a great deal of help made available. Every serviceman who is discharged from the Military Corrective Training Centre, Colchester (MCTC) now receives some form of assistance with finding accommodation. In addition to the bodies mentioned above the Joint Service Housing Advice Office (JSHAO) provides service personnel and their families with advice on civilian housing options. MCTC and the Single Persons Accommodation Centre for Ex-Services (SPACES), based at Catterick Garrison in Yorkshire, work closely with Veterans Aid (see section 4) to prevent homelessness on discharge.

2.31 It has been noted that service personnel who experience homelessness tend to be resilient to hardship, and often utilise survival skills similar to those acquired as part of their service careers (James and Woods, 2010). Such personnel may, therefore, consider themselves better equipped to endure the hardships of sleeping rough. They may be proud, or less inclined to seek help, and this tendency is increased if they feel that homelessness is attached to social stigma or shame (Treadwell, 2010; James and Woods, 2010).

2.32 It was clear to us from the evidence we received that servicemen are fortunate to have at their disposal a range of providers exclusively concerned to help them. In so far as significant numbers of ex-servicemen find themselves without accommodation, the solution lies in making sure that they are aware of the help available and that they overcome any reluctance to seek it.

Leaving the Forces for disciplinary reasons

2.33 Military law is the body of law governing the rights and duties of soldiers to which all serving British soldiers are subject. The foundation for military law is the Army Act 1955, supported by rules, including the Queen's Regulations 1975. The Army Act 1955 covers enlistment, discipline, trial and punishment of offenders and forfeiture and deductions of pay. It also includes special powers used in times of war such as billeting and the requisition of vehicles. The principal object of military law is to maintain order among Army servicemen.

2.34 Under the Army Act, soldiers are liable for any criminal offence which they commit. They are also subject to a range of military offences, such as going absent without leave. Both military and civilian offences are tried by courts martial. District court martial may not award a sentence of imprisonment or detention exceeding two years. A General court martial may

award any sentence permitted by law for the offence and are comparable to the jurisdiction of a Crown court. Soldiers sentenced to a period of imprisonment of more than two years serve their sentences in a civilian prison. Offenders sentenced to under two years serve their sentences at the MCTC Colchester, which is regarded as a detention centre rather than a prison.

2.35 MCTC was formerly a prisoner of war camp and is the only surviving military establishment following the closure of MCTC Stonecutters Island in Hong Kong in 1976. The principal function of the MCTC is to detain personnel, both male and female of the three Services, as well as civilians subject to the Services Disciplinary Acts, in accordance with the provisions of the Imprisonment and Detention (Army) Rules 1979. The MCTC provides corrective training for those detained.

2.36 The facility takes service personnel who have been sentenced to any periods of custody of between 14 days and two years. There are three categories of detainees: those from the Army, Royal Navy, Royal Marines, and Royal Air Force who are to remain in the Services at the end of their detention, those who are to be discharged after serving their sentence and are released as civilians from there, and those held in military custody either awaiting the outcome of an investigation, or awaiting placement at a prison or Young Offenders Institution. The categories of detainees defined above are kept separate throughout their detention. Up to 316 detainees can be held at any one time.

2.37 While not a prison in the conventional sense, MCTC is inspected by Her Majesty's Inspectorate of Prisons (HMIP), and has recently received reports commending its commitment to rehabilitation and resettlement (HMIP, 2010). Members of the inquiry team visited the MCTC and had the advantage of speaking to staff and detainees. We were impressed by the purposeful activity, the educational and vocational training and the general ethos which we encountered at Colchester and take the opportunity to echo the largely positive findings of recent HMIP inspections. The setting seemed very different to that described by interviewees who had spent time there a decade previously.

2.38 Indeed a report which resulted from a recent unannounced inspection of the facility as part of the HMIP inspection process noted in particular that MCTC is 'now a commendably safe and purposeful place, with much improved support for those detainees who are not 'soldiering-on' and who need help to resettle back into civilian life' (HMIP, 2010).

2.39 The majority of detainees at MCTC have offended against Armed Forces law rather than the criminal law. Some 60.9 per cent of all detainees are held in custody for the offence of being absent without leave, and only a very small number are awaiting transfer to civilian prison or Young Offenders Institution for serious criminal offences. Therefore, only a small proportion of ex-servicemen enter the civilian prison system direct from military service. None of those we interviewed fell into this category, and we have no reason to believe that this group constitute a significant number of imprisoned former Armed service personnel.

2.40 Recidivism is a constant problem within the criminal justice system and few penal institutions can boast of much real success in preventing further offending. The timeframe used to define recidivism after a custodial sentence is two years. According to the evidence we heard, many of those from MCTC remained out of trouble for at least a two year period.

Indeed most acquired jobs and led constructive lives for well in excess of that period; and in so far as they reoffended did so several years after discharge. This pattern was reflected in those whom we interviewed in prison. Irrespective of the reasons for discharge from the Services, most had not offended and had remained free of contact with the criminal justice system for many years after their service in the Forces had come to an end.

2.41 What is of particular note is the manner in which MCTC has improved its resettlement procedures for those being discharged from the Forces. Partly in response to the regular inspections by HMIP, the staff at MCTC introduced a needs assessment process and a programme addressing resettlement needs.

2.42 The needs assessment conducted at MCTC is adapted from practice within civilian prisons, and forms the acronym 'HARDFACTS':

- Health
- Accommodation
- Relocation
- Drug and alcohol misuse
- Finance, benefits and debt
- Attitudes, thinking and behaviour
- Children and families
- Training, education and employment
- Support (ie. external agencies)

An individual will be assessed under this framework and support tailored to meet their needs across the categories.

2.43 The resettlement process for those leaving MCTC and being discharged from the Forces is entitled 'First Steps', a one week programme which involves:

- Physical fitness assessment and NHS registering if required
- Financial skills training, including awareness of service charities, welfare and benefits
- Nationality and immigration
- Citizenship classes
- Career signposting
- Crime prevention

2.44 Overall, the impression was that the needs assessment and resettlement programme had greatly improved MCTC's ability to support those on discharge as they returned to civilian life.

Life after the Forces

2.45 It appears to the inquiry team that there are few easy answers to the problems of transition. While some of the ex-servicemen we interviewed fitted within the vulnerable and ESL categories, the significant majority did not. Similarly while some individuals had left the Forces for disciplinary reasons, the majority had not. While some individuals reported problems with accommodation and periods of homelessness, such experiences were limited to a small proportion of interviewees, and none had left the Forces without some form of immediate accommodation. Many of those to whom we spoke would, on a short term basis, be regarded as having done well after leaving the Services, having found employment on discharge and having committed offences resulting in custody at least a decade or so later. It is axiomatic that the longer the period between discharge from the Services and admission to custody, the more tenuous the link between service in the Forces and the circumstances which trigger incarceration.

2.46 While many of the interviewees seemed to do well after leaving, it was clear that many found it difficult, mentally, to make the adjustment to civvy street and to cope with what they defined as a feeling of social isolation after they had left. This was a topic which was raised again and again by those to whom we spoke. They contrasted the positive experiences of military service with the negative experiences of civilian life. One example suffices:

'After I left the Army I felt lost, empty, and I tried to fill that emptiness with drink, but I had nothing. I missed me mates, and I would drive out of the way down the M42 and find excuses to drop in, even if I was driving about 300 miles out of the way. I would do anything at all just to be back near the lads'. (Steve; served 16 years and left honourably)

2.47 We will discuss the issue of why ex-servicemen offend in more detail in the next section, but we note that to date there has been little discussion of the emotional impact of transition to civilian life, and that much of the debate has been concerned with practical factors associated with leaving, rather than the emotional upheaval which it entails. Those interviewed often attested to feelings of loss almost amounting to bereavement which accompanied transition, as well as the absence of support networks, the sense of social isolation, and the loss of purpose and meaning in their lives. One of the most frequent terms used in conjunction with this was that departure was the start of 'the slippery slope' or 'the downward spiral', not so much because of the lack of employment or opportunity outside the Forces, but because of the loss of the stable and regimented life that had given meaning and direction to their lives.

3. Ex-servicemen and crime

Background

3.1 This section will examine why, on the evidence of our prison interviewees, it would appear that ex-servicemen become involved in the criminal justice system. The topic has received significant attention in the United States, but in the United Kingdom the debate about numbers has detracted from the question of who they are and how they came to be there.

3.2 We have already discussed the DASA figures which highlight the fact that the average age of ex-servicemen in prison is older than the average of the general prison population. We regard this as significant. If it is correct that many recruits come from disadvantaged backgrounds and that they may well become involved in crime in their late teens or early twenties, the time in which they spend in the Forces necessarily reduces the likelihood of offending during that period. Insofar, thereafter, that they commit offences which result in imprisonment they are likely to be marginally older when they are admitted to custody. Our limited sample of interviewees ranged in age from early 20s to late 70s, most of them having offended a significant time after leaving the Forces.

3.3 We have already mentioned the fact that the DASA figures suggest that incarcerated ex-servicemen seem to feature in particular categories of offending. In England and Wales, 25 per cent of ex-servicemen are in prison for sexual offences, compared to 11 per cent of the civilian prison population. Ex-servicemen are also over-represented in offences categorised under the heading 'violence against the person', with some 32.9 per cent being in prison for such offences, compared to 28.6 per cent of the non-veteran prison population (DASA, 2010; Howard League, 2010b).

3.4 We met and interviewed ex-servicemen incarcerated for a wide range of offences, from passing forged currency, to theft and burglary, drug offences, robbery and arson as well as sexual offences and murder. However, amongst the interviewees in the three prisons which we visited there was a discernable pattern of offending, in that our sample contained a larger number of individuals who had committed offences of interpersonal violence than would be expected in a randomly selected group of imprisoned interviewees accessed in local and high security prisons. If sexual offences are considered as offences of violence, the significant majority of the sample we interviewed had been incarcerated for violent crime.

3.5 Most of those imprisoned for sexual offences, including rape and serious sexual assault, either refused to discuss their offences, or, more commonly, gave details of the offence of which they had been convicted, before vehemently protesting their innocence. This is not uncommon with such offenders where the denial and repeated protestations of innocence are more usual than among the general offender population. However, the fact that most of the interviewees did not accept their guilt makes it more difficult to talk generally about this group and we had no access to the detail of any of the offences recorded by the prosecuting authorities.

3.6 Secondly, while sexual offences constituted the largest category, the single most common offence among our sample was murder. A total of eight of the 29 interviewees were in prison for this offence. There was no discernible trend to the homicides: three were linked to organised crime, such as armed robbery and drug dealing, three were linked to sexual offences, one was a revenge attack on a known acquaintance, and one involved the alcohol fuelled murder of a male friend. Interestingly none of the murders concerned domestic violence or the killing of partners, though we did encounter these among prisoners in the focus groups we met in other prisons.

3.7 Other forms of violence committed by those interviewed included cases of domestic violence (though limited in number), violent robberies (some with firearms), and serious interpersonal violence causing grievous bodily harm. Two such offences were especially serious and but for timely medical intervention the victims' injuries could have proved fatal. In contrast, we encountered only a small number imprisoned for offences involving drugs or dishonesty, although this did not mean that drugs were not a factor in the commission of some offences.

Exploring Ex-Servicemen and crime

3.8 We do not contend that the limited nature of the sample of ex-servicemen in prison whom we interviewed necessarily represents a general picture of ex-servicemen's involvement in crime. Nonetheless, the prevalence of violent and sexual offences in the interviews is also reflected in the DASA statistics as set out in Table 1, Section 1 (DASA 2010a, 2010b).

3.9 It ought to be remembered that servicemen, especially those who are likely to fight in the front line, have to be trained to be effective in the use of violence. Inside the Forces, this violence is controlled and regulated. Yet some ex-servicemen whom we interviewed had not found it easy to restrain violent impulses outside of that environment. For example, Ricky, a reservist for five years who had also spent a period in the French Foreign Legion and at the time of interview was serving his third custodial sentence for causing grievous bodily harm to a male acquaintance, suggested:

'I always get in trouble for violence, it's just like, basically, drink and violence. I have been in twice before, for ABH all for fighting in pubs, but this one is longer, this time it was for GBH because I went over the top. But all of my trouble has been since I left the Army, it's all been drinking and violence, it is all alcohol related basically, I lose control when I get pissed. I get in fights when I drink and I am not just saying this but if someone wants to fight me, I know what to do about it' (Ricky; reservist served five years and left honourably).

3.10 The fact that the percentage of ex-servicemen in custody is likely to be significantly lower than some of the estimates canvassed in the last few years is no cause for complacency, any more than is the fact that many of these ex-servicemen are in prison for violent offences, including a disproportionate number of violent sexual offences. Nonetheless these matters must be kept in perspective. The first perspective is that the proportion of ex-servicemen who offend is very small in proportion to the total of those discharged from the Forces, and the second is that it seems that there is a significant time lag in most cases between discharge and offence resulting in imprisonment. An analysis of the reasons why a disproportionate number of ex-servicemen commit offences of violence

was beyond the scope and resources of this analysis, but we suggest that the statistical discrepancy is sufficient to warrant further enquiry and we encourage it.

3.11 Some ex-servicemen in our sample spoke about a more relaxed attitude in the Forces to certain types of offending particularly, for example, alcohol related violence between regiments. This emerged from interviewees who, when asked about experiences in this context, said for example:

'I mean I remember the Army is different. They encourage small crimes like pilfering things and turn a blind eye in a way that doesn't happen on the outside. Sometimes to violence, like, when you end up in fights and things you don't expect to really be pulled up for it in the Army, the Monkeys (Military police) handle stuff like fights, just used to put you in the guard room, and it never really gets into the formal criminal system, or it never used to in my experience. I was shocked when I got thrown out for fighting because a lot of the time, in the past the Army turned a blind eye' (David; served three and a half years and dishonourably discharged)

3.12 We emphasise that the interviewees did not suggest that during their service in the Forces they had been involved in criminality. While a few admitted that they had been involved in small scale infractions of military discipline, none of those whom we interviewed had been imprisoned for offences which they had committed whilst they were serving soldiers. Indeed, the significant majority had been of good conduct at the time of their discharge. Many insisted that the Forces had been a positive and stabilising influence on them:

'Leaving the Army was the biggest mistake of my life, I know that now and wish everyday I never had. I wouldn't be here now.'

Interviewer: *Why did you leave?*

'Same reason a lot of lads do, I was young, only twenty-something and I thought I was in love. My CO told me not to go, so did my dad, but I was in love and couldn't hear sense. I wish I had signed on for the twenty two years. If I had, I wouldn't be here now. The irony was that I always resented my wife for leaving the Army, so that was the reason me marriage broke down anyway.' (Pat; served three and a half years and left honourably)

3.13 Like Pat, many in our sample insisted that they had thrived in the Forces and did not offend for a considerable time after leaving. Some of the mainstream discussion of ex-servicemen's involvement in crime has taken this as indicative of the delayed onset of PTSD. There is no doubt from a medical standpoint that the disorder can take a considerable time to manifest itself; for example, as we shall see, ex-servicemen who are referred to Combat Stress are treated on average 14 and a half years after discharge from the Forces.

PTSD and Ex-Servicemen

3.14 While discussion of combat trauma has been described in different terms, sometimes as shell-shock or combat fatigue and sometimes as PTSD (Shephard, 2001), the links between PTSD and criminality generally have not been extensively researched. Rather than being based on empirical evidence, fears about battle hardened veterans returning to society and then committing crime are assumed to be linked, and certainly pre-date contemporary anxieties expressed along the same lines (Bourke, 1999). The truth is that

most soldiers return from war changed but in good mental health (Shephard, 2001, Bourke, 1999).

3.15 The literature on the links between PTSD and crime, particularly violent crime, is sparse and that which does exist is largely based on the experiences of United States service personnel returning from Vietnam. While American veterans of that conflict were not the first soldiers to develop PTSD (Shephard, 2001), research indicates that there are aspects of the Vietnam conflict which made it more traumatic for participants than some of the conflicts pre-dating it. This may have had something to do with the fact that during the Vietnam War the average age of the American infantry soldier was just nineteen years, lower on average by six years than the age of American soldiers fighting in the Second World War.

3.16 The nature of the conflict itself was also different. The Vietnam War involved guerrilla warfare quite distinct from the formal battles which generally characterised European wars (Hodge, 1997). The insidious and continuous nature of the war in Vietnam, fought against an enemy difficult to distinguish from the civilian population, has much in common with contemporary military engagements in Afghanistan and the recent conflict in Iraq. Certainly, the Vietnam conflict seems to have resulted in far higher levels of service personnel diagnosed with PTSD. Indeed, some statistics suggest that approximately a quarter of veterans returning from that war experienced some symptoms (Higgins, 1991; see also Hodge, 1997).

3.17 A number of academic articles have examined the relationship between PTSD and criminal behaviour among Vietnam veterans, although there is little real consensus and several accounts are contradictory. One survey undertook a study of 114 veterans in the United States, and found the criminal violence which they had committed to be positively correlated with PTSD reflecting the intensity of their combat experiences (Wilson and Zigelbaum, 1983).

3.18 The largest epidemiological study of Vietnam veterans claimed that male veterans with PTSD exhibited a much higher level of violent behaviour than their counterparts not so suffering (Kulka et al, 1990). They reported on average 13.3 acts of violence in the preceding 12 month period, contrasted with a figure of 3.5 reported amongst non-sufferers. In contrast to veterans, Collins and Bailey's study of 1,140 recently jailed male prisoners from the civilian population of North Carolina found that only 2.3% of their sample met the criteria for PTSD diagnosis. Of this small group a third were veterans and it was established that their PTSD was combat related. The study found that statistically PTSD diagnosed prisoners are far more likely to have been imprisoned for violence, or to have a history of violent offending or to have been arrested for violence in the preceding year (Collins and Bailey, 1990).

3.19 So research seems to suggest that PTSD symptoms can lead sufferers to have difficulty controlling violent feelings or impulses; yet much of what is known about combat-induced PTSD is based on the American experience and in particular the deployment of a young conscript force. It is also based on what is, in reality, a relatively small number of studies.

3.20 Furthermore, there is some research which is contradictory; for example one study compared Vietnam veterans who had offended with a sample of non-offending veterans drawn from the community (Shaw et al, 1987). The study found that the prevalence of PTSD was similar in both samples. This research also claimed that the offending population contained higher levels of personality disorders, and that it was these, rather than PTSD, which underscored violent criminality.

3.21 There are, therefore, inherent problems in linking PTSD to criminality (Wilson and Zigelbaum, 1983); and the notion that PTSD necessarily leads to erratic and violent behaviour is popularly believed rather than empirically proved.

3.22 The best researched picture of mental health amongst ex-servicemen in the United Kingdom stems from the impressive work undertaken by King's College London's Centre for Military Health Research, and the large scale study of 20,000 service personnel under the direction of Professor Simon Wessley and Professor Christopher Dandeker. This project was supported by the MOD. The research followed the physical and mental health of personnel deployed in Iraq in 2003, but has also provided an opportunity to look at issues which are relevant to the Armed Forces generally, including how ex-servicemen fare once they leave the Forces. The data included those who have left since the study commenced, as well as those who continue serving. The research has provided an insight into the impact of deployment in Afghanistan on United Kingdom Forces.

3.23 The most recent follow up studies using this sample examined the prevalence of PTSD amongst all Forces deployed in Iraq and Afghanistan and concluded that only four per cent suffered from the condition, whereas 19.7 per cent showed symptoms of more common mental health problems, and 13 per cent of the sample had problems with alcohol abuse (Fear et al, 2010).

3.24 Another study has demonstrated, perhaps unsurprisingly, that 'regular personnel in combat roles were more likely than those in support roles to report probable post-traumatic stress disorder, though there was no association with number of deployments for any outcome' (Fear et al 2010). According to the study, there is some evidence of a small increase in this reporting of probable PTSD a significant time after the return from deployment, but 'symptoms of common mental disorders and alcohol misuse remain the most frequently reported mental disorders in United Kingdom armed forces personnel'. According to this assessment the prevalence of probable PTSD amongst British Forces was 'low' (Fear et al, 2010). According to the evidence we heard in terms of prevalence, the principle causes of physical and mental health problems among ex-servicemen are alcohol abuse, followed by depression, followed by PTSD (Howard League, 2010c).

3.25 Symptoms for PTSD include re-experiencing the original trauma through flashbacks or nightmares, the avoidance of stimuli associated with the trauma, and increased arousal, such as the difficulty of falling or staying asleep, hyper vigilance and anger. Formal diagnostic criteria require that the symptoms last more than one month and cause significant impairment in social, occupational, or other behaviour.

3.26 There are two ways in which PTSD is diagnosed. The first, the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR) describes PTSD cases as being 'acute' if the symptoms last for less than 3 months, 'chronic' if the symptoms last for 3 months or longer, and 'with delayed onset' if at least 6 months have passed between the traumatic event and the onset of symptoms. This is the criteria used to diagnose PTSD among veterans in the United States.

3.27 The second basis of diagnosis is defined by the International Statistical Classification of Diseases and Related Health Problems (known by the abbreviation ICD), which sets out the criteria for PTSD as a 'delayed and /or protracted response to a stressful event or situation (either short- or long-lasting) of an exceptionally threatening or catastrophic

nature, which is likely to cause pervasive distress in almost anyone (e.g. natural or man-made disaster, combat, serious accident, witnessing the violent death of others, or being the victim of torture, terrorism, rape, or other crime).’ Currently, it is these ICD criteria, rather than the DSM criteria which is used to diagnose PTSD amongst British ex-servicemen. Thus diagnoses in the United States and the United Kingdom are not made under comparable criteria.

3.28 This factor might explain the differences between the rates of PTSD in the British Armed Forces and those in the United States. It is important to note that in contrast to the United Kingdom, the American authorities now routinely screen for PTSD, depression, problem drinking and military sexual trauma. PTSD screening is not done in the United Kingdom, although plans are underway for a UK/US trial. As we have seen the most persuasive evidence available shows that rates in the United Kingdom for PTSD are around four per cent, whereas the current rate of PTSD among forces in the United States is commonly given as 20 per cent (Howard League, 2010b). In particular, there is mounting concern in the United States that levels of PTSD among veterans have risen in recent years (Tanielian and Jaycox, 2008).

3.29 Explanations for the increase in the rates of diagnosed PTSD among United States veterans include more intense fighting for frontline personnel in recent years and increased casualties; whereas explanations for the differences between levels of PTSD in the United States and the United Kingdom have highlighted the longer deployment periods served by American personnel in combat theatre (12 to 15 months in the United States, compared to six months in the United Kingdom) and the larger number of reservists used in the American Armed Forces (33 per cent against 10 per cent in the United Kingdom) (Howard League, 2010c).

3.30 Another explanation may be eligibility for health care. In the United Kingdom all service leavers are automatically entitled to free healthcare, regardless of how long they have served or whether or not they have a service related disability. Hitherto, that has not been the case in the United States (Howard League, 2010c). It is right to point out, however, that this explanation is not recognised by the authorities in Washington DC (Howard League, 2010b).

3.31 Few of those we interviewed suggested that they had experienced trauma as a result of active service deployments, though many had experienced extremely shocking and harrowing events. Daniel was very much an exception in recognising that those he had witnessed had left mental scars:

‘I am suffering still, nightmares and things, perhaps because I was a weak soldier, but I can’t get it out of my head, what I saw in Afghanistan. I need some help to deal with that but it hasn’t happened yet.’ (Daniel)

3.32 It was evident that broader discussions of the link between military combat exposure and criminality had filtered through to our interviewees and most were keen to assert that their offending was not linked to their experiences in the Forces. Indeed several expressed sentiments similar to those of Pete, who, when asked if there was anything that linked his offending to his time in the Army stated:

‘No there is no link, I am not suffering from any PTSD or anything like that. My offences are not linked to the Forces at all.’ (Pete)

‘I did Bangladesh and Pakistan, in the ‘72 big floods where there were about 25,000 people killed in those terrible hurricanes, which was a tremendous amount, and that had a big effect on me at the

time. We recovered bodies and put them in mine pits, sorted in their own religion. We repaired the local hospital, but they were in dire straits. When you are recovering bodies, not just of human beings but animals and then once you have really seen diseases like cholera, TB and tetanus, and you see how people are left to die. You are recovering bodies that have been in the water a long time, the flesh just comes away from the body. I will never forget those sights but you don't let them mess you up long term.' (Michael; served 16 years and left honourably).

3.33 While over half of the veterans in our sample had been deployed on active service, none of them had been diagnosed with PTSD, although one was awaiting a mental health diagnosis because the condition was suspected. We accept that the lack of diagnosis among those sampled may be either because PTSD remains under diagnosed in the ex-service population, or because the prevalence of PTSD is generally low.

3.34 In short, we heard no evidence either from experts or from the ex-servicemen we interviewed to suggest that there is a widespread problem of PTSD in the Armed Forces as a result of service in Iraq or Afghanistan. Our interviewees asserted that the default position among individuals who have been exposed to extreme stress is resilience rather than psychological damage and they insisted that their experience of traumatic incidents had done them no lasting harm and had no obvious connection to their offending. Academic studies in this country would tend to support these conclusions (Bourke 1999; Shephard 2001; Dandeker et al, 2003).

Ex-Servicemen categories

3.35 We have defined above the three categories into which our interviewees in prison fell in terms of length of service in the Forces. We now turn to define them in terms of vulnerability. Generally speaking, those interviewed could be separated into three different groups. These categories are not mutually exclusive and often overlapped, with interviewees sometimes fitting two or more of the categories.

3.36 Most servicemen deploy the skills and discipline which they have learned as part of their service training after discharge. Indeed many enjoy more productive and stable lives as a result of their time in the Forces than they could have hoped to do had they remained in civvy street. This view accords with some of the most extensive studies of criminal behaviour, which conclude that military service is a positive factor causing individuals to desist from criminality (Sampson and Lamb, 1995).

3.37 Among ex-servicemen we encountered during the inquiry were those who had experienced traumatic and difficult lives during childhood or adolescence, and had witnessed or suffered extreme violence. These men comprised the first group. A number had endured periods in local authority care and/or had been involved in, though not always convicted of, criminal activity prior to joining the Forces. Some had experienced problems with drugs or alcohol prior to enlisting, and had associated with contemporaries who had had a bad influence on their lives.

3.38 We have recognised that many ex-servicemen who become involved in the criminal justice system may have become involved anyway because they are drawn from a demographic which is not that different from the mainstream offender population. For such

recruits, their time in the Services has enabled them to avoid activities which would, almost inevitably, have resulted in contact with that system and which might well have resulted in imprisonment. Those who commit crime generally tend to be young and male and are disproportionately drawn from some of the most challenging communities in the country, particularly urban and disadvantaged areas where educational standards and attainment are low. Many infantry recruits come from just such backgrounds and areas.

3.39 We heard persuasive evidence that the causes of offending lie, for some, in pre-service life and that for such men the period which they serve freezes or delays the re-emergence of criminal conduct (Dandeker et al, 2003). Several of our interviewees made this point themselves. Members of this group often maintain that they perceive military service as a way out of their disadvantaged circumstances and believe that the Army will afford them opportunities which would otherwise be unavailable to them. Indeed, previous research has highlighted the extent to which many socially disadvantaged young men, including young offenders, express a desire to join the Armed Forces (Howard League, 2006).

3.40 The second category contained those who experience difficulties arising in military service. These problems sometimes constituted the reason for discharge and continued to affect the individuals in question after discharge. Some of the problems were mental health related which had begun in service, for example depression or anxiety, or physical injury, which had led to an early and unexpected end of their military careers.

3.41 Chris was an example. He was medically discharged from an infantry regiment after an accident on military exercise, and he told us that his injuries in part were linked to his subsequent involvement in crime. He claimed that he had used illicit drugs to deal with the pain of his injuries. He insisted it was after he had left the Forces that his problems had really emerged, including his need for drugs to reduce the pain and discomfort of his injuries. He also fell into the first category which we have described and blamed his return on the poverty stricken area in which he grew up:

'After I left obviously I had money, but I went back to where I had been, and the same lads that hadn't ever moved on, just partied, drank and took drugs. They had all gone on to ecstasy, and I fell back into that, then heroin, then I fucked my life up. It was partly boredom, partly it was the constant pain of me injuries that I had to escape. I understand all that, see, I know where it all went wrong like, I know what I have to do next time to stay clean.' (Chris)

3.42 Tim, who had served in the Royal Air Force and was in prison for sexual offences, claimed that the offences had been committed when he was under the influence of alcohol, an addiction which he claimed had begun during his time in the services. Unlike many of those whom we interviewed, he admitted his offences which involved grooming and attempting to meet a child on the internet. He was keen to stress that the Royal Air Force was in no way responsible for his offence.

'I left the Forces an alcoholic, and I think alcohol was a big part of my offence. I had reached a point where I felt very isolated and I was very depressed. I wasn't getting on with my wife, so I would drink too much to cope, and that made me more depressed. It was just that vicious downward spiral where you drink to cope but it doesn't help your problems. I started then to just sleep all day, and be up all night drinking and on internet forums, chatting, and in a way that really explains my offences too. That is where it all started.' (Tim; served four and a half years and left when services were no longer required)

3.43 Finally, the third category contains those who experience post-Forces problems. This third group included those who had had successful careers in the Armed Forces, but had found difficulty in adjusting to civilian life, particularly securing employment, managing finances or simply returning to a more mundane lifestyle. There were similarities between these individuals and those whose problems commenced in the Forces. Many of this latter group, however, talked extensively about the sense of loneliness and social isolation which they felt away from the Services. None of them had committed offences prior to entering the Forces. They had enjoyed successful careers, leaving with good conduct recommendations. Some of this group also had enjoyed relatively stable upbringings and did not encounter difficulties until an apparently unrelated problem emerged long after they had left, in some cases, decades later.

3.44 Such problems included relationship breakdown, social isolation and financial difficulties which were not directly linked to the Forces or the reasons for leaving, but which nonetheless had impacted on their offending. For Steve the experience of social isolation and a growing reliance on alcohol, coupled with a problematic relationship, provided the context of his offending. He had not been involved in criminality prior to his recruitment and had an impeccable service record. Prior to leaving, he had spent sixteen years in the Army and had been promoted to NCO grade before leaving honourably at the end of his service period. He told the inquiry that after he had left the Forces he felt that his life had quickly ‘spiralled out of control’ putting him on a trajectory toward the murder for which he is now serving a life sentence:

‘I can’t blame the Army for my crime, because it was my responsibility. I think now, after years, I can understand how it was connected. It didn’t make me murder, but I think it explains in part why I went on to murder.’

Interviewer: *Can you tell us about your offence?*

‘I killed a woman. I was drunk, lonely and selfish. My life had started on a slippery slope when I left the Army and I was out of control when I committed the offence, I am not trying to remove blame from myself, but the loneliness and frustration I was feeling, that was part of my crime, and that all started when I left the Army’ (Steve).

Why do ex-forces offend?

3.45 As we have already suggested there are no simple explanations as to why individuals who have served in the Forces commit offences after they have left. However, it is possible to define three factors which occurred frequently in the accounts of offending of those whom we interviewed.

i) Social isolation and exclusion

3.46 Social exclusion can occur when individuals or groups suffer from a combination of linked social problems including unemployment, poor skills, low incomes, sub-standard housing, a high crime environment, bad health and family breakdown. Such multiple deprivations, and in many instances extreme disadvantages, have deeply affected some servicemen after they have left the Forces.

3.47 Those whom we encountered included individuals who were on the margins of benefits and work with alternating periods of poverty. In some cases, the relative wealth arose because of criminal activity. The poverty described was not simply income poverty

but encompassed other kinds of disadvantage, only some of which were connected to low income, but included poor self-esteem, financial mismanagement, relationship difficulties, loneliness, social isolation, and a lack of meaningful activity. In many ways, for this group, while Forces life had been enjoyable, civilian life after discharge proved to be the reverse.

3.48 Several interviewees suggested loneliness and boredom were the commonplace experiences of civilian life, and one described how reading the newspaper and a fry up represented the sum total of his pleasures. In his case, it was not long before professional criminals sought him out because of his ex-Army status. These particular interviewees suggested that they were lonely and unfulfilled, cut off from the excitement of Army life. They reported finding work which was often badly paid, monotonous and semi-skilled and which did not meet their expectations, particularly after the challenges of Forces life. Excitement for some became associated alcohol and/or drugs, which they used to stave off monotony; and crime became, as one interviewee put it, 'more exciting and fulfilling than stacking shelves in a supermarket'.

ii) Alcohol

3.49 A factor that featured in a range of offences was alcohol, particularly in violent offences, including murder. Pat, for example, a convicted murderer, admitted that he had drunk heavily in the Forces, but did not believe that he had a drink problem when he left, rather that his problems with alcohol became exacerbated after breaking up with his partner, an event which had occurred many years later. He felt that his military experience had played a part in the commission of his offence insofar as he had become an effective practitioner of violence in the Army. However, he insisted that his offence was linked more to his drinking:

'It was a stupid, stupid, thing really, all stupidity and alcohol. He was me best mate and I had battered him bad. I never meant to kill him'

Interviewer: *'So was it alcohol related, your crime?'*

'Yes. We had been out drinking but we ended up going back to my place, drinking more, had an argument that ended in a fight and I battered him. He was breathing so I put a blanket over him so he wouldn't get cold, and then just left him. I went to bed. I thought he will be alright when he sobers up, you know. I never meant to kill him. I was drunk and went too far, and I regret it every bloody day.' (Pat).

3.50 Another interviewee, Ricky, said that he had been involved fairly regularly in violent behaviour in the Army and suggested that such behaviour was common with former Forces' offenders whom he had encountered. He complained that the provision of help to those with alcohol problems in the criminal justice system was very limited:

'I was drinking a lot and started to get into trouble quickly when I wasn't with the Army. I think when you leave the Army it is really hard, but when your crime is linked to alcohol, there is like no real help for you in here [prison]. I don't feel like there is any help for me and this is my third sentence [for alcohol related violence]. There is help here if you are a druggie and a junkie, but not with drinking.' (Ricky).

3.51 Alcohol and violence are frequently connected, yet alcohol has received limited recognition in the criminal justice system. As a result, alcohol treatment remains somewhat ad hoc compared to the treatment available to illicit drug users; and while the majority

of prisons claim to offer some form of treatment or education, only a small number offer detoxification programmes. Elsewhere, while the provision of brief alcohol intervention programmes in the wider criminal justice system has expanded recently, alcohol still remains something of the poor relation when contrasted with treatment for drug addiction.

3.52 Alcohol remains an important feature of military life, and is heavily linked to mental health problems among ex-servicemen. It is a core feature of many parts of military socialisation and relaxation, and we heard evidence that ex-servicemen are at higher risk than civilians generally of drinking at dangerous levels (Howard League 2010c; cf. Fear et al, 2010). However, it is important to recognise that there is a danger of separating out military service here when alcohol abuse and binge drinking are in fact significant problems in wider British society, with alcohol-related hospital admissions recently reaching record levels (BBC 2011).

iii) Financial problems and offending

3.53 A less frequent issue that arose from the interviews was that relating to financial problems after leaving the Forces. Some of those interviewed gave debt as a reason for becoming involved in crime. In particular, interviewees highlighted the contrasts between the sheltered atmosphere of the Forces, and the more difficult world of civvy street where money management proved too much for young men previously unaccustomed to it. Julian was one such individual. He had joined the army at 17 or 18 years of age straight from the care system and had served for nine and a half years before leaving. In the Army he was held in MCTC Colchester while remanded on a charge of the attempted murder of his step father, but returned to the Army when the case against him was dropped. He married before leaving the Forces, but struggled with the newfound responsibilities to manage his own money and turned in the first instance to armed robbery.

3.54 Another example, Pete, became involved in violent crime after a legitimate business venture landed him with substantial debts. He suggested that he had struggled with money problems from the time when he was discharged:

'It's hard when you leave, especially because you have got used to having money, then you are out and it's hard to manage. I got money at first but when it went wrong I didn't know who to turn to or who to ask for help so that is why I got involved in crime, in the robberies, because I needed money.' (Pete)

3.55 Some of our interviewees reported using their training to further their criminal activities and used their physical ability and violent skills to carve out opportunities in the criminal marketplace, such as debt-collecting and working as hired muscle. However, for every individual we encountered who had offended in those ways, there was a much larger body whose crimes were not acquisitive or financially motivated.

4. Ex-servicemen's needs and the voluntary sector

What are ex-servicemen's needs?

4.1 The inquiry sought to ascertain the factors which bring ex-servicemen into contact with the criminal justice system, and to examine the sources of support available to them.

4.2 The question whether they are able to access help and whether support mechanisms are effectively resourced and targeted requires some consideration of need. To this end the inquiry talked to ex-servicemen about their perceived needs and sought information from voluntary organisations, charities and services which provide for them.

4.3 Many of those ex-servicemen prisoners to whom we spoke were serving sentences of considerable length. Several had reconciled themselves to the fact that they would never again live outside the confines of a prison. Others faced the imminent prospect of release.

4.4 For some, their perceived needs amounted to little more than help with purchasing art materials so that a painting hobby could be sustained. Others suggested that custody itself provided for their most pressing need which was company and comradeship. Others simply stated that they had no needs at all. Many were facing release from custody with little in the way of support waiting for them. One interviewee, due to be released the day after we spoke to him, talked candidly about his prospects after prison:

'I know what I could try and do once I get out of here; I know what will happen though. I will go to probation, I have nowhere properly set up to live so I will end up in some grotty flea pit hostel with a load of fucking junkies and I will be back here in a couple of months. I know what I have to do, and I know some of it is down to me like, having the will power to stay away from drugs, it's easily said when you are in here and everything is stable, but when you get out there, it's a different world.'

Interviewer: *'Why is it different?'*

'Well it's easily said isn't it, I'm going to change, but it's hard when you are out there with nothing, no support, no help. I will be back stuck again.' (Chris)

4.5 Most of those likely to be released knew that they would be heavily reliant on statutory and voluntary sector organisations. That stated, few had developed plans for release, and many were uncertain what the future held. This explains why, when asked about their needs, many suggested that housing and accommodation were the most pressing. A number had concerns about money.

4.6 Our findings indicate that the ex-service population in custody is very diverse, ranging from alleged combat damaged young men who have served in recent conflicts to elderly and infirm veterans of the Second World War and incorporating a wide range in between. Accordingly, their needs are diverse and range from housing matters and substance abuse through to securing employment with a criminal record.

Ex-servicemen and the voluntary sector

4.7 In the course of the inquiry, members of the team investigated a range of schemes designed to help ex-servicemen. Evidence was gathered from those with proven track records of working effectively with ex-servicemen. There are currently some 2,100 veterans' charities listed by the Charity Commission (the list can be found on the Howard League website at http://www.howardleague.org/fileadmin/howard_league/user/images/military_inquiry/list_of_charities.pdf), including, a number of new charities. Some cater and have annual budgets running to many millions of pounds; others operate on a small scale and deliver specialist services.

4.8 Veteran status in the United Kingdom at present confers on individuals an eligibility for a wide range of services which are not available to the civilian population. These services include, for example, assistance with financial hardship, specialist accommodation, training, education and counselling (James and Woods, 2010).

4.9 Historically many of the organisations which work with ex-servicemen have existed in a fragmented manner, and in some cases have been somewhat territorial and resistant to collaboration. Indeed, just such a point was made in the recent Centre for Mental Health Report 'Across the Wire' which suggested that:

'It is all too easy to blame lack of resources for failure to provide what is needed to solve [veterans'] problems. But, in the case of veterans' affairs, ignorance, apathy and lack of co-ordination have been the principal enemies for too long.' (Fossey, 2010)

4.10 Service charities highlighted to us a particular concern that there has been a proliferation of veterans' charities, arising in part from an increased public sympathy with the Forces in the wake of the military deployments to Iraq and Afghanistan (Evans, 2009), and that this expansion of veterans' charities had the potential to cause confusion for ex-servicemen, who already seemed to struggle to recognise their eligibility for support when it is needed and to know where to go in search of it.

4.11 While organisations such as SSAFA and the Royal British Legion frequently operate within prisons, there are many other charities providing services and this can promote a degree of confusion. Once involved in the criminal justice system, ex-servicemen, in common with all prisoners, are directed by workers within that system to seek advice, guidance, assistance and support from such organisations as Nacro, the Apex Trust, St Giles Trust, Depaul Trust, New Bridge and Unlock, as well as specialist drug treatment charities, if applicable.

4.12 However, veterans' charities are plainly better placed to help ex-servicemen. In our view, ex-servicemen would benefit from seeing such charities as a first point of contact, since many of them have substantial resources of both money and manpower. Since, in any event, they exist specifically to help the former Armed Forces community, it is sensible for the ex-serviceman to be identified within the criminal justice system and then directed to them for help.

4.13 In fact, the problems of the ex-servicemen whom we interviewed in custody had little to do with resourcing or collaborative working. For them the problem was ignorance about availability and eligibility:

'I have heard of all of them, all of the veterans' charities and that, but I haven't had anything

to do with them, no, never had any contact with them myself'

Interviewer: *'Why not?'*

'Well, the British legion, things like that, I never think of them as being there for the likes of me, it's not my sort of thing is it?' (Jake)

'I heard of most of the service charities, but have never had anything to do with them SSAFA and the ABF... I was never injured or anything, what are they going to do for me?' (Patrick)

4.14 The views above were typical, although in some cases interviewees suggested their perceptions were changing having encountered veterans' charities through Veterans in Custody scheme in prison (see section 5). It is a source of concern that many of those whom we interviewed admitted that they had been ignorant about the provisions available for them as ex-servicemen at the moment when they had faced the problems which had resulted in the commission of offences. Put simply, many of those whom we interviewed did not regard themselves as "veterans", and did not know that the service charities offered support to them:

'I committed my crime for financial reasons, because I was in need, I was broke, I had that many debts and couldn't see any other way out. [The offence was importation of class A drugs]. I never thought to turn to veterans' charities. I had never heard of SSAFA, I didn't know what they could do for me till I was in prison and by then it was too late. It's stupid but if I knew then, what I know now, about the help I could get, I might not be in here now.'

Interviewer: *[reads list of veteran's charities]. 'Have you heard of any of them?'*

Interviewee: *'I have heard of all of them'*

Interviewer: *'Do you know what they do, what they offer in terms of support?'*

Interviewee: *'I do now, but I only found out because of VICs, I had never heard of them on the outside... I got in debt doing things they would have helped me with, and then I turned to crime... I am hoping they will help me when I get out now, but before I came in here, this time and came across VICs, I had never heard of any of them.'* (Neil)

'When things started going wrong for me, I never even thought that veterans' charities might help. I just, well I never even thought of them. To be fair, until I came across VICs in here I thought veteran was, well like old men and that, not me.' (Liam)

'Prison has started to change. Now they seem to want to know if you are a veteran and there is stuff they can do to help out, like you get put in contact with veteran groups that can help with housing, benefits and that kind of thing. I had never heard of those groups outside.' (Pete)

Who supports criminal justice involved ex-servicemen?

4.15 The inquiry sought to review the support offered by various voluntary sector organisations and the support provided by the Armed Forces to ex-servicemen at the completion of their service. At present a number of national voluntary organisations have dealings with ex-servicemen although knowledge of these organisations and their role and function remains fairly limited at present to those employed in the criminal justice system.

In this section, we shall look at five case studies and then examine the interaction with the evidence of interviewees in custody.

Case Study A: Confederation of British Service and Ex-Service Organisations (COBSEO)

4.16 The aim of COBSEO is to counter the fragmented delivery of different voluntary organisations. It is a campaigning organisation and was influential in the drafting of the contemporary Military Covenant, mentioned above. It also acts as an umbrella organisation to no fewer than 181 veterans' organisations.

4.17 COBSEO aims to represent and promote the interests of service and ex-service personnel of all ranks, and of their spouses and dependants. It was established in 1982, and works in the interests of the Armed Forces community, among other matters, to represent and support the needs and opinions of its members to all levels of government (COBSEO, 2011).

4.18 The organisation has recently received a £35 million grant provided by the Big Lottery Fund. This project, which was announced in 2010, involves a COBSEO-led partnership of service charities and mental health organisations to deliver the 'Forces in Mind Programme', which aims 'to support the psychological well-being and successful and sustainable transition of veterans and their families to civilian life'. COBSEO intends to develop a programme embracing not only finding jobs, the traditional approach to transition, but also to deliver welfare based services, including education, healthcare and accommodation support. The contracted period of the project is twenty years.

Case Study B: Veterans Aid

4.19 Veterans Aid is often referred to as the 'accident and emergency unit' for ex-servicemen in crisis and frequently interacts with the prison system, for example carrying out checks and giving advice on next steps to prison staff supporting ex-servicemen in custody. It began as a canteen and recreation room named H10 for destitute ex-servicemen when it was first opened at Belvedere Road, Lambeth, in London in January 1932. In 1933 the organisation opened a hostel and a night shelter and from that time they have been dealing with the most excluded ex-servicemen. Now located on Buckingham Palace Road, Veterans Aid subsequently forged a respected reputation for assisting ex-servicemen who suffer from a wide range of problems, including mental health and substance abuse which, as we have reported, are frequently also linked to crime and social exclusion. Its London hostel provides immediate protection and a community of people with shared experiences. Veterans Aid receives around two thousand calls for help each year, and uses a team comprising social workers, psychologists, addiction specialists and ex-Forces staff to help to discover the causes for individuals' homelessness, including underlying factors such as drinking and drug-taking. Since January 2009 the team has helped one hundred and ten people through detoxification programmes.

4.20 The Veterans Aid ethos is best described as 'hand up, not hand out', and involves, for example, a partnership arrangement with Ruskin College to assist any ex-servicemen who wish to return to education or become involved in adult learning for the first time. But Veterans Aid can also provide a range of services for ex-servicemen in crisis including hostel accommodation, meal vouchers, financial assistance, advice and help accessing detox services. Veterans Aid regards the individual needs of the veteran as paramount and

regards the first priority as being to stabilise the individual in order to provide them with a platform on which they can pull themselves up and rebuild their lives. As part of this process of rebuilding, Veterans Aid coordinates a wide variety of activities for the ex-servicemen it works with. This includes courses in everything from art, tree surgery, interior landscaping and scaffolding to legal training and Open University degrees.

Case Study C: Combat Stress

4.21 Combat Stress was established in May 1919 to provide sanctuary for returning servicemen from the First World War. At the time, many found themselves with problems such as homelessness, family breakdown, and mental ill health, particularly 'shell shock'. The charity now provides mental health services at three treatment centres in Scotland, Shropshire and Surrey. Referrals to Combat Stress are seen within six weeks, and do not have to be made by potential clients, although the client must consent to receive assistance. At present approximately 13 -15 per cent of Combat Stress clients originate from the NHS or general practitioners, 30 per cent are referred by ex-service charities, and over 50 per cent are self or family referrals.

4.22 Combat Stress does not deal with people in a state of immediate mental crisis and refers any such case to the NHS. The charity treats only ex-servicemen, and mainly on a group therapy basis. A number of those referred suffer from PTSD. They are not usually the passive victims of trauma, as people in the community often are, but may have actively participated in a traumatic event by perpetrating a violent act themselves as part of their service deployment. They therefore require different medical and psychiatric treatment.

4.23 Despite greater awareness among serving personnel (including the roll-out within the Forces of the Trauma Risk Management system, or TRiM) there is still concern that those experiencing psychiatric symptoms may not willingly seek help when they are in the Forces. Their problems therefore, may not be identified at a time when they are still serving. We regard as significant the evidence given to the inquiry that ex-servicemen who present to Combat Stress do so, on average, 14 and a half years after they have left the Forces.

4.24 Clients suffer from a range of problems, from PTSD to substance abuse, social exclusion, homelessness, anxiety, depression, or obsessive compulsive disorder. The charity received 1,257 referrals in 2009, an increase of 66 per cent over the last four years. This figure includes more than 500 ex-servicemen from the second Iraq war and over 160 from Afghanistan. We were told by David Hill on behalf of Combat Stress that this increase may well result from greater recognition of the stress of service and the reduced stigma attached to a diagnosis of a mental health problem.

4.25 Service charities like SSAFA and the Royal British Legion also refer those with such problems to Combat Stress. Of referrals, 82 per cent of clients are soldiers; 7 per cent are airmen; 1 per cent are those from the Royal Marines; and the remainder are sailors. Most are from the 'teeth arms', soldiers who have deployed frequently and have been personally involved in close armed conflict. The proportion treated by Combat Stress from the three Services is similar to the proportions from the three Services of those in custody. The average period of service in the Forces of those who are treated by Combat Stress is 11 years.

4.26 The charity receives 40 per cent of their funding from the Ministry of Defence and 60 per cent from private and other donations. We were told that Ministry of Defence funding

is falling year on year by between two and four per cent, which is certain to present the organisation with problems in the long term.

4.27 Historically, war pensions were awarded in addition to normal service pensions if the veteran had an injury attributable to service. In 2005 the Armed Forces Compensation Scheme changed this and replaced the pension with a lump sum. Anyone with a war pension of 30 per cent or more is eligible for state funding for Combat Stress treatment. Anyone with less than 30 per cent can apply to Combat Stress which will rely on charitable donations to fund the individual's treatment.

4.28 Combat Stress employs welfare officers who are all ex-servicemen which helps the client to communicate his needs and the charity to identify the right treatment. These welfare officers are not clinicians. After an initial screening and having compiled a report, they pass the client to a clinician, who decides the treatment necessary.

4.29 The evidence showed that Combat Stress is becoming better known in the criminal justice system as a result of their involvement with ex-servicemen in custody. Literature about Combat Stress is available at police stations and in prison and increasingly through the Probation Service.

Case Study D: The Royal British Legion

4.30 The RBL has over a million supporters and a membership of 400,000. It was created in 1921 to support those returning from the First World War, and now spends about £72 million a year on welfare activity. It employs 1,200 people and has around 4,000 volunteer caseworkers. To be eligible for help, a beneficiary must have served for seven days, which historically was the initial training period. The RBL will help ex-servicemen from all services (including Reserve Forces) and all ranks, and their dependants (Royal British Legion 2010).

4.31 Of the £72 million, £17 million is spent on immediate needs grants, including housing support, rent guarantees and purchasing household goods. Many of these areas are covered by local authorities, but the RBL act with a speed in times of need inconceivable to a local authority.

4.32 The RBL suggested that in recent years, following the RBL's 2007 'Honour the Covenant' campaign, the government had improved welfare services for ex-servicemen and made some policy changes. They reported that on leaving the Forces, problems for ex-servicemen can manifest themselves early, particularly for ESLs and for single young men, and they confirm that some leavers are ill-prepared for civilian activities such as filling out forms or making applications for jobs and housing.

4.33 Ex-servicemen in prison can be assisted by the RBL with reintegration into society having served their sentences, and the RBL is particularly concerned with resettlement in order to prevent reoffending. In evidence they suggested that housing and employment should be recognised as key factors to prevent this.

4.34 The RBL is concerned that many initiatives for veterans are too reliant on the ex-serviceman approaching an organisation for help, that initiatives tend to be reactive rather than proactive, and that a proactive service would significantly improve services and anticipate problems.

Case Study E: Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help

4.35 SSAFA Forces Help was 125 years old in 2010. It is represented throughout the British Isles, including the Republic of Ireland, in France, Spain, Germany and Cyprus. It is the only charity which helps all serving Armed Forces personnel as well as anyone who has ever served in the Armed Forces. The RBL confines its activity to ex-servicemen and their dependants. SSAFA have particularly good links with ESLs.

4.36 It relies on fundraising, although a small amount of its income is provided through the MoD contracts and investments. There are at present approximately 75-80 SSAFA-FH caseworkers who give their time voluntarily and visit ex-servicemen in prison in England and Wales. These workers often operate in conjunction with the RBL. SSAFA also operates within prisons in Scotland where the Legion is unrepresented. Unsurprisingly, in view of their particular association with service families, the charity suggested to the inquiry that the problems which SSAFA have identified through their prison work appear to be as much to do with the families left at home, as a result of former service personnel offending, as with the needs of the prisoners themselves.

4.37 SSAFA also suggested to the inquiry that debt management is an increasing problem, particularly amongst 35 to 40 year olds, in part because the military provides stable employment and thus the opportunity to access relatively high levels of credit. For that reason there is scope for promoting sound financial management for servicemen during their time in the Forces.

4.38 SSAFA confirmed the point mentioned earlier that the Forces may well provide a significant improvement for the lives of many servicemen compared to the backgrounds from which they have come. They also confirmed that in the Forces servicemen have structure, purpose, friends, camaraderie, control and discipline, and that when they leave, the loss of this framework can be very difficult for some to cope with. Active service, particularly in Iraq or Afghanistan, is a hardening and brutalising experience, but SSAFA is concerned that too much of the publicity surrounding veterans' problems has been erroneously linked to combat conditions rather than to the wide array of factors which can contribute towards offending.

4.39 SSAFA is adamant that more must be done to prevent people entering the criminal justice system. They believe that about 96 per cent of service leavers find work within the first six months of leaving the Forces. Thus, only a very small number encounter problems. Those who do, tend to encounter them for complex reasons which manifest themselves many years after the completion of service and, thus, that the offending has little bearing or relevance to service life. SSAFA confirm that ex-servicemen have a range of resources on which they can draw if only they would be willing to identify themselves when problems arise and before events occur which result in their involvement with the criminal justice system.

Interaction with the evidence of interviewees in custody

4.40 The general perception of the voluntary sector organisations was that the veteran population is a group with diverse needs. This corresponds with the results of our prison interviews.

4.41 Service charities maintained that fewer ex-servicemen are in prison than is suggested by the higher estimates to which we have already referred. There was a general view that the reporting of veterans' involvement in crime was somewhat one-sided and they regretted the perception that too often the focus was placed on veterans' problems, and too little was said

about the strengths such as discipline, self-respect, cooperation and camaraderie, which Forces training fosters and promotes.

4.42 A number of the charities highlighted the importance of making use of positive factors in the delivery of services, such as developing schemes which are reliant on ‘veterans interacting with veterans’. The message, which we constantly encountered during the inquiry, was that servicemen communicate with each other on a basis which others who have not experienced military service cannot share (e.g. see James and Woods, 2010) and most charities felt that this was a cornerstone of the effective delivery of help.

4.43 There was a general consensus that a reluctance by ex-servicemen to discuss problems is a trait often encouraged by military service, and that this leads to servicemen avoiding seeking help or admitting to the existence of problems when they emerge later. It was suggested by some of our interviewees that personal problems are perceived as likely to impact on an individual’s fitness for service, or readiness for combat or as a sign of weakness in an environment where the ability to cope and a determination not to complain are seen as virtues. Several servicemen whom we interviewed had been discharged because they had gone AWOL in preference to admitting that they were facing personal difficulties.

‘I was a weak soldier, a bad soldier, but I couldn’t go back and I couldn’t say why. All I could do was run, and that is what I did, I went AWOL’ (Daniel)

‘I had a drink problem, I knew I did and I couldn’t control it, but I also couldn’t ask for help. In the military asking for help, well, it’s not the done thing’ (Timothy)

4.44 In relation to accommodation, or the lack of it, the interviewees to whom we spoke did not believe that it had contributed significantly to their offending. However, charities mentioned it in relation to the families who were left behind and there was little awareness of the housing difficulties which some of them would be likely to face on release, particularly those with a criminal record for a sexual offence which might disqualify them for help into accommodation.

4.45 The prediction made by Combat Stress, that diagnoses of PTSD may increase as ex-servicemen from Iraq and Afghanistan settle into civilian life may serve as a warning for the future, especially because of the delayed onset of the condition in many cases. Having said that, it is impossible to know whether undiagnosed PTSD featured in the background of those we interviewed, although, as we have pointed out, a substantial number had certainly been involved in traumatic situations. It may be that they did not identify coping with trauma as a need because they had managed to deal with the effects themselves. It is also possible that what we encountered was the well established problem of a reluctance of psychologically-injured ex-servicemen to admit their condition and to recognise that they required treatment. Despite recent efforts by the Forces, psychological injuries still carry a stigma among ex-servicemen. Certainly, some ex-servicemen may later try to solve problems with drugs or alcohol and fall into self-destructive, reckless and, sometimes, violent behaviour which brings them into contact with the criminal justice system.

4.46 While the MoD refer to the fact that many thousands of service personnel are discharged each year, most of whom settle into the community and enjoy a successful civilian life, the experience of ex-servicemen’s charities is that a significant number either fail immediately to adjust to their new environment or will fail in the future. They highlighted the

fact that many of the most socially excluded and troubled individuals (albeit those who had avoided contact with the criminal justice system) suffered poor mental health, worsened by alcohol or drugs.

4.47 We believe that the service charitable sector may need to redirect some of its funding towards the type of social exclusion which is behind much of post-service offending. Currently, most service charities focus their fundraising and advertising on the problem of PTSD, other mental health issues and physical injury. In contrast, both drug and alcohol treatment and countering social isolation and loneliness receive less priority, but they may be just as pressing and important to prevent ex-servicemen going to prison. We found that the most socially harmful and regular feature in the offending behaviour of those whom we interviewed was alcohol misuse. In our view, this needs to be addressed as a priority.

4.48 It is not fanciful to suppose that the cultural and social use of alcohol in the Armed Forces, and the reported excessive use of alcohol by service personnel, may be a factor in irresponsible drinking among servicemen which they do not find easy to reduce after discharge. Alcohol problems often interconnect with homelessness and exposure to the criminal justice system. There is clear evidence that there is a significantly higher consumption of alcohol among service personnel than among the general population (Fear et al., 2007) and alcohol continues to play a significant part in military 'decompression', where combat troops are given a short period of leave and psychological support following deployment.

4.49 It is fair to say that recently the MoD (2009b) has given greater attention to alcohol and its impact on fitness to perform military duties and the Army has produced guidance on sensible drinking (Army, 2010b). We believe that there is significant scope for offering ex-servicemen assistance with alcohol problems.

4.50 A number of charities have been established specifically to assist ex-servicemen who find themselves involved with the criminal justice system, for example, Veterans in Prison and the Veterans in Prison Association, and although the degree and scope of the effectiveness of these organisations are limited by geography and size. Nonetheless, the MoD, the MoJ and the general offender charities are working together to improve the links with them. Work continues across the prison service to collect more accurate data about the service histories of inmates and to develop a more robust prison support system for ex-servicemen. These developments will provide the charities, such as SSAFA, Combat Stress and RBL with better access to ex-servicemen prisoners.

4.51 The evidence we gathered from charities and from our interviews in prison showed that many young people who serve in the Forces have broken away from chaotic and dysfunctional lifestyles when they joined. Indeed, many did so in order to avoid those very lifestyles. For these men, the Services have provided experiences much to their advantage but discharged them unprepared for the daily demands of civilian life. Most do well thereafter, but there appears to be a specific group of people whose needs are met neither by the Armed Forces prior to discharge nor by society after it. This group consists mainly of single young men, with difficulties in adjusting to change, poor social skills and limited basic education who may, or may not leave the Services early, and who may or may not become involved later with the criminal justice system.

4.52 Some of the most effective work to prevent ex-servicemen becoming thus involved can be undertaken in the period when individuals are still employed in the Forces. Since many young recruits are from areas of high social deprivation and have low academic attainment, it would be opportune to ensure that they develop life skills as part of their training. Not only is this likely to make them better soldiers but it will serve in the future to reduce the likelihood of later participation in crime.

4.53 Raising educational attainment is an obvious opportunity as is promoting the importance of the essentials of financial management, the maintenance of psychological, as well as physical, well-being, responsible alcohol consumption and other social skills. The Army is currently committed to improving the standard of basic learning skills in line with the Government's Skills for Life agenda. The current target is that all personnel attain at least Level 1 (GCSE grade D-G or equivalent) in literacy and numeracy within three years of joining. This may not seem to be a very significant objective but it should be remembered that, at present, educational attainment among military recruits in literacy and numeracy is equivalent to a seven year old (Gee, 2007). We endorse the Army's intention to raise this substantially and to reap the benefits of doing so.

4.54 We encountered some ex-servicemen in our prison visits who had been discharged from MCTC for disciplinary reasons and who subsequently in civilian life had committed offences resulting in imprisonment. These men were plainly part of the recidivist statistic. Nonetheless, it is clear from all the evidence before us that the preparation for discharge from MCTC is good, and that some of those discharged from there are better prepared for civilian life than some individuals who leave the Forces in fact with good conduct. We accept that MCTC has a better opportunity to improve the lives of detainees, both generally in terms of education and specifically to ensure that they do not reoffend: it is, after all, a correctional facility. The Army, by contrast, exists to train soldiers to fight. But it is somewhat ironic that those who have been less successful as soldiers and found their way to Colchester are discharged from the Forces better prepared for civilian life than those who have been more successful as soldiers and who are discharged with good conduct.

4.55 We have noted the risks of institutionalisation in both the Forces and the prison system. There is no doubt that in many ways both 'institutions' have features in common including a framework of order and discipline in which self reliance takes a subsidiary role. We heard evidence to this effect and the imperative that ex-servicemen should primarily be 'helped to help themselves' rather than that they should be the recipients of welfare handouts (Milroy, 2009). Veterans' charities provide some excellent welfare based services, but welfare alone is unlikely to assist ex-servicemen to move to the stage where they can function independently. Many voluntary sector organisations have picked up the gauntlet of this challenge, and recognise that providing welfare alone is not enough.

4.56 Finally we would observe that some of the best examples of co-operative working among the veterans' organisations which we have witnessed were concentrated in London, the place where traditionally ex-servicemen's homelessness is thought to be most extreme. We also witnessed excellent efforts in Scotland provided by Veterans First Point (V1P), a charity which involves 'veterans working with veterans'. It is co-funded by the Scottish Government, NHS Lothian and the Ministry of Defence and works with ex-servicemen and

their families to address and resolve problems. Yet ex-servicemen whom we encountered in custody largely came from the North East, Merseyside and the Midlands, areas outside London where such schemes and such collaborative working are not routine. We suggest that the provision of services in these areas could be improved and lessons learned from the collaborative working initiatives which have been successfully developed elsewhere.

4.57 It needs to be remembered that the most powerful drivers of crime amongst ex-military personnel are not wholly different from those which provide the impulse to crime for the general prison population. Crime tends to be spatially concentrated in areas of socio-economic disadvantage, and is associated with, and acerbated by, low educational attainment, family deprivation, drug and alcohol abuse, homelessness and poor health. Ex-servicemen in prison share many commonalities with those who have not served in the Forces in that many have biographies in which these experiences and factors feature prominently.

4.58 However, once a prisoner is identified as an ex-serviceman, the options available for support and rehabilitation are more numerous, better funded and certainly as well staffed as those on offer for civilian prisoners, because of the number, the wealth and the commitment of the charities which exist to help servicemen. But it is important to ensure that help for ex-servicemen is appropriate to the needs of the individual because anticipating risk may enable them to access charitable help before the risk becomes reality.

'I have been put in touch with a few veterans' organisations, but we will see. I don't know yet what will happen when I get out of here. We will see if they come through for me, I hope they do because I don't want to be back here in prison again, but it's hard to move away from crime when you have nothing to lose.' (Pete)

'I have been here before, I have been out of prison then been recalled because of drink. I am told it will be different next time. We will see.' (Ricky)

4.59 In one obvious respect, prison is too late a stage to identify ex-servicemen and to address their needs, yet ironically it is the place in the criminal justice system where most attention is focused. We hope that there will be greater emphasis on the identification of ex-servicemen at risk before the stage is reached on the 'downward spiral' when their offending results in imprisonment. In our view that is a real challenge and one to which we now turn.

5. Ex-servicemen in the criminal justice system

Police early arrest intervention

5.1 Police officers are often the first people to deal with civilians, including ex-servicemen, who have committed crime since they deal with them at the point of arrest. In recent years in England and Wales, a number of 'arrest referral schemes' have been created targeting offenders who have problems with alcohol addiction (e.g. see Sharp and Atherton, 2006; Barton, 2011). These schemes operate in three distinct and different ways, the 'information model', where the arrested man is made aware of sources and support available to him on a take it or leave it basis. The second is the 'proactive model', where counsellors and others employed by voluntary sector organisations work in close co-operation with the police to provide an assessment either in the police station or at a subsequent meeting after the offender has been given bail. The third is the 'incentive model' which is directed at those arrested for possessing illicit drugs and who are given a caution coupled with the opportunity, or requirement, to seek advice and help from a nominated body providing specific treatment in the relevant discipline (Edmunds et al, 1998).

5.2 Arrest referral schemes involving both alcohol and illicit drugs have enjoyed support in recent years and received favourable assessments by criminologists (Sharp and Atherton, 2006). The application of such schemes to ex-servicemen is largely in its infancy and has been initiated by volunteers. V1P in Edinburgh is just such an example. Kent Police have also promoted a referral scheme for ex-servicemen which has received national media attention. The scheme is run in conjunction with SSAFA Forces Help. It was piloted for a year, from April 2010 to the end of March 2011, but has been continued. Custody officers ask an arrested man if he has served in the Forces. If the answer is in the affirmative, this will be recorded on the pre-release risk assessment and he will be given a leaflet and may receive follow up advice from SSAFA.

5.3 The scheme was devised by Detective Constable Colin Back, who served in the Armed Forces. Many police officers are former service personnel, just as many prison officers tend to have served in the Forces. Indeed, for many Forces leavers, civilian support staff in the police is a natural second career choice, and it is interesting to note that several of the most successful of the current schemes to assist ex-servicemen have been developed by those who have previously served in the Armed Forces. This echoes one of the principle messages impressed on us in evidence that ex-servicemen tend to be more successful in helping fellow servicemen who get into difficulties than those who have never had experience of the Forces. 'Veteran' responds better to 'veteran'.

5.4 We welcome DC Back's scheme and we hope that an evaluation will be undertaken soon of its effectiveness so that it can be implemented in other police areas if it has proved successful in identifying and putting arrested ex-servicemen in contact with voluntary sector organisations capable of providing timely assistance to them.

5.5 In addition to the Kent scheme, in London Veterans Aid are regularly involved in training custody sergeants from the Metropolitan Police and have a placement scheme

with the City of London Police where trainee officers work within the charity for a week. The charity also works with the Metropolitan Police's Safer Streets Homeless Unit based at Charing Cross and have developed an information sharing protocol.

5.6 We will return to what we regard as an innovative attempt at an arrest referral style scheme which we encountered in the United States when we describe our visit there in the next section. That scheme has much in common with the one to which we have referred above but is built on even more effective, proactive and incentive based principles.

Pre-sentence involvement

5.7 Napo have approved such schemes and suggested that 'information and referral services should be provided to ex-armed services personnel on arrest and at report writing stage and on reception into custody' (Napo, 2010). At present, apart from the Kent scheme, the aim of recognising an ex-serviceman early, and particularly when they first become involved with the criminal justice system, is more aspiration than reality. A regular refrain in the evidence which we heard was the need to 'ask the question', whether the individual had served in the Forces. Ex-servicemen seem to be reluctant to mention their Service background when they get into trouble, whether out of shame or some other motive.

5.8 This is regrettable since, as we have demonstrated, ex-servicemen once identified are well catered for with a plethora of charitable help available to them, particularly from those organisations which are linked to homelessness or social exclusion. Such organisations, at the time of arrest, may be in a good position, for example, to offer practical help, with bail for the offender which may avoid the probability of a remand in custody pending a court appearance and which may also assist to provide some of the basic essentials for a community based punishment.

5.9 Throughout the course of the inquiry, we were told of the relative ease with which veteran status could be ascertained and verified, but it seems that the only time at which this actually happens with any real degree of consistency is when an ex-serviceman enters custody, and it is only relatively recently that prisons have begun systematically to ascertain ex-service status for prisoners. Not only the police but also the probation service is well placed to identify ex-servicemen and to ensure that they are aware of the help available to them. Specifically the probation service occupies a privileged position in the criminal justice system because it is the only organisation which is potentially involved at every stage of the criminal justice process, sometimes after arrest and charge, often at the remand stage, usually in court and frequently after discharge from prison.

5.10 At present, some ex-servicemen are identified at the pre-sentence stage and that information is occasionally made available to the tribunal. We would particularly encourage the identification of any ex-serviceman at that stage so that whether or not the sentence which he receives for his offending results in custody, the offender can be made aware of the availability of the charitable services to which we have referred. That information can also be used as part of sentence and supervision planning whatever sentence the ex-serviceman receives.

5.11 Many of the ex-servicemen to whom we spoke had no experience of contact with any charitable organisation and were somewhat negative in their view of the support which they had received from the probation service as part of the community sentence which had been imposed at an earlier stage in their criminal career. Moreover those who were serving second periods of imprisonment were no more sanguine about the probation help which they had received after release from their earlier period of custody:

'I have been on probation and that after prison and that, but it never really did anything for me. It was like "come in, report in", they'd ask 'is all ok and that'? It never did anything for me really, never stopped me offending... They never really knew anything about me. After an hour here you know more about me than any probation officer I have ever had. To be fair most of mine would have never even known I was in the Army.' (Pat)

'Probation when you are on licence is a waste of time, same old bullshit and they never do anything for you. You are just another face to see in their day and it is all a waste of time.' (Tyrone; served 10 months in the Forces and dishonourably discharged)

5.12 We pass no judgement on these criticisms of the probation service which, for all we know, may be unjustified. However, in our view there are certainly considerable opportunities to engage ex-servicemen in community supervision as part of a community sentence or after their release from custody, by involving Forces charities and also by exploiting the links and camaraderie between those who have served in the Forces in order to take advantage of the easy communication which exists among ex-servicemen.

5.13 We add a coda to this. There are particular problems when serving military personnel come before civilian criminal courts for sentencing. In respect of such serving soldiers, advice given by the Ministry of Justice to pre-sentence report writers in June 2010 stipulated that:

'In general, if it is appropriate to consider a community order, care must be taken to liaise with the Army about the compatibility of requirements under consideration with the obligations placed upon the soldier by the Army. In particular a curfew requirement is inappropriate, and accredited programmes requiring consistent commitment over a number of months are unlikely to be compatible with Army commitments.' (Napo, 2009: 20)

We understand the thinking behind this directive but we find it striking that although the MoJ has issued guidance, among others to probation officers, to include mention of current service in the Forces so that the sentencing court can take it into account (and whilst we accept that any ex-serviceman cannot necessarily be treated for sentencing purposes in the same way as a serving member of the Forces), there is no guidance that details of past military service record should be included in such reports. Yet such information could easily become an automatic part of a probation or other report to a court. There are good reasons for incorporating such information granted the value of connecting individual ex-servicemen with organisations and agencies which can assist them as part of sentence planning for either custodial or community based sentences.

Ex-servicemen in prison

'After the Army, jail doesn't bother me, because I know how it is. I spent half my life living this way, following petty rules' (Pete).

5.14 Many of the ex-servicemen we spoke to during the course of the inquiry expressed sentiments similar to those outlined above and said that they recognised similarities in the institutional practices in prison and in the Forces, even though for many their experience of the Forces had been a decade or more previously. Many of them suggested that they found prison uncomplicated and they contrasted stable periods in custody with relatively chaotic lives outside. For them, civilian life had been filled with bad and negative experiences, periods of unemployment or dull jobs, the abuse of alcohol and drugs, fractured and difficult relationships, and criminality. By contrast, they regarded prison as stable, regimented, standardised and routine, similar to their lives in the Armed Forces.

5.15 However, it was also apparent that for some the experience of custody had been far from rehabilitative, since they were serving second or third periods of imprisonment. For example, Pete, quoted above, had committed a third strike offence of robbery. He described his previous experiences of custody as boring and monotonous, 'killing time' and he told us that little had been done to assist or prepare him for leading a productive life outside prison. His life seems to have been fixed by different institutions, local care, the Army, and prison.

5.16 That said, the inquiry witnessed some excellent work being undertaken in custody with ex-servicemen which has the potential to help to break the cycle of offending. In particular, members of the inquiry visited HMP Grendon and HMP Everthorpe, both of which have been involved in pioneering and innovative work with ex-servicemen.

HMP Grendon: the therapeutic treatment approach

5.17 Since its foundation in 1962, HMP Grendon, a Category B prison near Aylesbury in Buckinghamshire, has established a prison regime different to the prevailing punitive orthodoxy of prisons (Wilson, 1991). It is the only prison in the country managed entirely on 'democratic therapeutic community principles' (Shuker, 2010). It admits serious, long-term, often previously disruptive prisoners and manages them for two years in one of six prison communities.

5.18 It has adopted a model for addressing personality disorders based on a psychiatric tradition which grew out of attempts, following the World Wars, to provide treatment for PTSD. Grendon is well placed to assist these particular difficulties, especially for those who have become involved in serious crime (Brookes et al, 2010). Certainly the testimony from ex-servicemen whom we encountered there was lucid, open and insightful both about their time in the Forces and their subsequent offending.

5.19 HMP Grendon separates its prisoners into wings, each with 40 inmates, which are subdivided into smaller therapy groups of between five and eight. Approximately 115 prisoners enter the establishment each year. Historically, to be eligible for reception a prisoner must be over 21, not on psychotropic medication, drug-free, have at least two years of his sentence still to serve, have no outstanding appeal or parole proceedings, and be willing to participate in therapy. Formerly, prisoners required a medical referral to be considered for transfer; however, it is now possible for prisoners to apply directly for treatment there.

5.20 The therapy is not restricted to matters relating to the prisoner's offences. Rather HMP Grendon offers:

'Veterans the opportunity to address issues related to their childhood and family experiences, relationships, psychological well-being, offending and time in the military. It does this in the context of veterans being members of a therapeutic community where the expectation is that all residents will support, advise, 'open-up' and challenge one another. Together they will address deficits, learn new skills and increase their awareness, understanding and knowledge of each other's behaviours and feelings.' (Brookes et al, 2010: 7).

5.21 Staff and prisoners run group therapy sessions in which previous offending behaviour is robustly challenged (Genders and Player, 2004). There is strong evidence of successful short term behavioural change and generally positive indications about longer term reductions in reoffending (HMIP, 2006; see also Shuker, 2010). The rationale underpinning the treatment which Grendon offers is that prisoners live under conditions which emphasise training and treatment to achieve alterations in behaviour in a flexible regime built on therapeutic principles which also depend on enlightened staff-inmate relationships and close co-operation between staff at all levels (Brookes et al 2010). The prison has long been praised for creating a safe, humane and secure basis for the incarceration of offenders requiring treatment (Genders and Player 2004, Wilson, 1991).

5.22 Given the fairly limited options for dealing with ex-servicemen who have been damaged mentally by their combat experience, HMP Grendon is well placed to provide treatment for them. However, the first prerequisite is their willingness to identify themselves as former service personnel, and the second, the recognition that they have been damaged by such experience (Brookes et al, 2010).

HMP Everthorpe: the Veterans in Custody Support scheme

5.23 The problem which we have stated of a general failure to 'ask the question', and therefore to identify ex-servicemen, has resulted in service charities frequently being unable to act as sources of support for those eligible individuals. The problem also occurs where the ex-serviceman has a specific problem or condition which an identifiable Service charity exists to help. Too often the criminal justice system links with groups and organisations which exist to support all offenders suffering from a particular need (for example, those which support offenders who suffer from alcohol or substance abuse), denying specialist Service charities the ability to assist ex-servicemen suffering from such problems. There is some evidence that this attitude is changing. Much of the credit for this change is due to the Veterans in Custody Support (VICS) project piloted at HMP Everthorpe which has undoubtedly been a crucial part of that momentum.

5.24 Nick Wood, a prison officer at HMP Everthorpe told us that it was the creation of such links which had acted as the impetus for the VICS scheme. He used the analogy of a wheel in which the ex-serviceman prisoners constitute the hub and the Service charities the rim. His programme is designed to form the spokes which connect both. The spokes consist of Veteran Liaison Officers (VLOs), invariably prison officers who have served in the Armed Forces and who, having identified an ex-serviceman in his prison, helps to link him with the Service charity which can best assist on his release. The VICS programme at HMP Everthorpe has proved remarkably successful, and Nick Wood received a Butler Trust

Award for his work supporting ex-servicemen in custody and the first HRH Princess Royal Award for outstanding achievement in work in a correctional setting.

5.25 He was recently seconded for four months to the National Offender Management Service (NOMS) Reducing Reoffending Policy Team, during which time he co-authored a paper on best practice guidelines for working with ex-servicemen in custody (see James and Woods, 2010). The guide aims to inform national policy and practice. At the time of writing, seventy one prisons have adopted the VICS scheme, which is a measure of its success.

5.26 The Ex-Service Offenders Working group (formerly known as the Veterans in Prison Working Group) now oversees the Prison In-Reach (PIR) initiative which aims to ensure that all ex-servicemen in prison or on probation, their families and those working with the resettlement services, are fully aware of the support available from the Service Personnel and Veterans Agency (SPVA) and the ex-Service organisations. The MoD leads this group, which brings together Government departments (including the Ministry of Justice's National Offender Management Service), the Prison Service, and voluntary and charitable sector organisations. It is a non-executive body which helps to build a partnership approach to Prison In-Reach activities.

5.27 The group has been tasked to ensure that prison and probation staff are aware of the SPVA and has stated that it should now be possible for all prison and probation staff to access the SPVA web site from their respective computer systems. As a result, prison and probation staff are now able to help ex-servicemen with matters relating to pensions, compensation etc., as well as welfare advice and details of the assistance and support available from service charities. They are also able to access service records and medical entitlements.

5.28 We are pleased to report that the evidence revealed to us shows that recently there has developed a more integral working relationship between imprisoned ex-servicemen and Service charities, including the Royal British Legion, SSAFA Forces Help, Veterans Aid and Combat Stress. All these organisations are now able to provide welfare visits to ex-servicemen in prisons in England and Wales which do not count against a prisoner's personal visit allowance. There is a growing official recognition that it is important that ex-servicemen in prison, especially those close to their release date, have access to external support so that they can be helped through the crucial period after their release from custody.

5.29 Prison In-Reach (PIR) aims to ensure that all ex-servicemen in prison, or on probation or on licence, and their families are aware of the types and levels of support available to them from service charities and in particular from the SPVA. The work of Prison In-Reach is designed to contribute to the wider Government goals of reducing the risk of re-offending.

5.30 We were advised that the way that most ex-servicemen learn of sources of support, and their eligibility for such support, derives from individual prison officers acting as VLOs rather than through Prison In-Reach.

'To be honest I never thought of myself as a veteran until I came in here. I mean I am a young lad and served less than a year. I had never thought of myself as a veteran at all. I would never have thought I was entitled to anything in terms of help with resettlement or anything'

Interviewer: *'How did you find out you were classed as a veteran?'*

*'Mr ***** the VLO, he has been excellent, given me really good advice' (Charlie, served 9 months in Army)*

*'I have been through prison before, and most of the dealings I have had were with the groups that are supposed to help with re-settlement... but most of the time all they can do for you is put you in touch with a hostel or a B&B when you are released. They don't support you when you are inside. Prison officers don't really want to know either. But I have to say, I've only got good things to say about Mr ***** (the VLO). He takes time out and really helps you. He has helped put me in touch with loads of ex-forces groups who I would have never thought to ask for help.'* (Tyrone)

*'Mr ***** the veterans officer here, he helped me get a grant for paints because I love to do my paintings... it's what keeps me going here doing my paintings and SSAFA have helped me with a grant to buy [art] materials so I can do my painting. Its little things like that that make prison more manageable, and make you feel like your service to your country is valued.'* (Dennis, served 2 years national service)

5.31 We single out the VLOs' work in custody because they were so frequently mentioned by our interviewees as having assumed the responsibility for raising the prisoner's knowledge of their veteran status and entitlements, and were regularly praised for their help assisting ex-servicemen to make links with relevant organisations. The VLOs we encountered were resourceful, committed individuals and we very much hope that the VLO scheme will receive further encouragement and support within the prison system in recognition of the valuable work which that these officers plainly undertake.

Post prison and community supervision

5.32 Once released from custody it is likely that the majority of ex-servicemen will be subject to some form of statutory supervision by the probation service. As we have already noted, the experience of some ex-servicemen who had served sentences of imprisonment prior to their current sentence was less than positive, and these interviewees did not feel optimistic about their ability to lead a crime free life on release after their current sentences. Indeed they admitted to fears that they might, in all likelihood, reoffend.

5.33 We do not know whether or not these expressions of a lack of confidence in post-release supervision on licence are representative of a general problem. Nor do we suggest that such supervision, if properly administered, can equate to the less professional assistance given by a charitable organisation. Nevertheless the evidence which we heard points to the obvious advantage of ensuring that ex-servicemen, on release, are put in touch with one or more of those charitable organisations which exists to provide the practical help which many of those released on licence plainly need.

5.34 We note that information designed to remedy some of the omissions to which we have referred are now starting to emerge, following the guidelines developed at HMP Everthorpe (James and Woods, 2010) and their application in a community setting for ex-servicemen after their release. Cheshire was the first regional probation service to have arranged for a special Veteran Support Officer (VSO) to be based in all six of the Probation's offices across the county, at Macclesfield, Crewe, Warrington, Runcorn, Winsford and Chester. The VSOs are tasked to deal with the problems which have caused ex-servicemen

to fall foul of the criminal justice system. The Cheshire scheme was developed by ex-Army Sergeant Alan Lilly, now a Probation Service Officer, who was interviewed as part of the inquiry in his capacity as the Veteran Support Co-ordinator for Cheshire and developed the community based model from HMP Everthorpe. When we visited the Cheshire offices and met staff, those concerned emphasised the need to 'ask the question'.

5.35 Cheshire have begun to examine the possibility of creating a Veteran Support Programme, specifically aimed at offenders who have been in the Armed Forces, to help them to settle back into civilian life, a core aspect of which will be the use of ex-service volunteers who have undertaken a two day induction training course delivered by the RBL and Cheshire Probation Service. We take this opportunity of wishing this initiative well because in putting ex-servicemen in touch with service charities and using former members of the Armed Forces to deliver that help, the initiative satisfies two of the objectives which we believe are so essential in assisting 'veterans in custody' to avoid returning there.

Conclusions

5.36 There will always be a number of ex-servicemen who, for one reason or another, fail to adjust to life on discharge from the Forces and who find themselves subsequently involved in criminality and even sentenced to imprisonment. Historically there has been a failure to identify these individuals at a timely moment in their lives and to connect them with organisations which can offer them effective support.

5.37 In the final section of the report we turn our attention to lessons learnt from the United States of America, where the problem of dealing with ex-servicemen has been of significant public concern since the legacy of the Vietnam conflict in the 1960s. The Americans have developed very specific systems for dealing with them.

6. Lessons from America

Introduction

6.1 Since the invasion of Afghanistan in October 2001, approximately two million U.S. military personnel have been deployed on operations in Afghanistan and Iraq. Early evidence suggests that the toll of these deployments, which have often involved prolonged exposure to intense combat, may have serious effects on military personnel lasting for many years.

6.2 The day-to-day activities of troops in combat vary widely, but some significant stressors of current conflicts have been identified as roadside bombs, improvised explosive devices (IEDs), suicide bombers, the handling of human remains, seeing fellow soldiers and friends dead or injured, the helplessness of not being able to stop violent situations, and enemies often proving omnipresent but difficult to identify (Tanielian and Jaycox, 2008). The impact of these factors have been carefully scrutinised in the United States.

6.3 It has been suggested that long term the psychological effects from current conflicts may be disproportionately high compared with physical injuries (Tanielian and Jaycox, 2008). In the face of mounting public concern over post-deployment health issues, a Presidential Commission has been convened to examine care of the war wounded and to make recommendations.

Visit to the United States of America

6.4 The inquiry team travelled to the United States from 6 to 9 September 2010 and, among other venues, visited the Buffalo Veterans Treatment Court. This court is the first to be adapted to meet the specific needs of veterans. It is now used as a model for court programs in other parts of the country. Members of the inquiry team spoke to staff, veterans' mentors and veterans subject to the court's supervision who had successfully completed their sentences, about the workings and experiences of the veterans court programme, its ideology, ethos and practices.

6.5 Members of the inquiry team also spent a day receiving briefings from the Department of Veterans Affairs (VA) in Washington DC, the second largest federal department of state in the United States, second only to the Department of Defence. The VA has three main functions and a larger budget than the United Kingdom's National Health Service. It is tasked with the administration of the veterans' healthcare system, the administration of veterans' benefits, compensation and pensions, as well as maintenance and development of the country's war cemeteries. Members of the inquiry team discussed initiatives dealing with issues such as homelessness and combat traumatised veterans.

6.6 The inquiry team also attended a briefing session at the Bureau of Justice Statistics (BJS), Department of Justice. The Bureau collects data on crime in the US. Research mainly derives from surveys and inmate censuses of the nation's prisons, which report 12-13 million receptions a year. The BJS has been reporting on the United States veteran prison population for thirty years.

6.7 In addition the inquiry team visited Jessup Correctional Institution, a maximum/medium security prison in Maryland, and met incarcerated veterans who spoke eloquently of their experiences since military service and what they think can be done to reduce the number of veterans coming into contact with the criminal justice system in the United States and United Kingdom. Many of these prisoners were of middle age, and while the majority had served in Vietnam, there were prisoners who had fought in the first and second Gulf War, and veterans who had been actively deployed in Afghanistan. They had been allowed to organise themselves as a group within the prison, with minimal supervision from prison staff, and there are plans afoot to create a dedicated veterans' wing.

6.8 Finally the inquiry team attended Crownsville State Veterans Cemetery, where incarcerated veterans restore the war cemeteries. We spoke to prisoners on work details about their experiences of the programme.

Veterans in England and Wales and the United States: similarities and differences

6.9 Unlike the United Kingdom where gathering statistical information has been ad hoc, and figures on the numbers of ex-servicemen incarcerated have only been systematically gathered in the last two years, the BJS has been reporting on the United States veteran prison population since 1981. They are due to report again in 2012. The survey covers 90,000 prisoners. The last survey completed in 2004 shows similarities between the veteran prison population in the United States and those ex-servicemen in prison in England and Wales.

6.10 The information suggests that as a group American prison veterans, like English and Welsh ex-servicemen in prison, are less likely to offend than the general prison population. However the survey also demonstrates that those veterans and ex-servicemen who do offend tend to be older than the general prison population at the time when they are admitted to prison, to have committed more serious offences (in respect to which violent and sexual offences are over represented), and to have offended a significant time after leaving their respective Armed Forces.

Figure 1: United States veterans in prison: facts and figures

- 10 per cent of state prisoners reported prior service in the United States Armed Forces, down from 12 per cent in 1997 and 20 per cent in 1986.
- Overall, there were an estimated 140,000 veterans among the American prison population in 2004.
- The average length of military service for incarcerated veterans was four years.
- An estimated 62 per cent had received an honourable discharge.
- 99 per cent were male.
- 65 per cent were over 55 years of age (compared to 17 per cent of non-veteran prisoners). This particularly high proportion of older prisoners is partly explained by the fact that of those veterans in American prisons who served during wartime, the majority (35.6 per cent of all veterans in prison) served during the Vietnam War.
- In the United States, veterans are less than half as likely to be in prison than other adult males.

- Those who commit a violent or sexual offence were more likely than the non-veteran population to be in prison for such an offence. Among State prisoners in the United States, 57 per cent of veterans were categorised as 'violent offenders', compared to 47 per cent of non-veterans.
- 23 per cent of veterans were incarcerated for sexual offences, compared to 9 per cent of civilian prisoners. (We heard anecdotal evidence that sexual offences against female soldiers are a growing concern in the United States military).
- Those veterans categorised as 'violent offenders' were more likely to victimise females (60 per cent compared to 41 per cent of nonveteran violent offenders), minors (40 per cent compared to 20 per cent of non-veteran violent offenders) and relatives (25 per cent compared to 11 per cent of non-veteran violent offenders).
- Veterans are expected to serve 22 months longer, on average, than civilians (112 months compared to 90 months).

(Bureau of Justice Statistics 2004)

6.11 While these statistics show several areas of similarity with veterans' data from England and Wales, there is one significant difference, namely the recorded prevalence of combat related psychological conditions within the veterans' population. As in the England and Wales, most United States veterans will return home stronger from their service and experiences but studies indicate that up to a third of American veterans returning from Afghanistan and Iraq are suffering from psychological injuries, including Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI).

6.12 The RAND sponsored report 'The Invisible Wounds of War' (Tanielian and Jaycox, 2008) constituted a comprehensive study of the post-deployment health needs associated with PTSD, major depression, and TBI among United States veterans. It provided a plan to meet health care needs, gaps in the care system, and costs associated with these conditions. The report suggested that immediate action is required to meet the future needs of the veteran population and that combat stress was both substantial and growing.

6.13 In the United States, there are over 1,000 medical centres and outpatient clinics and over 20,000 mental health staff, including staff at every medical facility with expertise in PTSD, substance abuse disorders and the mental health consequences of military sexual trauma. The Department of Veterans' Affairs currently is particularly concerned about the effect of TBI, which psychiatrists have linked to increased aggression and impaired social judgement, factors which, in themselves, can lead to offending. The condition is rarely mentioned in the United Kingdom.

6.14 An interesting feature of our prison interviews was that while over a third of our participants had been involved in active deployments, none had received any formal screening for PTSD either in custody or outside. While homelessness, mental health problems and substance abuse were all significant causes of offending in the veteran population in both countries, in the United States the system is more attuned to considering the possibility that veterans may have suffered negative psychological consequences as a result of active service.

6.15 It may well be that part of the reason for the discrepancy in the figures for the prevalence of PTSD in British and American Forces is due to the fact that in the United States the condition is routinely screened. It also may be that the longer deployment period (two to three times longer

for a United States serviceman) and the much larger number of reservists in the United States Forces impact on the discrepancy. Nonetheless, prevention is better than cure and the fact four per cent of ex-servicemen in the United Kingdom suffer this condition is a significant enough percentage. Timely intervention and treatment can do much to relieve the most distressing of its symptoms which, untreated, can result in depression, alcohol/drug addiction, criminal activity and, in some cases suicide.

6.16 As one veteran said:

'We all appreciate you coming here to listen to us and learn from our experiences. I suffered for years with nightmares and flashbacks. No matter what anyone says I know my condition is linked to my crime. You have to take that message back to England, because we have learned the lessons here. War can change a man in a bad way, and you need to do something about that before your country's heroes end up in prison like I did' (Inmate at Jessop Correctional facility)

Veterans courts

6.17 'Veterans courts' have been operating in the United States since 2008 and are now spreading across the country. These specialist courts offer individually tailored support for veterans who have committed non-violent offences to enable them to get their lives back on track. Crucially, and innovatively, a core part of the function involves trained ex-service 'mentors' assuming a quasi-probation officer role and being assigned to each veteran through the court process to make sure housing, mental health, employment and substance abuse issues are dealt with. The inquiry team visited the first veterans court, in Buffalo, New York State, which has operated since 2008, and which at the time of visiting had a remarkable nil recidivism rate amongst veterans who had completed the programme (Russell 2010).

6.18 Typically, a veteran coming before the court will have committed a non-violent offence and is facing up to 12 months in prison. He is given the opportunity to attend regularly, and if he takes it, is assigned a probation officer and an ex-service mentor who is a veteran. The court attempts to match the offender to a veteran mentor of similar age and experience. The mentors are volunteers who have served active duty tours. Most are former members of infantry regiments. The key link between the veteran mentor and the veteran under supervision is a shared military experience. As one of the mentors suggested on our visit:

'When we serve in the military we serve with people from all, cultures, races, educational and family backgrounds; yet we all work together as one. For most who have served, that feeling of comradeship and brotherhood does not ever leave, and that is one reason why a veterans court is so successful. It builds on that brotherly bond built in the Forces... We know who will get on as mentors with who and we match people up pretty well... If we get a guy who is a marine, we will put him with a marine. If we get a ranger we will put him with a ranger. We try and match people up with ages when we can, but we know who needs words of encouragement and who needs some straight talk. We have a pretty much no BS [bullshit] approach, and veterans appreciate that. They relate to it' (Veteran mentor, Buffalo veterans court)

6.19 A veteran is placed with a mentor for up to 18 months, and is required to return to court several times a month so that progress can be monitored. Each veteran under supervision is drug tested every fortnight and, if he is 'clean and sober', he is allowed to continue with the programme. Failed drug and alcohol tests can bring sanctions, including a period in the adjoining jail, although we were told that such sanctions are rarely needed. At the completion of the course, if the veteran is 'clean and sober' and is holding down a stable job or training placement, he graduates from the course. He is given a character reference and his offence is not listed on any criminal record.

6.20 While we have nothing but admiration for the Buffalo court and its remarkable achievement of preventing further offending (albeit that it has only been in existence for three years), we do not suggest that such a court could or should be replicated in the United Kingdom. Apart from juvenile courts there is no precedence in English jurisprudence for a special court to administer justice to offenders with a particular background (those specialist courts which have been piloted, such as drug courts for example, cater to need or offence rather than background). The lessons we have learned from our experience of the Buffalo court are twofold; firstly, the advantage of maximising the help available to assist in solving whatever problems have contributed to the veteran's offending; and second, the advantage of veteran to veteran contact.

Drugs

6.21 The problem with drug abuse amongst United States veterans has been recognised since the Vietnam war, which placed members of a conscript force in an area where drugs including cannabis and opiates were widely available. While most servicemen who had used heroin in Vietnam used it occasionally or not at all after their discharge, some continued to do so regularly. The variables which significantly increased the probability of the use of heroin among men after return to the United States included factors such as living on the east or west coast and having a history of using illegal drugs before their recruitment to the Forces (Robins and Slobodyan, 2003).

6.22 Research conducted by the Royal United Services Institute in 2007 indicated a significant increase in the number of United Kingdom Forces personnel testing positive for Class A drugs (Gillan, 2007). Compulsory drug testing (CDT) was introduced by the Army in 1995, and was initially conducted anonymously without punitive measures, to establish a base line per 1000 personnel testing positive. Punitive sanctions were introduced in 1996 following the identification of 7 positive tests per 1000 personnel. CDT was later introduced in the Royal Navy and Royal Air Force in 1997 and 1998 respectively and is now used regularly across the Forces.

6.23 Unfortunately as a result of mandatory testing, some of those who habitually took Class B drugs have sometimes graduated to Class A because the latter leave traces which are dispersed sooner in the system than the former. This perverse but perhaps predictable result has proved to be a consequence of compulsory testing in prison too and has led to an increase in addiction to Class A drugs (Bird, 2007).

6.24 It was certainly apparent during the course of our interviews that a number of ex-servicemen had experienced problems with illicit drugs, and some of their testimony was at odds with the view of those who gave evidence to the inquiry about health in the Forces. Granted that many young people who enlist are drawn from communities and areas where

drug use is entrenched, it would be naïve to suggest that alcohol is the only substance that is used by servicemen to deal with stress. It must be borne in mind that more than 6,000 soldiers have failed drugs tests over the past decade, that figures from the Ministry of Defence (MoD) show that the main drug of choice for military personnel is cocaine, and that there was a fivefold increase in the number of soldiers failing tests for it between 2000 and 2008 (Savage, 2010). However since 2006, service personnel caught using class A illicit drugs (particularly soldiers below the rank of lance corporal, or its equivalent rank in the Royal Navy or Royal Air Force), no longer face automatic dismissal from the Forces, and this may make it easier for those suffering with drug problems to recognise and admit them. However, it is possible that after deployment to Iraq and Afghanistan many more of today's young military personnel may be exposed to illicit drugs and this may well be a future problem which ex-servicemen organisations will have to heed in a manner more in keeping with the priority and recognition which it is being given in the United States.

The United States response to offending by veterans

6.25 In addition to the veterans courts individual States have established sentencing guidelines which ensure that veterans' circumstances are properly considered when they appear before criminal courts. For example, the State of Minnesota has been at the forefront of dealing with veterans in the criminal justice system. In 2008, the State passed pioneering legislation to encourage treatment instead of incarceration for those whose service-related psychological injuries played a role in their criminal conduct.

6.26 The Minnesota law (Statute 609.115, Subd. 10,) has now been recognised by the United States Supreme Court, which has also acknowledged that treatment and probation are often more effective than conviction and incarceration in dealing with combat traumatised veterans who offend. In addition, a number of States have followed Minnesota's lead: in 2009, Illinois and New Hampshire enacted similar veterans' laws, while Iowa, Kansas, Texas and Wisconsin are (at the time of writing) considering similar legislation.

6.27 For further information on the American response to veterans who offend, in particular the Veterans Justice Outreach programme, the inquiry's interim report on the visit to the United States sets out the interventions made in more detail (Howard League 2010b).

7. Conclusion

7.1 This inquiry has set out to advance an understanding of the circumstances in which ex-servicemen come to be incarcerated and our findings and recommendations are based on the evidence we have heard.

7.2 It is important to begin by repeating that the significant majority of those leaving the Forces lead constructive and productive lives after discharge and do not at any stage become involved in the criminal justice system. More than that, the long gap between discharge and custody for many of those who do offend makes it difficult to associate any direct causal link between service in the Forces (or what happens in the period soon after discharge) and imprisonment. However in relation to those who offend, we have found it difficult from the evidence presented to us to discern any particular reason for offending which distinguishes this group from other offenders. What is clear is that the conventional problems associated with criminal behaviour such as drug and alcohol abuse, homelessness, a poor ability to deal with emotions, low educational attainment and financial pressures, appear to be as common among ex-servicemen in custody as it is among the general prison population.

Transition

7.3 As we have demonstrated above, this does not mean that servicemen find transition to civilian life easy. Life in the Armed Forces, and most especially Army life, tends to lead to a process of institutionalisation, although we do not use that term pejoratively. The Forces exist to train people to fight for their country. It is essential that they are able to organise and order the lives of service personnel so as to ensure that servicemen do not suffer the distractions which are part and parcel of civilian life, in order to maximise their effectiveness as soldiers, sailors and airmen.

7.4 The downside, however, to this protective environment is that some individuals find the process of transition very difficult. The majority of ex-servicemen we encountered in custody did not leave service early or after failing basic training, but rather having served a considerable period, on average, six and a half years. Most had received assistance on leaving, although the assistance was somewhat limited and was, for the most part, not utilised because of a misplaced confidence by the serviceman of an ability to cope with the challenges of civvy street. Despite their eligibility for assistance from service charities, none of them had availed themselves of the opportunities on offer.

7.5 We emphasise that those whom we interviewed had left the Services before the recent improvement in arrangements. However, we are concerned that those transitional arrangements are more extensive for those who have served more than four years, notwithstanding that those who serve for less are probably more vulnerable to the problems of transition. We suggest that there may be more that the Services should do for leavers prior to discharge. We note the military's efforts to improve educational levels which will certainly benefit servicemen with poor reading and writing skills. Nonetheless, the goal of achieving the level equivalent to a seven year old still leaves the serviceman poorly equipped to compete in for work which will give him the same satisfaction as the job he did in the Services. The break with the institutionalised life within the Services, as well as

the rupture of close friendships, produces feelings of isolation and loneliness. At the same time the responsibilities and excitements, particularly associated with frontline service, contrast starkly with the dullness and comparative monotony of civvy street. It is clear that numeracy and the ability to manage a personal budget present significant problems for some ex-servicemen. Anything that can be done to alleviate this difficulty will be much to the advantage of this group of leavers.

7.6 The inquiry endorses the view that in serving their country, and agreeing to lay down their lives, members of the Armed Forces have the right to expect that the military covenant is honoured. We are pleased by the recent announcement that the government will enshrine the covenant in law, and we see that as a step forward to ensure that former Armed Forces personnel are properly protected and rewarded for their sacrifices. There is a sense, however, in which the military covenant works both ways. If the public are expected to honour it, then we believe that it is incumbent on the Armed Forces to help to minimise the problems of transition for those who leave the Services. Since those problems can include social isolation and exclusion, drug and alcohol abuse, and crime, all of which have a significant cost to the public purse, it behoves the Armed Forces to help to reduce that cost.

7.7 While resettlement provision has much improved in recent years, it is important that the authorities do everything possible to ensure that there is no gap between policy and procedure across the Forces, particularly for those identified as vulnerable. We consider that much can also be learned from the systems which are in place at MCTC Colchester, in particular the needs assessment described in section 2. A form of this needs assessment could be adapted and used to inform current practice for those being discharged, especially those whom the Forces consider vulnerable. For other service leavers, we would envisage retaining a simpler process which educates them better in the problems which they may face on transition and which warns them of the dangers of failing to obtain timely advice or help from one of the many organisations which exist. We accept that this is no easy task with individuals who have been trained in the Services to cope with their own problems and to be self-reliant.

PTSD

7.8 Any discussion of transition in the media tends to concentrate on the issue of PTSD. We are concerned that discussion of PTSD has overshadowed the issue of other mental health problems suffered by ex-servicemen (in a context where one in four of the general population will suffer from a mental health issue at some point in their life (Goldberg and Huxley 1992)) and indeed other issues including accommodation and financial management which excite less media attention. Nonetheless, no discussion of the problems faced by ex-servicemen should ignore PTSD. But neither should we assume this is a uniquely military problem.

7.9 We have already referred to the significant difference between the frequency of diagnosis of the condition among service personnel in the United States Forces compared to those of the United Kingdom. The discrepancy struck us as particularly surprising since Forces personnel from both nations have been involved for a decade or more in the same theatres of war, facing the same enemy and employing the same tactics. However, the fact that the problem may be less prevalent in the Armed Forces of the United Kingdom does not negate the need more effectively to anticipate the problem and to alleviate it where it

arises. We emphasise this particularly because it was apparent from the evidence which we received that psychological problems such as depression falling short of a diagnosis of PTSD were common to a number of ex-servicemen, and that in many cases, depression, frustration, and isolation were prevalent features of problematic transition and which had often led to alcohol abuse and associated addictions.

7.10 We acknowledge that we found no direct link in any particular instance between PTSD and offending, but clearly some of the symptoms of the condition, such as poor anger management or eroded family relationships, do have established links to offending. And beyond this, undiagnosed PTSD can lead to significant anxieties not only for the serviceman but for his family. Indeed there are cases where, through ignorance of the tell-tale indications which might have led to a timely diagnosis, service families have suffered break up or violence. The Armed Forces and the voluntary sector do much work in support of those that suffer PTSD, to the extent that it has lost much of its stigma and is openly talked about within the Armed Forces. Nonetheless, efforts should be made to identify PTSD, and indeed other mental health conditions, at the earliest possible moment. The four per cent figure identified in the research of Professor Wessley and Professor Dandeker needs to be put into context. If we assume, on the basis of official statistics, that 16,000 Forces personnel were discharged in the 12 months prior to September 2010, approximately 640 are either now suffering from PTSD or will develop it later in their lives.

7.11 We are aware that in the American Forces ex-service personnel are screened for PTSD when they return from deployment and that in the Dutch Armed Forces all servicemen are tested for the condition on discharge. We see no reason why that same process should not be applied to British servicemen who might be vulnerable to the condition, depending upon the nature of their service, as part of the needs assessment which we have recommended above. There is no evidence that rates would increase if British service personnel were screened for the condition but the absence of any screening in the United Kingdom does not make for a meaningful comparison between the 20 per cent diagnosis in the United States and the four per cent diagnosis here. We are also not persuaded that such a process is likely to risk auto-suggestion for PTSD, as has been posited in some quarters, especially if it were to fall into a general needs assessment which does not highlight the condition ahead of other vulnerabilities.

Obtaining help when needed

7.12 We now turn to address the issue of how an ex-serviceman who encounters difficulties in civilian life can access an ex-service organisation to help him. We applaud the provision of the service leavers pack describing the options available to an ex-serviceman should he fall on hard times. However, we were not surprised to learn from the interviews that many ex-servicemen, indeed arguably many of those most likely to require information provided by the pack, 'binned it' soon after discharge.

7.13 In order to remedy this difficulty, we suggest an expansion of the current free Veterans Helpline provided by the SPVA. The main focus of this helpline is to provide advice on matters such as pensions and it operates from 8.15am to 5.15pm Monday to Thursday, and to 4.30pm on a Friday. We envisage a significant expansion of this service, open 24 hours a day, 365 days a year, and manned not just by those conversant with pensioning provision but including ex-servicemen who can talk to fellow ex-servicemen in crisis and point them in the direction of one of the many organisations which exist to help

them. We suggest that such a helpline should be better publicised than the current SPVA helpline. For example, as part of the recent announcement to enshrine the Military Covenant in law, the Government have included a commitment to provide every ex-serviceman on discharge with an identity card. We understand this card may provide information of various kinds and we would suggest that this should include the national helpline number to which we have referred.w

7.14 Verifying whether someone is an ex-serviceman can also be difficult and yet there is a relatively straightforward solution that would improve matters. If an individual's national insurance number also functioned as their service number, as it does in the United States, then this would greatly simplify the process of verification and in time would also allow for absolute clarity as regards the numbers of ex-servicemen in the criminal justice system at any one time.

7.15 The evidence demonstrated that, as a group, ex-servicemen are well catered for in the provision of assistance from voluntary organisations which are well-staffed and financially well-resourced. The problem is one of ensuring timely intervention for any ex-servicemen facing problems which those voluntary organisations exist to solve. What is required is a mechanism to permit the ex-serviceman to access those services and we have suggested an expanded national helpline as one means of achieving this.

7.16 We have referred above to the localisation of service charities and the fact that many of them are based in the larger cities where help for ex-servicemen is, therefore, more accessible than in other areas. We express the hope that some of the £30 million of new government money, which we mentioned earlier, will be used outside of the big cities to develop and facilitate links between ex-servicemen and the charities which can help them.

The criminal justice system: 'Asking the question'

7.17 In the event that an ex-serviceman becomes involved with the criminal justice system, we consider that contact with the police creates an opportunity for timely intervention and assistance by an appropriate Forces charity. We have referred to the pilot scheme in Kent. The essence of such a scheme is to try to divert the ex-service offender away from further involvement in the criminal justice system by ensuring that problems which the individual may have are identified and analysed. We hope that sympathetic consideration will be given to ensuring that all police station sergeants 'ask the question' whether or not an arrested person has served in the Armed Forces (along the lines of the custody sergeant training by Veterans Aid), and if so, in accordance with the Kent pilot scheme, that the individual is signposted to assistance such as the proposed national helpline or the identity and contact number of the regional SSAFA welfare officer.

7.18 We also suggest that the probation service national standards on pre-sentence reporting are revised to encourage probation officers to 'ask the question'. This would enable the ex-serviceman to be furnished with information on the assistance available to him, as well as providing an opportunity to record ex-service status in the pre-sentence report. In addition, we recommend that the probation service should consider rolling out the Cheshire Veteran Support Officer scheme across England and Wales. It has the advantage of combining 'asking the question' and linking the ex-serviceman to a fellow ex-serviceman which, as we have learned, plays such an important part in providing effective assistance.

7.19 These examples of good practice in policing and probation embody aspects of the ‘diversionary ethos’ most clearly seen by the inquiry in the veterans court system found in the United States. We do not suggest that the veterans court system would be appropriate for this country for the reasons already discussed above in section 6; nonetheless the principle of seeking to divert ex-servicemen from the criminal justice system has many advantages. We assess the hallmarks of the system to be:

- Assistance to the veteran to avoid further involvement in crime;
- Emphasis on ex-servicemen being assisted to take responsibility for their own actions and decisions;
- Contact ‘veteran to veteran’ to maximise the opportunities for understanding why the ex-serviceman has become involved in the criminal justice system;
- Recognition of the plethora of support from the voluntary sector.

7.20 In the event that the sentence on the ex-serviceman results in custody, we have been significantly encouraged by the evidence from the Ministry of Justice that on reception at prison every prisoner is now ‘asked the question’ and that this not only provides a better statistical understanding of ‘veterans in custody’ but also provides a basis for a VICS officer to make contact with the prisoner and take forward opportunities for advice and support from a relevant voluntary sector organisation. We were particularly pleased to learn that visits to prisons by representatives of such organisations do not count towards the visit allocation of any prisoner. The success of Nick Wood’s Veterans in Custody Support scheme at Everthorpe causes us wholeheartedly to recommend that that scheme is replicated in every prison in the country and that every encouragement is given to making as much use of it as possible.

7.21 There is undoubtedly a lack of information about the reasons why ex-servicemen offend. If, as we strongly suspect, some 3.5 per cent of the prison population are ex-service personnel, this group comprise a substantial subsection of the prison population about whom little is known beyond the facts they are ex-servicemen and the categories of the offences which they have committed. Contrast this with women in prison who also represent a distinct group of comparable size, ie. at about five per cent of the overall population (NOMS 2010). Since information is collected and published about women in prison (including the proportion who suffer from mental health problems, the number of those with housing needs or involvement in the care system), we see no reason why further research cannot be done in respect of ex-servicemen so that a deeper understanding can be reached which both informs policy and practice and addresses public anxiety about the circumstances in which ex-servicemen are incarcerated.

7.22 In addition, we believe that the issue of ex-service personnel in custody would benefit from a thematic review by Her Majesty’s Inspectorate of Prisons. If this is undertaken it would result in further statistical analysis and the possibility of more extensive qualitative research than it was possible for this inquiry to conduct.

Annex A: Terms of reference and background

The Howard League for Penal Reform launched an independent inquiry into former armed service personnel in prison in November 2009.

The inquiry aims to discover why so many veterans find themselves caught up in the criminal justice system after they have left the Services. It is vital that the complex needs of Armed Forces personnel are adequately addressed and that we do everything we can to help those who serve their country adjust to civilian life.

The inquiry will make detailed recommendations on its findings. It will review the support offered by the various voluntary sector organisations and that provided by the Armed Forces. It will consider more structured approaches following active service.

The inquiry is chaired by Sir John Nutting QC, one of the country's leading barristers. The inquiry's advisory group comprises:

- Admiral the Lord Boyce KG GCB OBE DL
- General the Lord Guthrie of Craigiebank GCB LVO OBE DL
- Major General David Jenkins
- Wing Commander Dr Hugh Milroy OBE, Chief Executive of Veterans Aid
- Chris Sheffield, former governor of Liverpool and Manchester prisons
- Elfyn Llwyd MP

The academic consultant to the inquiry was Dr James Treadwell of the University of Leicester. The inquiry was also supported by Thomasin Pritchard and Andrew Neilson of the Howard League for Penal Reform.

Since its launch in November 2009, the inquiry has made a number of visits and taken oral and written evidence from key stakeholders. These are detailed in Annexes C-E. The inquiry team has conducted qualitative, semi-structured interviews with 29 prisoners in three prisons in England. The questionnaire for these interviews can be found in Annex F.

Two interim briefings have been published by the inquiry. *Leave No Veteran Behind* and *Leaving Forces Life: The issue of transition* (both 2010) examine arrangements for former service personnel in the United States and resettlement provision in the United Kingdom respectively.

Annex B: Glossary

AWOL	Absent without leave
BJS	Bureau of Justice Statistics
CDT	Compulsory drug testing
COBSEO	Confederation of British Service and Ex-Service Organisations
CTP	Career Transition Partnership
DASA	Defence Analytical Services and Advice
DSM-IV-TR	Diagnostic and Statistical Manual of Mental Disorders
ESL	Early Service Leaver
HMIP	Her Majesty's Inspectorate of Prisons
ICD	International Statistical Classification of Diseases and Related Health Problems
IEDs	Improvised explosive devices
JSHAO	Joint Service Housing Advice Office
MCTC	Military Corrective Training Centre
MoD	Ministry of Defence
MoJ	Ministry of Justice
Napo	Trade union for probation and family court staff
NCO	Non-commissioned officer
NHS	National Health Service
NOMS	National Offender Management Service
PIR	Prison in-reach project
PTSD	Post-traumatic stress disorder
RBL	Royal British Legion
RFEA	Regular Forces Employment Association
SPACES	Single Persons Accommodation Centre for Ex-Services
SPVA	Service Personnel and Veterans Agency
SSAFA	Soldiers, Sailors, Airmen and Families Association
TBI	Traumatic brain injury
V1P	Veterans First Point
VA	Department of Veterans Affairs
VICS	Veterans in Custody Support scheme
VIP	Veterans in Prison
VLOs	Veteran Liaison Officers
VSOs	Veteran Support Officers

Annex C: Visits made by the inquiry

Visit to Scotland (15-16 June 2010)

Visits were made to:

- Veterans' First Point (V1P);
- Poppy Scotland.

Visit to the USA (5-9 September 2010)

Visits were made to:

- Buffalo Veterans' Treatment Court, New York state;
- US Department of Veterans' Affairs, Washington DC;
- US Department of Justice, Bureau of Justice Statistics, Washington DC;
- Jessup Correctional Institution, Baltimore, Maryland;
- Crownsville State Veterans Cemetery, Baltimore, Maryland.

The inquiry also met with Air Vice-Marshal Michael Harwood, Head of British Defence Staff and Defence Attaché at the British Embassy, Washington DC.

Prison visits made by the inquiry:

- Wandsworth;
- Birmingham;
- Full Sutton;
- Everthorpe;
- Grendon.

Other visits:

- Veterans Aid hostel and offices;
- MCTC Colchester;
- Warrington Probation.

Annex D: List of oral evidence

- Kevan Jones MP, Under Secretary of State for Defence and Minister for Veterans;
- Professor Simon Wessely MA BM BCh MSc MD FRCP FRCPsych FMedSci, Professor of Psychological Medicine, Director, King's Centre for Military Health Research; Vice Dean, Academic Psychiatry, Teaching and Training: Institute of Psychiatry;
- Wing Commander David Hill MSc BSc (Hons) RMN FInstLM, Chief Executive, Combat Stress; Lt Col Peter Poole MBE MILT, Director of Welfare Services, Combat Stress;
- Dr Ian Palmer, Professor of Military Psychiatry, Head of Medical Assessment Programme;
- Stephen Shaw CBE, Prisons and Probation Ombudsman;
- Air Vice Marshal Tony Stables, Chairman, Confederation of British Service and Ex-Service Organisations (COBSEO);
- Chris Simpkins, Director General, Royal British Legion;
- Major General Andrew Cumming, Chief Executive, Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help;
- Maria Eagle MP, Minister for Prisons;
- Professor Christopher Dandeker, King's Centre for Military Health Research, King's College London;
- Harry Fletcher, Assistant General Secretary, Napo;
- Lord Ramsbotham;
- Joe Simpson, National Executive Committee, Prison Officers Association;
- Colonel Mike Ellis, Royal Marines;
- Major General Mike Von Bertele, Director, the Royal Army Medical Corps (RAMC);
- Dame Anne Owers DBE, HM Chief Inspector of Prisons;
- Rob Owen, Chief Executive, St Giles Trust;
- Andy McNab, veteran and novelist.

Annex E: List of written evidence

Written evidence

- AMIMB
- Goals UK
- Napo
- Crisis
- Veterans in Prison
- Veterans in Prison Association
- Transition to Adulthood Alliance
- Criminal Justice Alliance
- A number of submissions from individual members of the public, including Howard League members, criminal justice practitioners, mental health practitioners, serving prisoners and veterans.

Submitted documents

- Fossey, M. (2010) *Across the Wire: Veterans, mental health and vulnerability*, London: Centre for Mental Health. Available at: http://www.mod.uk/NR/rdonlyres/6F674D12-FBBA-40A8-B53F-74F7B4570408/0/Across_the_wire.pdf (accessed 6th June 2011)
- Green, G. et al (2008) *Welfare and Warfare...an uneasy mix: personal experiences of and organisational responses to emotional and mental health issues in young ex-service personnel*, University of Essex
- Lemos, G. and Durkacz, S. (2005) *Military History: the experiences of people who become homeless after military service*, London: Lemos & Crane
- Mental Health Foundation (2010) *Executive Briefing: the mental health of veterans*, London: Mental Health Foundation
- Ministry of Defence (2008) *The Nation's Commitment: cross-government support to our Armed Forces, their families and veterans*, London: Ministry of Defence
- Ministry of Defence (2009) *The Nation's Commitment to the Armed Forces Community: consistent and enduring support, a consultation paper*, London: Ministry of Defence
- Ministry of Defence (2009) *The Nation's Commitment: cross-government support to our Armed Forces, their families and veterans. External Reference Group Annual Report 2009*, London: Ministry of Defence
- Ofsted (2009) *The quality of welfare and duty of care for recruits and trainees in the Armed Forces: Ofsted's report to the Minister of State for the Armed Forces*, London: Ofsted

- Plaid Cymru Group at Westminster (2010) Support for Veterans: a brief background on work in support of veterans, London: Plaid Cymru Group at Westminster
- Renwick, A. (1999) Hidden Wounds: the problems of Northern Ireland veterans in Civvy Street. London: Barbed Wire
- SSAFA Forces Help (2007) The SSAFA Forces Help Directory, London: SSAFA Forces Help

Interim papers published by the inquiry

- Howard League for Penal Reform (2010) Leave No Veteran Behind, London, Howard League for Penal Reform
- Howard League for Penal Reform (2011) Leaving forces Life: the issue of transition, London, Howard League for Penal Reform

Annex F: Interview questionnaire

Early life

Can you tell us a little about your early life?

What are your childhood memories?

How did you find school?

When and why did you leave school? (Through choice, did you play truant? Were you excluded/expelled?)

Were you in care? If so for how long

Did you gain any qualifications?

What did you do when you left school? If work, for how long and why did you leave?

Were you in trouble with the police in your childhood/ teenage years?

The military

Please tell me about how you joined the Forces?

How old were you on joining?

Which regiment did you join?

Can you remember your service number (if so, what was it)

How long did you serve for, in which regiment/s? What did you do?

How long did you serve in the military for?

Did you see active service in a combat zone?

When and why did you leave the military?

How did you find the occupational culture in the military?

Would you say that your experience in the military was positive/negative?

Were you in trouble in the military?

On reflection now, what would you say about your time in the Armed Forces?

What did you/do you miss if anything about the Forces?

Did you gain any qualifications or skills in the military e.g. driving?

After military service

How did you feel when you left the military?

What did you do on leaving?

Did the military help you prepare for the transition? If they did, was this useful?

What supports were you offered prior to leaving, how would you rate it

What support have you been offered since leaving, how would you rate it?

How would you say you adjusted to civilian life? If you don't feel that you have, explain why.

Did you find housing on leaving the military?

Did you find work on leaving the military?

What jobs have you had outside of the military?

Where have you lived after leaving the military?

Relationships and personal life

Can you tell us a little about the support networks currently available to you?

Are you currently in contact with friends/family members who support you?

Do you currently have a partner?

Did you have a partner upon leaving the military?

Do you feel that being ex-military affects the way that people perceive and relate to you? (If so, how?)

Where have you lived for the past five years?

Where will you live when you leave prison?

Since leaving the military have you found work?

When you are not in prison, what do you do for money?

Have you ever had treatment for mental health issues?

Have you had alcohol or drug problems? If so, when did this seem to start?

Offending

Can you tell us a little about your offending history?

How many times have you been in trouble with the law previously?

Can you tell us about your current offence?

Why would you say you committed the offence?

What were the factors involved in it?

Has violence been a feature of your offending history?

Were you involved with the judicial system prior to joining the military?

At the time of your offences were you under the influence of alcohol or drugs?

Would you say that you have problems with alcohol or drugs? (Illegal or prescription drugs)

Have you been in prison previously (how many times, what for, for how long?)

Have you been subject to supervision by the probation service?

How would you describe your emotional wellbeing and mental health?

Why would you say was the reason that you offended?

Is your military service directly related to your custodial sentence? If so, please explain the link in detail.

Have you ever met anyone in prison pretending to be ex-military?

What help have you been offered to address your offending?

Do you feel it has been useful?

What help would you say that you need in order to stay out of trouble in the future?

Do you think the military should help you now and if so, how?

Outside of Custody

Have you sought help or assistance from any of the following?

- Combat Stress
- Veterans Aid
- The Royal British Legion
- The Army Benevolent fund
- Veterans in Custody Support (VICS)
- Veterans in Prison
- The Soldiers, Sailors, Airmen and Families Association (SSAFA)
- The NHS
- Any other group who work with ex-military personnel?

Final Questions

This interview is being undertaken for the Howard League in order to better understand the experiences of ex-military personnel in custody for an inquiry they are doing – is there anything you would want to say to that inquiry?

Do you have anything to add?

Is there anything I should have asked?

How did the interview feel for you? Are you happy with everything? Are you still happy for us to use the information you have provided?

Fill out informed consent form

Annex G: References

- Baldwin, T. (2007) 'America Suffers an Epidemic of Suicides Among Traumatized Army Veterans', *The Times*, 15th November 2007. Available at: http://www.timesonline.co.uk/tol/news/world/us_and_americas/article2873622.ece (accessed 6th June 2011)
- Barford, (2010) 'From Civvy Street to scrapheap', *BBC News Magazine*. Available at: <http://news.bbc.co.uk/1/hi/magazine/8585026.stm> (accessed 6th June 2011)
- Barton, A. (2011) 'Screening and Brief Intervention of Detainees for Alcohol Use: A Social Crime Prevention Approach to Combating Alcohol-Related Crime?' *The Howard Journal of Criminal Justice*, 50 (1), Oxford: Wiley-Blackwell
- BBC (2010) 'Kent police raise concern over veterans violent crime' Available at: <http://www.bbc.co.uk/news/10313321>
- BBC (2011) 'Alcohol-related hospital admissions reach record level', 26th May 2011. Available at: <http://www.bbc.co.uk/news/health-13559455> (accessed 6th June 2011)
- Beckham, J. C. Feldman, M.E. and Kirby A.C. (1998) 'Atrocities exposure in Vietnam Combat Veterans with Chronic PTSD: Relationship to Combat Exposure, Symptoms Severity, Guilt and Interpersonal Violence', *Journal of Clinical Psychology*, Vol. 53(8) pp. 859-869.
- Bird, S (2007) Compulsory Drugs Testing in the British Army: Assessing the data, *The RUSI Journal*, Vol. 152 No (6) 54-59. Available from http://www.rusi.org/downloads/assets/RUSIJOURNALFEATURE_DEC07.pdf
- Bouffard, L. A. (2003) 'Examining the Relationship between Military Service and criminal Behavior During the Vietnam-Era: A Research Note', *Criminology* vol. 41 (2) pp. 491-510
- Bouffard, L. A. (2005) 'The Military as a Bridging Environment in Criminal Careers: Differential Outcomes of the Military Experience' in *Armed Forces & Society* Vol.31 (2): pp. 273-295
- Bourke, J (1999) *An intimate history of Killing: face to face killing in twentieth century warfare*, London: Basic
- Broadway Homelessness and Support (2010), *Street to home: Bulletin 2009/10*, London: Broadway Homelessness and Support
- Brookes, M, Ashton, C and Holliss, A (2010) 'Assisting Veterans at HMP Grendon and Springhill' *Prison Service Journal*, 190, pp.3-9.
- Bureau of Justice Statistics (2004), *Veterans in State and Federal Prison, 2004*, Washington: Bureau of Justice Statistics
- Caesar, E. (2010) 'From Hero to Zero' in *The Sunday Times*, Sunday, 4th April, 2010 <http://www.timesonline.co.uk/tol/news/uk/article7084032.ece> (accessed 6th June 2011)
- Channel 4 (2009) 'Dispatches: Battle Scarred' first broadcast 7th September 2009 (Directed by David Modell) available from <http://www.channel4.com/programmes/battle-scarred/4od> (accessed 6th June 2011)

Collins, J and Bailey, S (1990) 'Traumatic Stress Disorder and Violent Behaviour', *Journal of Traumatic Stress*, vol. 3 (2) pp. 203-220

Confederation of British Service and ex-Service Organisations (COBSEO) (NO DATE) *The Unique Nature of Military Service*, available from <http://www.forcespensionsociety.org/COBSEO-unique-nature-10.pdf>

Dandeker, C, Wessely, S, Iversen, A. and Ross, J. (2003) *Improving the Delivery of Cross Departmental Support and Services for Veterans*. Joint Report, Dept of War Studies and Institute of Psychiatry. London: King's College.

Dandeker, C, Thomas, S, Dolan, M, Chapman, F and Ross, J. (2005) *Feasibility Study on the Extent, Causes, Impact and Costs of Rough Sleeping and Homelessness amongst ex-Service Personnel in a Sample of Local Authorities in England*, London: KCMHR, Kings College.

DASA (2010a) *Estimating the proportion of prisoners in England and Wales who are ex-Armed Forces*, MOD: London

DASA (2010b) *Estimating the proportion of prisoners in England and Wales who are ex-Armed Forces - further analysis*, MOD: London

DASA (2010c) *United Kingdom defence statistics 2010*, MOD: London Available <http://www.dasa.mod.uk/modintranet/UKDS/UKDS2010/pdf/UKDS2010.pdf>

Doward, J (2008) 'Record Number of ex-soldiers in UK Jails as combat trauma Blamed'. *The Guardian*, 31/08/2008

Edmunds, M. May, T. Hearnden, I and Hough, M. (1998) *Arrest referral: emerging lessons from research*, London: South Bank University Criminal Research Policy Unit available from: <http://www.kcl.ac.uk/depsta/law/research/icpr/publications/Arrest%20Referral,%20emerging%20lessons%20from%20research.pdf>

Equality and Human Rights Commission (2010) *Commission Disappointed at Supreme Court Decision in Jason Smith Human Rights Case*, available from <http://www.equalityhumanrights.com/news/2010/june/commission-disappointed-at-supreme-court-decision-in-jason-smith-human-rights-case/>

Evans, M (2009) 'Charities for veterans conquer the credit crunch', *The Times*, 07/02/2009

Fear, N, Jones, M, Murphy, D, Hull, L, Iversen, C, Bolaji, C, Machell, L, Sundin, J, Woodhead, C, Jones, N, Greenberg, N, Landau, S, Dandeker, C, Rona, R.J, Hotopf, M, and Wessely, S. (2010) 'What are the consequences of deployment to Iraq and Afghanistan on the mental health of the UK armed forces? A cohort study' *The Lancet*, vol. 375 no. 9728 pp. 1783-1797.

Finney, A. (2004) *Alcohol and Sexual Violence: Key Findings from the Research*, Home Office Research Study 215, London: HMSO

Ford, R (2009) 'Number of military veterans in jail has more than doubled in six years', *The Times*, 25/10/2009

- Fossey, M. (2010) *Across the Wire: Veterans, mental health and vulnerability*, London: Centre for Mental Health. Available at: http://www.mod.uk/NR/rdonlyres/6F674D12-FBBA-40A8-B53F-74F7B4570408/0/Across_the_wire.pdf (accessed 6th June 2011)
- Gee, D. (2007) *Informed Choice? Armed Forces Recruitment in the United Kingdom*. Available: <http://www.informedchoice.org.uk/informedchoice/informedchoicefull.pdf>
- Genders, E. and Player, E. (1995) *Grendon: A Study of a Therapeutic Prison*, Oxford: Clarendon Press.
- Gerth H. H. and Mills, C. W. (1954) *Character and Social Structure*, London: Routledge and Kegan Paul
- Gillan, A (2007) 'Army losing a battalion a year to drug abuse', *The Guardian* (14/12/2007)
- Goffman, E. (1963) *Asylums*, Harmondsworth, Penguin
- Goldberg, D. & Huxley, P. (1992) *Common mental disorders: a bio-social model*, Abingdon: Routledge
- Graham, K., Leonard, K.E, Room, R, Wild, C, Pihl, R.O, Bois, C. and Single, E. (1998) 'Current directions in research on understanding and preventing intoxicated aggression'. *Addiction*, 93 (5), 659–676.
- Grayson, D. Dobson, M. and Marshall, R. (1998) 'Current Combat related disorders in the absence of PTSD among Australia Vietnam veterans', *Social Psychiatry and Psychiatric Epidemiology*, Vol. 33, pp. 186-192.
- Grossman, D (1996) *On Killing: the psychological cost of learning to kill in War and Society*, London: Little Brown
- Grover, C. (2008) *Crime and Inequality*, Cullompton: Willan
- Hakeem, M (1946) 'Service in the Armed Forces and criminality', *Journal of Criminal Law and Criminology* vol. 37, pp. 461-474
- Hansard (2008) *Written Answers: Justice: Prisoners: Ex-Servicemen*, March 2008, vol. 472, col. 2625W. Available at: <http://www.theyworkforyou.com/search/?pop=1&s=date:20080305+column:2625+section:wrans>
- Higate, P. R (ed) (2003) *Military Masculinities*, New York, Praeger
- Higate, P. (2001) 'Theorizing Continuity: From Military to Civilian Life', *Armed Forces & Society*, Vol. 27(3), pp.443-460.
- HMIP (2004) *Report on a full announced Inspection of the military corrective training centre 14-18 June 2004 by HM Chief inspector of Prisons*, London: HMIP
- HMIP (2010) *Report on an unannounced short follow up inspection of The Military Corrective Training Centre*, London: HMIP
- Hollingshead, A.R (1946) 'Adjustment to Military Life' *The American Journal of Sociology* Vol. 51, pp. 439-447
- Hosek, J., J. Kavanagh, and L. Miller. (2006) *How Deployments Affect Service Members*. Santa Monica, California: RAND Corporation <http://www.rand.org/pubs/monographs/MG432/>

Howard League for Penal Reform (2006) *Out for Good: meeting the resettlement needs of young men*, London: Howard League

Howard League for Penal Reform (2010a) *Leaving forces Life: the issue of transition* London, Howard League for Penal Reform

Howard League for Penal Reform (2010b) *Leave No Veteran Behind*, London, Howard League for Penal Reform

Howard League for Penal Reform (2010c) *Inquiry into former armed service personnel in prison: notes from first oral evidence session held on Tuesday 26th January 2010*, London Howard League for Penal Reform. Available: http://www.howardleague.org/fileadmin/howard_league/user/pdf/Veterans_inquiry/26_Jan_consultation_notes_01.pdf

Howard League for Penal Reform (2010d) *Inquiry into former armed service personnel in prison: notes from second oral evidence session held on 9th March 2010*, London Howard League for Penal Reform. Available: http://www.howardleague.org/fileadmin/howard_league/user/pdf/Veterans_inquiry/9_March_consultation_notes.pdf

Howard League for Penal Reform (2010e) *Inquiry into former armed service personnel in prison: notes from third oral evidence session held on 23rd March 2010*, London Howard League for Penal Reform. Available: http://www.howardleague.org/fileadmin/howard_league/user/pdf/Veterans_inquiry/23_March_consultation_notes.pdf

Howard League for Penal Reform (2010f) *Inquiry into former armed service personnel in prison: notes from fourth oral evidence session held on 4th May 2010*, London Howard League for Penal Reform. Available: http://www.howardleague.org/fileadmin/howard_league/user/pdf/Veterans_inquiry/4th_May_evidence_session.pdf

Independent Monitoring Board (2007) *Annual Report July 2006 – June 2007*, London: HMSO. Available at: http://www.imb.gov.uk/annual-reports/07-annual-reports/Altcourse_2006-2007.pdf?view=Binary (accessed 22 September 2009)

Iversen, A. Nikolaou, V. Greenberg, N. Unwin, C. Hull, L. Hotopf, M. Dandeker, C. Ross, J. and Wessely, S. (2005) 'What happens to British veterans when they leave the armed forces?' *The European Journal of Public Health* Vol. 15(2), pp.175-184.

James, S. & Woods, N. (2010) *A Guide to Working with Veterans in Custody* NACRO; London Available <http://www.nacro.org.uk/data/files/working-with-veterans-810.pdf>

Johnsen, J, Jones, A and Rugg, J (2009) *The Experiences of Homeless ex-service personnel in London*, Centre for Housing Policy: University of York

King, A (2010) 'The Afghan War and Postmodern Memory: commemoration and the dead of Helmand', *British Journal of Sociology*, vol. 61(1) pp. 1-25

Kulka, R A, Schlenger, W E, Fairbank, J A, Hough, R L Jordan, B K Marmar, C R and Weiss, D S (1990) *Trauma and the Vietnam War generation*, New York: Brunner/Mazel

Military Covenant Commission (2008) *The Military Covenant Commission's Report to the leader of the Conservative Party*, London: Conservative Party

- Milroy, H. (2009). 'From welfare to well-being: Turning things around among homeless Veterans'. In J. Mancini & K. Roberto (Eds.), *Human development across the lifespan: Antecedents, processes, and consequences of change*. Lanham, MD: Lexington.
- Ministry of Justice (2009), *Population in custody monthly tables, June 2009, England and Wales*, London: Ministry of Justice
- MoD (2000) *Soldiering – The Military Covenant*, Army Doctrine Publication Volume 5 Available: http://www.army.mod.uk/servingsoldier/usefulinfo/valuesgeneral/adp5milcov/ss_hrpers_values_adp5_0_w.html.
- MoD (2010) *Report of the task force on the Military Covenant*, London: MoD Available <http://www.mod.uk/NR/rdonlyres/3C6A501D-5A85-47C9-9D89-B99C5E428061/0/militarycovenanttaskforcert.pdf>
- Moskos, C. C. and Wood, F. R. (eds.) (1988) *The Military: More than Just a Job*, New York: Pergamon Brasseys
- McVeigh, K. (2010) 'New Arrests Data for Veterans Reveals "Massive Problem"' in *The Guardian*, 13th June, 2010: 8 Available: <http://www.guardian.co.uk/uk/2010/jun/13/military-ukcrime>
- Napo (2008) *Ex-Armed Forces Personnel and the Criminal Justice System: A briefing from Napo the Trade Union and Professional Association for Family Court and Probation Staff*, London: Napo
- Napo (2009) *Armed Forces and the Criminal Justice System A briefing from Napo the Trade Union and Professional Association for Family Court and Probation Staff September 2009*, London: Napo
- National Audit Office (2007) *Ministry of Defence: Leaving the Services*, London: The Stationery Office.
- National Offender Management Service (2010) *Prison Population and Accommodation Briefing, 7 May 2010*, Available: <http://www.hmprisonservice.gov.uk/resourcecentre/publicationsdocuments/index.asp?startrow=51&cat=85&id=166,154,1,166,0,0>
- Nwofor, L (2010) 'Forward', in James and Woods, (2010) 'A Guide to Working with Veterans in Custody' NACRO; London Available <http://www.nacro.org.uk/data/files/working-with-veterans-810.pdf>
- Ormerod, J (2009) 'Working with military veterans'. *Journal of Psychiatry*, Vol 8. No 8. pp 325-327.
- Orner, R. Lynch, R.T. and Seed, P. (1993) 'Long Term Traumatic Stress Reactions in British Falklands Veterans', *British Journal of Clinical Psychology* Vol. 32(4,) pp.457-459.
- Population Reference Bureau (2008), *2008 World Population Data Sheet*, Washington: Population Reference Bureau
- Rayment, S (2006) 'Armed forces relax policy on drug abuse' *The Telegraph* (26/03/2006)
- Robins, L N and Slobodyan, S (2003) 'Post-Vietnam heroin use and injection by returning US veterans: clues to preventing injection today', *Addiction*, Vol 98 (8) pp. 1053-1060

- Royal British Legion (2011) Literature review: UK veterans and the criminal justice system, Available http://www.britishlegion.org.uk/media/31583/LitRev_UKVetsCrimJustice.pdf
- Russell, Robert T. (2010) *Buffalo Veterans Court and Veterans Mentor Handbook*, Buffalo: Buffalo Veterans Treatment Court
- Sampson, R, J and Laub, J, H. (1995) *Crime in the Making*, Massachusetts; Harvard University Press
- Savage, M. (2010) 'Is the Army losing its war against drug abuse?' *The Independent* 15/03/2010
- Seligman, M (1982) *Helplessness*, New York: Freeman.
- Sharp, D. and Atherton, S. (2006) 'Out on the town: an evaluation of brief motivational interventions to address the risks associated with problematic alcohol use', *International Journal of Offender Therapy and Comparative Criminology*, 50(5), 540–88.
- Shaw, D Churchill, C M, Noyes Jr, R and Loeffelholz, P L (1987) 'Criminal behaviour and post-traumatic stress disorder in Vietnam Veterans', *Comprehensive Psychiatry* vol 28 (5) pp. 403-411
- Shephard, B (2001) *A war of nerves: soldiers and psychiatrists in the twentieth Century*, London: Jonathan Cape
- Shuker, R (2010) 'Forensic Therapeutic Communities: A Critique of Treatment Model and Evidence Base' *The Howard Journal of Criminal Justice*, Vol 49 (5). pp. 463–477
- Solursh, L P (1989) *Combat addiction: Overview of implications in symptom maintenance and treatment planning*, *Journal of Traumatic stress* vol. 2 (4) pp.451-462
- Sparrow, A (2008) 'What is the Military Covenant?' *The Guardian*, Tuesday 4th March.
- Spencer, J (1954) *Crime in the Services*, London: Routledge and Keegan Paul
- Tanielian, T and Jaycox, L H (eds) (2008) *The Invisible wounds of War: Psychological and Cognitive Injuries, their Consequences, and Services to Assist Recovery*, Santa Monica, CA: Rand
- Telegraph (2008) 'How veterans aid helps the soldiers of misfortune', *Saturday Telegraph Magazine* 14/06/2008 available from: http://www.isce.vt.edu/files/Veterans_Aid.pdf
- Townsend, M. (2008) 'Iraq Veterans Are Denied Help for Combat Trauma' *The Observer*, Sunday, 3rd Feb, 2008
- Treadwell, J. (2010) 'Counterblast: More than Casualties of War?: Ex-military Personnel in the Criminal Justice System' *The Howard Journal of Criminal Justice*, Vol 49 (1). pp. 73-77
- Travis, A. (2009) 'Revealed: The Hidden Army in UK Prisons,' in *The Guardian*, Friday, 25th September, 2009
- Wilson, D. (1991) 'HMP Grendon: a maverick prison', *Prison Service Journal*, No. 87, 179–83.
- Wilson, J P and Zigelbaum, S D (1983) 'The Vietnam veteran on trial: the relation of post-traumatic stress disorder to criminal behaviour', *Behavioural science and the Law*, vol. 1(3) pp. 69-83

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