

# Snapshot t

## Criminal Justice System

### **Snapshot** *Noun* [c] (UNDERSTANDING)

A piece of information or short description that gives an understanding of a situation at a particular time

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**A plain language summary of research and evidence relating to the UK Armed Forces and veteran community**

Produced by the FiMT Research Centre



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## About Snapshots

Snapshots are designed to aid understanding of the complex issues at play in relation to the Armed Forces, and to support decision-making processes by bridging the gaps between academic research, government and charitable policy, Service provision and public opinion. Snapshots are aimed primarily at those working in policy-making and Service provision roles for the Armed Forces, and are also useful to those seeking facts, figures and informed comment to empower a more objective discussion among the wider population, including the Armed Forces community and the media. The purpose of Snapshots is to review and interpret research and policy and to set out concise, plain language summaries to facilitate understanding and perception. Hyperlinks are provided to relevant sources of information, including academic research and organisation websites. Hover over hyperlinks to see reference information for each source and click to access them.

The [Forces in Mind Trust Research Centre](#) will produce a range of Snapshots covering many of the main themes and topics relating to the Armed Forces and veteran community. Due to the constant process of research and policy changes, Snapshots will be updated regularly in order to maintain their relevance. They will be hosted on the [Veterans & Families Research Hub](#). Contributions and comments are welcome via the [Veterans & Families Research Hub forum](#).

## Disclaimer

Whilst Snapshots are produced using recognised research processes, they are written for a lay audience. They are a collation and summary of available academic and quality grey literature (unpublished or non-commercial literature), to provide an overview of information on a particular theme or topic. Snapshots are written to inform and to disseminate a large body of literature in an accessible way to as wide an audience as possible. They are not intended to be, and should not be regarded as, rigorous searches or systematic reviews.

## About the authors of this Snapshot

Dr Linda Cooper and Kristina Fleuty (and formerly Dr Michelle Jones) are researchers at the [Forces in Mind Trust Research Centre](#).

## About the Forces in Mind Trust Research Centre

The [Forces in Mind Trust Research Centre](#) was established in October 2017 within [The Veterans & Families Institute for Military Social Research](#) (VFI) at Anglia Ruskin University. The Centre curates the [Veterans & Families Research Hub](#), which provides advice and guidance to stakeholders and produces targeted research and related outputs. The Centre is funded by the [Forces in Mind Trust](#), which commissions research to contribute to a solid evidence base from which to inform, influence and underpin policy making and service delivery.

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## Introduction and definitions

This Snapshot summarises issues relating to literature surrounding veterans in the Criminal Justice System (hereafter known as 'CJS'). The Snapshot sets out policy responses and current structures of support, presenting research evidence where available.

The findings of this Snapshot predominantly proceed from the publication of the [Phillips Review](#), 'Former Members of the Armed Forces and the Criminal Justice System', the most significant report to identify the need for research on veterans in the CJS. The details within this Snapshot are organised around each stage along the CJS continuum: pre-service, Police custody and/or arrest, prison and probation. The following terms may be useful:

- **'Pre-service indicators'** refer to socio-economic factors that may affect the individual prior to, and following, military service. These include levels of educational attainment, status of social housing or homelessness, whether there has been previous offending history, drug and/or alcohol abuse or poor health.
- **'Police custody and/or arrest'** is the process of arresting an individual in response to a criminal charge, including the booking-in interview with a Custody Sergeant in a custody suite or Police Investigation Centre. If required, a needs assessment for further support will also take place. It should be noted that there are alternative processes to arrest, such as voluntary attendance, where a pre-booked interview takes place. This route adds to the difficulty of identifying and tracking veterans for signposting support.
- If a custodial sentence follows, the **'Prison and probation'** section outlines the difficulties and needs of identifying and supporting veterans, including the issues faced whilst in prison and the process of reintegrating a veteran back into the community following release.
- The term **'transition'** is used to describe the period of (re)integration into civilian life from the Armed Forces. For the purposes of this report, it is taken to start with the point in-Service at which personnel start active consideration and preparation for leaving the Armed Forces, and continues for varied periods of time depending on personal circumstances.
- **'Resettlement'** describes the processes and procedures by which one leaves the Armed Forces, and the formal support provided. It starts from the notification of/election to discharge and continues until the end of Resettlement provision.
- The terms **veteran** and **ex-Service personnel** are used interchangeably; the Ministry of Defence's 2014 policy definition of a 'veteran' is an individual who has "served for at least a day in HM Armed Forces, whether as a Regular or a Reservist." This includes Royal Fleet Auxiliary and Merchant Navy personnel who have served in support of the Armed Forces.

## Methods

A review was undertaken of the available UK evidence relating to veterans in the CJS using standard reviewing techniques such as searching electronic databases, hand searching of references from relevant articles and reports and a review of websites from government and relevant organisations. Due to the use of hyperlinks in this report, the findings are restricted to online availability only. Discussion and comment on CJS issues and considerations for veterans can be found in a range of reviews and reports. The literature in this Snapshot predominantly refers to studies prior to the influential [Phillips Review](#) and reports undertaken thereafter. There are a significant number of peer-

reviewed articles from the USA, but these principally reference the [Veterans Affairs programme](#) and have therefore been discounted for the purposes of this Snapshot. The [Veterans & Families Research Hub](#) has been an invaluable source of relevant literature.

## Overview of veterans in the CJS

In 2014, the then UK Secretary of State for Justice, Chris Grayling, commissioned a review of veterans in the CJS as part of the government's commitment to the [Armed Forces Covenant](#). This followed a [data matching exercise](#) undertaken by the Ministry of Defence (MOD), to ascertain the numbers of veterans in prison and on probation. The review was established to understand why ex-Servicemen become involved in the CJS. The inquiry sought to explore the needs of this group following transition, the types of offences committed, their needs in community and in prison, and if it is possible to reduce recidivism. The most reliable estimate of veterans in the CJS is from the [data linking project](#) between the Ministry of Defence and the Ministry of Justice, which estimated that, as at 6th November 2009, 3.4% of those subject to probation supervision and 3.5% of those in prison were ex-Service personnel. These figures do not take into account reservists and are only a snapshot picture based on data at that point in time. [The study](#) found no evidence to suggest that veterans are over-represented in the CJS. Since January 2015, individuals entering custody have been asked whether they have previously served in the Armed Forces. The estimate of [ex-Service personnel in the prison population as at 2018](#) has subsequently risen to 4%. However, due to the mixed data of pre and post 2015 custodians, it will need another generation of data collection before a definitive figure can be obtained. Moreover, 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.

An important turning point for the acknowledgement of the need for greater support for the veteran CJS community was the findings of the Review of 'Former Members of the Armed Forces and the Criminal Justice System', known as the [Phillips Review](#). [The Howard League report](#) acknowledged that those who have served in the Armed Forces are less likely to become involved in the CJS in comparison to the civilian population, but some do have a history of anti-social behaviour, that being an unacceptable activity that causes distress or harm to an individual or community. Key recommendations of the [Review](#) included the need for veteran-specific programmes, transitional support at the end of a prison sentence and a targeted approach to reducing recidivism, including help for offenders' families. In 2015, the policy paper [Transforming Rehabilitation](#) provided legislation to reform community based rehabilitation for offenders following release from prison.

Government statistics tell us that [veterans form the largest occupational group in prison](#) and under the supervision of probation services, and that they are more likely to have committed a violent or sexual offence than offenders who have not served in the military. Such findings have been questioned by [subsequent research](#). Veteran offenders tend to be older. This may be because there is limited opportunity for offending during military service, and thus the individual's time in service acts as a "hiatus" from offending that would otherwise have most likely occurred earlier. Existing research suggests that socioeconomic needs are strong risk factors for offending among veterans and that the reversal of these risks (e.g. financial stability, stable accommodation, relationship stability) can reduce the risk of offending among veterans and act as protective factors in the presence of mental health problems. The same government statistics show that the majority of veterans (974, 91%) and non-veterans (40,981, 84%) in prison identified as white; however, ethnicity was reported as significantly

(and independently) associated with veteran status: a lower proportion of veterans than non-veterans identified as black and minority ethnic (BME), which is in line with the knowledge that military personnel are overwhelmingly white in ethnicity.

Phillips also acknowledged the findings of Lord Ashcroft's Veterans' Transition Review, noting that those most vulnerable at the point of leaving the military include: young early service leavers (less than four years' service); veterans discharged for disciplinary reasons; low educational attainment; those who are single and/or lacking positive relationships and those who engaged in anti-social behaviour prior to joining the Armed Forces. These findings are in line with those in the Howard League study of former Armed Forces personnel in prison. A number of academic papers have been published by the King's Centre for Military Health Research (KCMHR) examining the potential risk factors for veteran offenders. There has been some critique of the Phillips Review, highlighting the lack of empirical evidence on which to base policy recommendations and the need to adapt existing interventions to improve the efficacy of future veteran support.

A systematic review was undertaken using a mixed-methods approach to consider whether veterans with mental health problems have an additional risk of becoming involved in the CJS, compared with other veteran groups. The review was part of an on-going study and identified that there is a lack of robust studies and reports on which to make a significant conclusion. There is patchy development in support of veterans in the CJS and an on-going lack of a standardised mental health assessment from which to make robust recommendations for future provision. It is widely acknowledged that there is a lack of any historically recorded statistical data. Phillips noted that identification and partnership working between statutory agencies and the third sector is vital.

The Howard League report suggests 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, incorporating a wide range of veterans in-between and, accordingly, their needs are diverse.

## Identification of veterans in the CJS

The Phillips Review highlighted the need to properly identify the reasons for ex-Service personnel ending up in the justice system, to look at the support provided to them and how that support can be improved. Phillips further proposed a package of measures to identify and support veterans when entering, serving and leaving prison. Since January 2015, every prisoner going through the custody process should be asked if they have ever served in Her Majesty's Armed Forces. Ex-Service people may not want to identify themselves as being involved in the CJS, due to the stigma of shame or embarrassment, fear of retribution as a cohort able to defend themselves or not wishing to associate their military career with having a criminal record. Efforts should be made to identify health issues as soon as possible in the custody process.

Insights of ex-Service personnel and practitioners who work with veterans in the CJS have been explored, including the differing identities placed on veterans in the CJS. Research findings suggest soldiers may be at 'high risk' of future offending, as they have the expertise to mobilise their combat skills in civilian life; however, this does not take into account the multiple extraneous factors that contribute to offending and of course, the knowledge that the majority of veterans 'do well' and in civilian life. The labelling and subsequent perceived identity of veterans in this way is discussed as a key reason for misconception by the public of veterans in the CJS.

Staff members working in the CJS have the greatest potential to identify/likelihood of being able to identify veterans, as they are aware of veterans' needs and have knowledge of local and regional services available to veterans. Prison and probation services need access to veteran support services providing mental health, substance misuse and welfare support. Some prisons already have veteran in-reach services, which are co-ordinated by community veteran services, are delivered via an in reach model using veteran in custody support nurses, and ensure integration of mental health, welfare and substance misuse support.

In Wales, veterans are identified as a priority group within the [All Wales Criminal Justice Board's Reducing Reoffending Strategy](#), which was launched in March 2014. Key objectives within the Strategy include the proper identification of veterans in the criminal justice system and ensuring veterans are signposted to appropriate rehabilitation and resettlement services. The [Scottish Armed Forces and Veterans Champion scheme](#) has developed a referral service where every individual presenting at a police station in Scotland, whether as victim of a crime, a witness or an alleged perpetrator of a criminal act is asked if they are a veteran. If an individual confirms veteran status, and it is appropriate, they are referred to the [Armed Services Advice Project](#) for support and signposting to other agencies that provide additional advice and assistance to Veterans.

The Welsh government has provided a guide to the formal identification and verification process in the document [Veteran Informed Prisons](#) for veterans who find themselves with a custodial sentence in Wales. The introduction of the Liaison and Diversion services in custody suites, available to all custodians who identify with need, acknowledges the necessity for the co-ordination of assessment and health-screening in the early stages of custody. However, there is a lack of robust data on veterans in the CJS due to an [absence of any historically recorded statistical information](#).

The term '[veteranality](#)' has been coined to understand the ways the criminal justice system has acknowledged the specific needs of the veteran offender population, including the identification of the vulnerabilities and risk factors associated with the veteran population. 'Veteranality' is a means of understanding the ways in which the CJS has begun to come to terms with veterans who commit a crime. For the 'veteran offender' there is an inherent tension between the stigma of being an offender and the stereotypical, celebration of having served in the Armed Forces. Veteran offenders can become overwhelmed by their military past. This asks the criminal justice system to manage an 'occupation type' instead of the 'offending type'. Veteran offenders who commit crimes that would usually be considered low risk appear to be considered high risk as a consequence of skills they have assumed earlier on in life and during service.

Many of those interviewed in the [Howard League](#) report did not relate to the term 'veteran' and did not identify with being a veterans, including a lack of knowledge of service charity support available to them. Projects supporting veterans in the CJS, such as [Project Nova](#), suggest that 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 has historically been focused. A greater evidence base and identification of veterans in custody and beyond is necessary to tailor specific knowledge and training for service providers.

## Pre-Service indicators

Ex-Service personnel in the CJS in the [Howard League](#) study appear to be drawn from one or more of these groups: those who had experienced or witnessed trauma or violence at some point in their lives,

who had periods in local authority care and/or criminal behaviour prior to joining the military and those with drug or alcohol issues prior to enlisting. The study also shows that many who commit crime tend to be young and male and often from areas with low socio-economic status. Crime across the general population at large is commonly connected with one or more of the following factors: those who have witnessed or have family deprivation, low educational attainment, drug and alcohol abuse, homelessness and poor health. In the same study, there are also those who experience difficulties arising during military service, including mental and physical health related difficulties, which lead to an unexpected end of their military careers, whether or not by early discharge.

The [Royal British Legion Household Survey](#) reveals a link between veterans who experience difficulties in early life (including those who are raised in challenging backgrounds with adverse issues that appear in adult life. Such a finding is consistent with the [Howard League's Inquiry](#) into Former Armed Service Personnel in Prison, which suggests that many ex-Service men and women who commit crime are from low socio-economic or poor educational backgrounds. [An editorial](#) examined the [Howard League Report](#) on ex-Armed Forces personnel in prison. They emphasise the Report's conclusion that alcohol, social exclusion and financial problems are recurring issues with regard to offending, similar to the non-veteran prison population. The [Howard League](#) found no correlation between homelessness and mental health conditions such as PTSD and offending behaviour. [The report](#) also acknowledges the common time lapse between discharge and offence, recommending that any suggestions of causation between military service and offending need to be investigated further. Pre-Service determinants should therefore be considered possible causal factors for troubled issues that occur in or following service life.

[A cohort study](#) of 13,856 Serving personnel from 2003 to 2011 considers what predicts violent offending in this group. Exposure to traumatic events, alcohol misuse, PTSD and self-reported aggressive behaviour were risk factors associated with violent offending. The rate of offending post-deployment was greater than pre-service or during military service. [A short discussion article](#) highlights that ex-Service personnel may be viewed as high risk due to their background and conflicting social identities. Importantly, however, the findings from these papers highlight the need to acknowledge pre-enlistment behaviour and examine the role of treatment and interventions in reducing violent offending.

[Further research](#) argues that veterans' violence may be rooted in personal biographics, but may be conditioned by military experiences. This can be explained by the more commonly known fact that individual can be affected by and guided by environmental factors, such as cultural influences and structural conditions that guide their behaviour. For example, significant violent or physical experiences in childhood, and other adolescent behaviour, can shape adult behaviour; when such adults then join a military service, hyper-masculine identities are formed, and are also encouraged and legitimated. Factors such as isolation, anxiety, insecurity and confusion can go on to precipitate violent behaviour. There are similar findings from [KCMHR's longitudinal cohort study](#) of the health and well-being of UK Armed Forces personnel; the study suggests that demographics such as being a young male, of low educational achievement and/or being a Regular who has been on deployment and/or on deployment in a combat role, makes personnel more vulnerable to follow or continue on an anti-social behaviour trajectory. [Related findings](#) were reported when studying personnel leaving the UK Armed Forces through a Military Corrective Training Centre in determining what factors were associated with poor transition. These factors included pre-existing mental health issues, relationship

difficulties, and problems during Service, which also acted as identifiers of those most at risk at the point of discharge.

Contrary to the above studies, which focused primarily on difficulties early in life and personal biographics rather than military experience as possible links to later violence and/or poor transition, some research focuses more on the link between military service and future aggressive and/or violent behaviour. The link provides a number of potential explanations for this association; however, in a similar vein to the research above, these studies also cite violence following military services as being associated with pre-enlistment anti-social behaviour. Explanations for this include that some recruits (eg Army Infantry) come from areas of higher social deprivation and higher crime, and thus the violence may simply reflect an existing pre-disposition to such behaviour. However, combat exposure is still associated with increased risk of future violence among veterans, even after adjusting for pre-military offending behaviour. Additionally, research shows that mental disorders such as PTSD and also alcohol misuse, are risk factors for violence and more general offending behaviour among serving military personnel and civilians. This suggests that a combination of these factors contributes to the overall increase in violence among veterans.

The Howard League report suggests there are no simple explanations as to why individuals who have served in the Armed Forces commit offences after they have left. However, there are three factors which occurred frequently in the accounts of offending of those interviewed: 1) Social isolation and exclusion, including unemployment, low income, sub-standard housing, a high crime environment, bad health and family breakdown 2) Alcohol - particularly in violent offences and 3) financial problems after leaving the Forces. Some of those interviewed gave debt as a reason for becoming involved in crime. In particular is the contrast between the protected environment of the Armed Forces and self-management in civilian life. The majority of ex-Servicemen in this study did not leave service early for any planned or unplanned reason, but rather after their having served a considerable period, on average, six and a half years.

A further study on veteran offending behaviour suggests that veterans were more likely to screen positive for any mental disorder than non-veterans (69% of veterans vs 59% of non-veterans). Anxiety and depression were the most common mental health problems recorded among veterans and these were more prevalent than among non-veteran offenders (37% of veterans vs 12% of non-veterans reported Anxiety; and 32% of veterans vs 27% of non-veterans reported Depression). A larger proportion of veterans than non-veterans reported Adjustment Disorder (7% of veterans vs 5% of non-veterans) and Dementia (1% of veterans vs 0.2% of non-veterans). Age, employment status and accommodation status were all independent risk factors for offending in the veteran sample: being aged over 60 was a risk factor for sexual offending; being unemployed was a risk factor for repeat offending, while being employed was a risk factor for sexual and motoring offending. Lastly, being homeless was a risk factor for offending with material gain.

A profile of the needs study of veterans in the CJS found that ex-Service personnel have the following profile of needs:

1) Mental health: ex-Service personnel had similar levels of reported general mental health problems to other prisoners; however, these findings differ to those in other studies. There was some evidence to suggest ex-Service personnel were more likely to report feeling depressed or suicidal than other prisoners and high numbers (42%) reported self-harm or attempted suicide. Adjustment and identity

difficulties also affected ex-Service personnel in the CJS, with high numbers (47–71% of ex-Service personnel) reporting these issues.

2) Alcohol and drug misuse: evidence suggests alcohol misuse is commonly an issue for veterans in the CJS, but this misuse may be of a similar level to non-veterans in the system. However, ex-Service personnel were less likely to report drug use compared to other prisoners.

3) Other needs: physical health, accommodation needs, financial needs - some ex-Service personnel may need support in these areas, but the study showed they were less likely to have this need compared to other prisoners. Concerning educational attainment/needs, the study found limited evidence, but did suggest that ex-Service personnel in the CJS may be more likely to have qualifications than other offenders in prison, and found that lower educational levels were predictive of violent offending for this group.

Phillips noted that both the Police and Probation Service are well placed to identify ex-Service personnel and to ensure that veterans are aware of the help available to them. The Probation Service occupies a privileged position in the CJS because it is the only organisation potentially involved at every stage of the criminal justice process. Phillips also encouraged the identification of any ex-Service person at the probation stage so that, regardless of whether or not the sentence received for offending results in custody, the offender can be made aware of the availability of the charitable services.

## Transition difficulties

Notwithstanding historical offending behaviours prior to enlistment, and in line with other findings, the difficulties facing men and women during transition appear to have a considerable effect on whether successful resettlement takes place and on any subsequent issues in the CJS.

The process of becoming a member of the Armed Forces can be described as a ‘culture shock’, a life-changing event in an unfamiliar social situation that requires a period of adjustment into a new role and a ‘reverse culture shock’ when leaving. In the UK, using employment in any job within six months of discharge as the only metric, the majority of people ‘do well’ in transition, resettling back into civilian life. However, for a significant minority, problems can occur. From a societal perspective, a poor transition places a burden on society through the need for provision of housing and employment benefits, along with other social costs. From an individual’s perspective, the loss of values such as status and responsibility can lead to potentially damaging personal outcomes.

There is a common issue of male toughness and the difficulty of asking for help. Displays of masculinity, including the lack of willingness to share outward emotional distress, and a desire to protect others and demonstrate extreme self-reliance, adds to the difficulty of those being able to seek help. Howard League reports a lack of resettlement provision for those who left the Forces prior to Career Transition Partnership provision, at a time when preparation for transition to civilian life had not been afforded a priority. Many of those interviewed left the Armed Forces at least a decade prior to the interview.

The Armed Forces Covenant Annual Report suggests that concerning CJS involvement, service in the Armed Forces is believed to be a preventative factor for some away from the CJS. The MOD’s resettlement programme for Service Leavers has the primary aim of attempting to move Service Leavers into civilian employment, which is in itself a preventative factor against crime.

## Custody and/or arrest

Phillips (2014) highlighted that Liaison and Diversion (L&D) services in England are multiple vulnerability services and operate by identifying, assessing and referring offenders who have mental health problems, learning disabilities, substance misuse issues or other vulnerabilities, to an appropriate treatment or support service. They operate when offenders first come into contact with the CJS, so that they can either be supported through the appropriate pathways or diverted into a treatment programme, social care service or other relevant intervention. The L&D scheme is an agency based operating model, developed as a result of the recommendations made in Lord Bradley's review of the treatment of people in the CJS with mental illness and learning difficulties. These services are not, however, specific to Police custody their main remit being the provision of appropriate interventions and advice for offenders who may be vulnerable, have a mental illness, a learning disability or substance misuse issues. It is a requirement of all L&D services to ask about veteran status, but some areas with larger populations are developing specific pathways for veterans. It must be emphasised that not all veterans have a substance misuse problem or a mental illness, although L&D also cover support for more diverse needs, such as brain injuries.

Data was collected from the 29 Liaison and Diversion services across England from 2015-16, one of the first points of contact following arrest and in the custody process. Of the 49,793 cases recorded in the L&D database in the year April 2015 to April 2016, 1,215 (2.4%) reported previous or current service in the UK Armed Forces. Compared to non-veterans, veterans were predominantly male (96% vs 76%), white British (91% vs 84%), and aged over 30 (74% vs 55%). Offences classed as violence against the person were the most prevalent amongst veterans and non-veterans, however a larger proportion of veterans than non-veterans (37% vs 32%) were accused of having committed this type of offence. A larger proportion of veterans than non-veterans were accused of motoring offences (8% vs 4%) and sex offences (8% vs 5%). Conversely, a smaller proportion of veterans than non-veterans were accused of acquisitive offences (e.g. theft, burglary, fraud: 10% vs 16%) or non-interpersonal violence (e.g. criminal damage, arson: 8% vs 10%). Research from Northern Ireland found that Northern Irish veterans are more likely to go to prison for serious sexual offences than other offending types.

Phillips noted that contact with the Police creates an opportunity for timely intervention and assistance by an appropriate Forces charity. The recommendation was timely, as Project Nova was launched, a veteran-specific support programme implemented to consider and address the needs of veteran offenders following a referral after arrest by the Police. Project Nova was funded by the Forces in Mind Trust and is a joint venture between RFEA – The Forces Employment Charity and Walking with the Wounded, who are working together to support former service personnel who have entered police custody. An evaluation of the Project Nova pilot study, delivered in Norfolk and Suffolk, lasted for 12 months from July 2014 to July 2015. The evaluation found that provision appears to be effective because it provides personally tailored support, and is delivered by a dedicated team with an intimate understanding of military culture and the military-to-civilian transition experience. Reduction in offending behaviour is a key metric for Police colleagues, but the evaluation has shown that other indicators such as improvements in quality of life or social circumstances may be better measures of efficacy for programmes delivering similar types of support. Project Nova now operates in 19 counties in England.

## Veterans' Courts

In some states in the US, veterans in the CJS are tried through dedicated Veterans Courts, first established in New York in 2008. [Veterans Affairs US](#) suggest there are many benefits to the use of [Veterans Treatment Courts](#), as they deal with the underlying cause of the behaviour, taking into account trauma and anxiety related issues based on combat experiences. Veterans receive support through collaborative, professional networks, which promotes the inclusion of the veterans themselves and their families. A key weakness of the US veteran court system is that it is a selective process, only admitting personnel with good service records and minor offences. The [Phillips Review](#) does not advocate the use of veteran specific courts in the UK, citing the difficulty of maintaining fairness and equity if veterans are treated differently to the public. The Review supports the appropriateness of statutory civilian provision through UK courts to manage veteran cases.

## Prison and Probation

The number of ex-Service personnel in prison is a contentious issue; accurate figures have proven notoriously difficult to ascertain and the exact number of ex-Service personnel in custody is currently unknown, as reported by [Her Majesty's Inspectorate of Prisons \(HMIP\)](#). The majority of those who have served in the Armed Forces do not become involved with the CJS after leaving the services and for many from low socio-economic backgrounds, having served in the Armed Forces significantly improves life opportunities. Ex-Service offenders appear to manage some aspects of institutional prison life, such as relationships with staff better than other prisoners, but concerns regarding their status as ex-military can appear to make them vulnerable in a military setting. Only a small proportion of ex-Service people enter the civilian prison system direct from leaving military service; the finding of the [Howard League](#) is that this group does not constitute a significant number of imprisoned former Armed Forces personnel.

A [summary paper](#) on behalf of the Ministry of Justice informed the [Phillips](#) Review and reports findings on the number and needs of ex-Service personnel from a survey of 4,898 prisoners from 74 different prisons, 232 of whom identified themselves as having served in the Armed Forces (2001–2004) and 2,595 offenders subject to probation supervision, 151 of whom identified themselves as ex-Service personnel (2009–2010).

### Military Corrective Training Centre

The principal function of the [Military Corrective Training Centre](#) (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 facility takes service personnel who have been sentenced to any period of custody of between 14 days and two years. There are three categories of detainees: those 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. The majority of detainees at MCTC have offended against Armed Forces law rather than the criminal law. The needs assessment undertaken 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 and Support. Individuals are assessed under this framework and support

tailored to meet their needs. Protocols with the civilian Police and Crown Prosecution Service (CPS) within England and Wales allow for cases of sexual offences in which both the alleged perpetrator and victim are members of the Armed Forces to remain within the CJS. Cases within England and Wales with a civilian victim are usually dealt with by the appropriate civilian agencies.

The Veterans in Custody Support Scheme was developed by Nick Wood, then a prison officer at HMP Everthorpe. It was originally launched by the National Offender Management Service (NOMS) and the MOD in 2009. It led the following year to the publication of a guide to working with former service personnel in custody. VICSOs aim to identify offenders who have served in the Armed Forces at the earliest opportunity possible in a custodial setting, and then refer them to community ex-Service organisations for resettlement assistance. Identification can take place at reception into custody or subsequently, for example by the resettlement team in a prison. VICSOs act as a liaison between Offender Supervisors and the community ex-Service organisations contributing to sentence planning and resettlement arrangements with community Offender Managers. However, provision is not universal across the prison estate, is not mandatory and has no designated funding. It is noted that the VICSO service is often heavily relied upon by individuals and subsequently some referrals may 'slip through the net'.

HMIP acknowledge there is a range of specific assistance available to ex-Service personnel from service charities but much of this assistance is ad hoc, inconsistent and dependent on the goodwill of individuals to deliver it. NOMS (now Her Majesty's Prison and Probation Service (HMPPS)) work with service charities to identify ex-Service personnel in prison, have their needs assessed and effective support provided, both in custody and on release, to help them resettle in the community and reduce the risk of re-offending. A VICSO operates in each prison in Scotland and is supplemented by the Scottish Veterans Prison In-Reach Group. Both work with Veterans' Groups to support veterans in prison and advise them of the services and assistance that can be provided to them and their families while serving a custodial sentence and also on release back into the community.

## Mentoring, support and signposting

The Howard League reports that ex-Service personnel tend to be more successful in helping fellow servicemen who get into difficulties than those who have never had experience of the Forces, reinforcing the idea that 'a veteran responds better to a veteran'. This includes those who had experienced successful careers in the Armed Forces, but had difficulty in adjusting to civilian life. These findings were reinforced by the outcomes of the Project Nova evaluation, which confirms that peer support and peer interventions are an invaluable source of support, offering a shared level of understanding.

The Veterans & Families Institute for Military Social Research (VFI) at Anglia Ruskin University (ARU) was commissioned by the Cobseo CJS Cluster to produce a directory of statutory, charitable and service provision that is specific for veterans who are in the CJS. The VFI undertook a collaboration with Her Majesty's Prison and Probation Service Co-Financing Organisation (HMPPS CFO) to produce a comprehensive, organisational delivery map that provides links to support across the CJS continuum, from the point of arrest in Police Custody, through to Courts, Prisons and Probation.

## Conclusion

Veterans in the CJS remain a significant minority of ex-Service personnel, and are generally those who have experienced difficulties following transition out of the Armed Forces. There remains much work to be done before the developments based on the Phillips Review recommendations for directed support will have been implemented. The development of services remains patchy and there is some way to go before consistent co-ordination is achieved. Some services, particularly around mental health provision, will require a full national strategy. There is significant gain to be had by future collaboration among probation, health services and the Armed Forces charities.

It has been many years since the last piece of research estimated the number of veterans in the CJS. There is also the need to understand the prevalence of mental health issues, including PTSD amongst veterans in the CJS, given the limited data that is available. A more robust identification of Armed Forces veterans has only recently begun and the information that this will produce will not appear for some time.

There appears to be greater emphasis on understanding the complexities of the transition process and a better understanding of these issues may inform the needs of veterans and help to stop those at risk of becoming part of the CJS. There also remains very little support for families of veterans in the CJS.

There is more support across the veteran CJS landscape than ever before, but it must be acknowledged that ex-Service personnel will require targeted provision in order to achieve a greater level of support to this particular cohort of veterans.

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