



Reducing Reoffending Third Sector Advisory Group (RR3)

13th September 2017

The Ministry of Justice, 102 Petty France, London, SW1H 9AJ

Present

Beverley Williams – *Home Group*

Christopher Stacey – *Unlock*

Diane Curry – *POPS*

Jacob Tas – *Nacro*

Jeremy Crook – *Black Training and Enterprise Group*

Laura Seebohm – *Changing Lives*

Matt Wall – *Community Chaplaincy Association*

Max Rutherford – *Barrow Cadbury Trust,*

Nicky Park – *St Giles Trust*

Peter Dawson, *Prison Reform Trust*

Rod Clark – *Prisoners' Education Trust*

Anne Fox – *Clinks*

Oonagh Ryder – *Clinks*

Hazel Alcraft – *Clinks*

George Barrow – *Ministry of Justice*

Katie Pettifer – *Ministry of Justice*

1. Welcome and introductions

- 1.1. Nathan Dick confirmed that Sarah Swindley has now moved on from Lancashire Women's Centres and therefore stepped down from the group. The group noted their thanks to Sarah for her work on the RR3.
- 1.2. Nathan Dick updated the group on the recruitment of Laura Seebohm (*Changing Lives*) to the group, to provide expertise on women in the criminal justice system.
- 1.3. Apologies were received from Anne Fox – *Clinks*, Barbara Natasegara – *Safer Wales*, Bettina Crossick – *HMPPS*, Linda Bryant – *Together for Mental Wellbeing*, Mohammed Hanif – *Arooj*, Riana Taylor – *Circles UK* and Richy Cunningham – *Fulfilling Lives, Newcastle Gateshead*

2. Policy update (Katie Pettifer *Director, Offender and Youth Justice Policy, MoJ*)

- 2.1. **Secretary of State:** The Secretary of State is still relatively new to the role, having come into post shortly before recess but has already held roundtables with campaign and operationally focused voluntary sector organisations. He is very interested in using detailed evidence and statistics and has expressed an interest in accommodation, upstream intervention and understanding the relationship between the justice system and other areas of policy such as health and education. The group expressed encouragement at the Secretary of State's stated intention to reduce the prison population and suggested that addressing disproportionality for black, Asian and minority ethnic (BAME) people could be a key part of addressing this.
- 2.2. **Prison reform:** The prison reform agenda is continuing, with a focus on safety and recruitment. The prison population is now rising, putting the Secretary of State in a different situation to his predecessors. There are two constraints to policy at the moment: budgets and lack of time for getting legislation through Parliament due to Brexit. This

means there is a lot of discussion about what can be done without legislation. The MoJ is delaying the planned prison closures due to forecasted rises in the prison population but the new builds will go ahead. The group raised concern about lack of funding, particularly in relation to prison officer numbers and highlighted the need to reduce the number of people going into prison, particularly through investing in early intervention and addressing recall rates.

2.3. BAME disproportionality:

- 2.3.1. The Lammy Review's final report was published on 5th September. George Barrow is leading on the government's response to this. The race disparity audit is being published in October, though the information and analysis around justice is less detailed than the Lammy Review. The group emphasised that strong leadership is needed on the Lammy Review to reaffirm its importance and suggested that the MoJ should consider quick wins.
- 2.3.2. George Barrow emphasised the need to ensure that action on BAME disproportionality is not limited to the recommendations of the Lammy Review and includes the Young Review also. The group noted that the sector would welcome further action.
- 2.3.3. Richard Heaton, the Permanent Secretary is the race champion for the civil service and is very interested in the Lammy Review.
- 2.3.4. The group suggested that the Minister for Prisons and Probation, Sam Gyimah, should convene a roundtable shortly to discuss urgent priorities and system change in relation to the Lammy Review. The group decided that the next RR3 meeting in December will focus on the Lammy Review.

ACTION 1: Oonagh Ryder to include the Lammy Review as the main focus of the next RR3 meeting.

2.4. Probation:

- 2.4.1. The Ministry of Justice has made changes around probation to address the unforeseen impact of changing caseloads, announced by the Secretary of State before the summer recess and plans to look at the quality of services further and also plan to focus on improving employment outcomes, through the gate services and the basic custody screening tool. The MoJ is beginning internal discussions about the next steps once the current CRC contracts come to an end in 2022.
- 2.4.2. The changes to probation are still an ongoing process and probation targets have not been changed, although the ongoing performance schedule including metrics gets changed fairly regularly. There will not be a report for the 'probation review'. This was a piece of internal work that is still ongoing. Going forward, there are legal constraints on how far contracts can be changed. Changes also have to be agreed by the Treasury and negotiated with 21 Community Rehabilitation Companies. Officials are hoping to confirm with Ministers what probation changes will look like after party conferences.
- 2.4.3. The group highlighted news the planned green paper on community services would no longer be published and asked what consultation would be done on the future of probation services. MoJ said that they have used the feedback from the RR3 Special Interest Group on Through the Gate services and are in the process of trying to seek additional views.
- 2.4.4. The Secretary of State is looking to engage with organisations over the coming months on the core principles of what a good probation system looks like. The group suggested that these principles were put forward by the voluntary sector before the introduction of Transforming Rehabilitation but were not used in practice. The group discussed the

possibility of putting together a brief document on the key principles for a good probation system.

ACTION 2: Oonagh Ryder to contact the RR3 for volunteers to work on probation principles.

2.4.5. The group suggested that consideration should be given to engaging probation services with the police, to aid upstream intervention. Group suggested involving the Department of Health and the Home Office would be beneficial to improving probation. The group highlighted that organisations with a commercial shareholder value aim don't necessarily see the value in contracting with the voluntary sector.

2.4.6. Reoffending data will be published on October 26th and will be the first set of full year payment by results data, relating to almost two years ago.

2.5. **Youth Justice:** There will be more money allocated for staff in the youth estate as part of a plan for the Youth Custody Service to have its own staff, recruited on the basis of working with young people. Work on secure schools is moving ahead. MoJ held a stakeholder event in September to consider the detail on these. Phillip Lee, Parliamentary Under Secretary of State for Youth Justice, Victims, Female Offenders and Offender Health is very interested in the use of sport in youth custody.

2.6. **Women:** The MoJ is planning to publish the female offender strategy before the end of the year. There is an understanding that the strongest possible community support will be needed to make this work.

2.7. **MoJ organisational structure:** All responsibility for policy and commissioning for offenders is under Justin Russell. Policy on prisons is under Anthony Green; policy on sentencing frameworks, probation and cross-systems thinking, including criminal records, is under Katie Pettifer. Amy Rice is Director of Commissioning and Adrian Scott is Programme Director for Prison Reform.

ACTION 3: Katie Pettifer/George Barrow to circulate organogram of the MoJ, including the layer of staff beneath directors.

2.8. **Voluntary sector engagement:** The group suggested that co-design should be further explored by the MoJ in partnership with the voluntary sector, in order to mitigate low levels of funding. MoJ suggested that structured forums such as Special Interest Groups are useful, as well as ongoing engagement with specific officials. An organogram for the sector would be useful. Katie Pettifer suggested it would be helpful for the MoJ to have an up to date list of organisations working on specific topics, for consultation.

ACTION 4: Clinks to put together this list for the MoJ.

2.9. **Employment:** The group pointed to an upcoming Supreme Court judgement on criminal records and suggested that the MoJ should work proactively to be ready for this.

ACTION 5: Oonagh Ryder to add employment to next agenda.

3. HM Prisons and Probation Service (HMPPS) voluntary sector grants programme (Anna Sedenu, *Business Services and Change Group, HMPPS*)

3.1. Since April 2017, HMPPS have run a number of competitions for innovation grants. The winners of these grants will be announced soon and publicised through Clinks.

ACTION 6: Oonagh Ryder to send round list of grant winners to group confidentially.

- 3.2. The funding for the year 2017/18 started in mid-July/August and will run until two months after the end of the financial year in order to deliver the evaluation. The grants have been short term due to the timing of confirmation of the budget but HMPPS is working on improving this. HMPPS is hoping to have a competition from October – December 2017 for strategic grants, then January – March 2018 for innovation grants in order to have these in place as soon as possible from April 2018.
- 3.3. The group highlighted calls from the voluntary sector for grants to be longer than 12 months, particularly when these grants are aiming to provide proof of concept. Short projects are problematic for delivering a proper exit from the service for service users, and constrain innovation. Longer grants would allow voluntary organisations time to approach other funders to sustain the project long-term. Anna Sedenu said that extended the grant period is a possibility but may be constrained by yearly budgets.
- 3.4. The group raised issues with the timeframe for the grants competition, noting that successful bidders were only notified on 27th July, although the project was supposed to start on 1st August. The group emphasised that timelines must be stuck to and suggested that commercial and commissioning departments need to have adequate capacity to see processes through.
- 3.5. The group said HMPPS should consider discussing match funding with funders supporting work in prisons, or commissioning a foundation to manage the whole pot.
- 3.6. HMPPS noted some difficulties in the grant competition process, due to having a standard process that must be adhered to for very large and very small amounts of funding. The MoJ accounting system also means that MoJ cannot pay for things beyond the financial year and funding could not be paid in advance for periods over a year.
- 3.7. The group noted that three projects with a black, Asian, and minority ethnic (BAME) focus have received HMPPS voluntary sector grants and suggested learning could be developed from these by bringing together the organisations delivering the projects.

ACTION 7: Clinks to look into setting up a meeting to share and learning from the BAME projects delivered through the HMPPS voluntary sector grants and discuss disseminating this.

- 3.8. The group suggested that it would be useful to have voluntary sector input into the themes for grants, in order to ensure the themes are consistent with what the voluntary sector can deliver.

ACTION 8: Oonagh Ryder to summarise the discussion on the grants programme and send through to Anna and Bettina to consider how to improve the process.

4. Female offender strategy (Catherine Bennion, *Female Offender Strategy Lead, MoJ*)

- 4.1. The 2016 white paper, *Prison Safety and Reform*, included a commitment to publish a women offenders strategy. This was delayed by the election but MoJ are hoping to publish it by the end of the year. The strategy is still being worked through with ministers.
- 4.2. The MoJ has been working on data and understanding OASys assessments. Women have more acute and complex needs. Outcomes for women and children in custody are poor. There is a large number of women on short sentences, particularly for shoplifting.
- 4.3. The MoJ women offenders team are starting to work more with the Lammy Review on the needs of BAME women. The group highlighted recent work by Agenda, Women in Prison and the Prison Reform Trust on disproportionality and poor outcomes for BAME women in the criminal justice system.

- 4.4. The group raised issues with prosecution and charging decisions, based on data from the Lammy Review. Catherine Bennion said the team are considering the high proportion of charging decisions by non-police bodies.
- 4.5. The MoJ issued a call for evidence on the strategy through the Advisory Board for Female Offenders, which was sent out by Clinks to organisations providing specialist services to women, at the MoJ's request. There were 12 responses, which were generally supportive of the MoJ's principles.
- 4.6. The MoJ is going ahead with the new community prisons for women and looking at improving plans for women at risk of suicide and self-harm. Catherine stated that the intention is to have roundtables for the voluntary sector to feed into what the new women's prisons should look like, though dates have not been confirmed.
- 4.7. Strategy will look at cross-government leadership at a national level and more collaboration at a local level, as well as emerging promising evidence.
- 4.8. Emerging themes for the strategy, informed by the Corston Report, are as follows: national leadership; early intervention; community sentencing; accommodation; improving custody; the Whole System Approach and workforce.

ACTION 9: Oonagh to send Catherine's contact details to the group.

ACTION 10: Group to email Catherine to express interest in attending the roundtable.

- 4.9. The group suggested resources and political commitment will be necessary to reduce the number of women going to prison. Catherine said these aspects are being worked through.
- 4.10. The MoJ women offender strategy team highlighted accommodation as a key area of focus for the strategy and are currently exploring different models of funding accommodation and whether they could develop something innovative with social investment.
- 4.11. The group stated that two aspects are particularly important to the voluntary sector: investment in the community over custody and what outcomes will be measured. The group highlighted that the strategy rests on women's services existing across the country and that Agenda's recent report, Mapping the Maze, demonstrates that this is not the case. Community Rehabilitation Companies' payment mechanism is set up to fund a very small intervention and other women's services are hard to fund. Cross-departmental leadership on funding is key. Catherine said the team have a leadership group with other departments and will reflect on work across government with vulnerable people.
- 4.12. The group highlighted that many local authorities and Police and Crime Commissioners are very committed to improving services for vulnerable women and that MoJ should take advantage of this opportunity.
- 4.13. Group raised concerns about the increase in recalls driven by Transforming Rehabilitation and suggested that the prison population will continue to rise if this is not addressed, even if sentencing is reduced. Group suggested that the MoJ look at revisiting sentencing guidelines for women. Catherine said that the judiciary resist sentencing based on gender but are more open to taking into account issues like dependent children or maturity, which are already reflected in the sentencing guidelines.
- 4.14. The group asked if the team was specifically engaging with BAME groups on the strategy. Catherine said she would find out and come back to the group.

ACTION 11: Catherine Bennion to confirm if the team are engaging with BAME groups on the strategy.

- 4.15. Catherine Bennion confirmed that new prisons will not lead to any new prison places.

- 4.16. Group asked how the MoJ would address the issue of distance from home for women in prison. Catherine Bennion said that smaller sites would be used for those on short sentences and close to release.

RR3 action log

4.17. MoJ voluntary sector secondments:

4.17.1. This was approved by the MoJ in principle but no staff agreed to manage the secondees. Alison Thorne from Together for Mental Health has been confirmed as the secondee for young adults and should start at the end of the month, for a six month placement. Max Rutherford has agreed to be a mentor for Alison. A further discussion is needed about how to link this to the RR3.

4.17.2. The group suggested that the MoJ should consider other ways to utilise voluntary sector expertise, such as pairing officials with voluntary sector experts. This would allow the MoJ to improve policy making and also allow voluntary sector staff to gain skills.

ACTION 12: George to provide feedback to Justin Russell on issues with the secondment process.

ACTION 13: Nathan Dick and George Barrow to discuss pairing

ACTION 14: George Barrow to provide an update on the secondments at the next RR3 meeting

ACTION 15: Jacob Tas and Beverley Williams to send information to George about secondment experiences with other government departments.

4.18. Diversion and early intervention

4.18.1. There is an outstanding action for George Barrow to discuss the RR3's work on diversion with colleagues at the Home Office.

4.19. **Muslim prisoners:** Mohammed Hanif was unable to attend the meeting today to give an update on Arooj's project on Muslim prisoners

ACTION 16: Oonagh to send Mohammed Hanif's written update to the group

5. Update on RR3 focused work

5.1. **Substance misuse roundtable:** There was a lot of interest in this from the substance misuse sector. It will go ahead on 11th October and will look at the challenges and opportunities for the sector.

5.2. **Women's networking forum:** The next meeting will go ahead on 21st September. So far attendance is low, possibly due to the location. Laura Seebom, Nicola Drinkwater and Nathan Dick meeting soon to discuss engagement with the women's sector going forward.

5.3. **Accommodation SIG:** The first meeting will be on 27th September, with further meetings booked in for November and February. Nicola Drinkwater will be doing a lot of scoping during the next two weeks to get the best out of the session. The priority is to request a cross-departmental accommodation strategy.

6. Commissioning paper

6.1. The RR3 set up a Special Interest Group to work alongside HMPPS, to influence the Family Services commissioning process.

6.2. While the consultation process was open and honest, organisations experienced many challenges throughout the process. These included: the timescale for bidding being reduced

at no notice; prison governors not having an understanding of what they were tendering for and a lack of work done in prisons to find out what was needed. Prison staff were unaware of the £65 per head budget, so many copied a high level service specification and organisations received incorrect responses to clarification questions and delays in responses due to an official taking annual leave.

- 6.3. Currently, there are still contracts yet to be signed, although the process should have ended in June/July. In some cases budgets were allocated to the wrong lots and contracts had to be returned because they were not fit for purpose. Some elements of the national contracts have been stripped of 20% of funding.
- 6.4. Families' organisations and HMPPS were hoping for new providers to come into the marketplace. However, these potential bidders left once the process and the budget became clear, leaving just the 'usual suspects' working under much more difficult circumstances.
- 6.5. Families' organisations do not feel as though they have been able to influence the commissioning process and have found the process extremely difficult. As a result of the difficulties experienced, the RR3 group has produced a paper giving an overview of commissioning process and providing recommendations to the MoJ and HMPPS on what can be learnt going forward.
- 6.6. Diane has started to meet with governors of the prisons in which POPS has been successful. None of these governors had seen their bid or the model before.
- 6.7. Clinks has been feeding back information to HMPPS and the MoJ throughout the process. There has been some acceptance that process aren't running how they should.
- 6.8. Clinks will use the paper to raise issues with commissioning with the MoJ and HMPPS. Group suggested that it is important to discuss the detail of the family services commissioning process with the MoJ, as well as the commissioning paper. Group highlighted that the problems experienced during this process point to potential ongoing issues with governor empowerment.
- 6.9. Group suggested the commissioning paper should be sent to the National Audit Office.

ACTION 17: Oonagh Ryder to send commissioning paper to the National Audit Office

ACTION 18: Nathan to follow up commissioning paper influencing plan with Diane Curry.

ACTION 19: Oonagh to remind RR3 to send further feedback on commissioning paper.

ACTION 20: Clinks to put together a list of bullet points of very specific issues of where the commissioning process went wrong.

7. AOB

- 7.1. Clinks has merged with Women's Breakout. There will be a consultation event in October with women's organisations to discuss how Clinks can represent and advocate for the women's sector.