

July 2016



CLINKS
DISCUSSION

Prison reform and the voluntary sector

Background

The Reducing Re-offending Third Sector Advisory Group (RR3) was asked in February 2016 by the Minister for Prisons and Probation, Andrew Selous, to provide information on how the voluntary sector can be engaged in the government's programme of prison reform and contribute to reducing re-offending.¹ This paper sets out key issues and ideas that we believe will support the voluntary sector's engagement with the prison reform programme.

The issues and ideas set out in this paper make reference to two recent Clinks publications: a practical guide to prisons engaging the voluntary sector² and a discussion paper that explores what a 'good' rehabilitative prison could look like.³

This paper is split into three sections: the role of the voluntary sector in supporting rehabilitation; engaging the sector in closing and opening prisons; and engagement with new Reform Prisons.

1 The role of the voluntary sector in supporting rehabilitation

1.1 Understanding the voluntary sector's role

Issue:

Voluntary sector organisations working in the Criminal Justice System (CJS) are not clearly defined and differ from place to place. They are diverse in terms of their size and in the range of services they provide. As well as providing frontline services, voluntary sector organisations advocate on behalf of and represent marginalised groups, develop rigorously-tested best practice based on the needs of their client groups and the communities they work in, act as a strategic partner in service design, and can add value to statutory services.⁴

Idea 1: The engagement of the voluntary sector primarily needs to happen locally unless national or high volume services are being commissioned. This requires that the sector is engaged pro-actively by relevant criminal justice agencies; this will require some human resource to engage the sector.

Issue:

Desistance is a highly individualised, long-term process which stretches beyond the prison walls, and will often involve someone re-lapsing before they stop offending altogether. The voluntary sector has successfully pioneered and developed long-term, flexible and person-centred approaches that support the process of desistance;

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ensuring that services and interventions do not just address immediate needs, but work towards the long-term goal of an individual successfully integrating back into the community. However, these are not always built upon or developed by the prisons that they work in.

Idea 2: The principles of desistance should be built in to the heart of any reform programme to better understand how and why people move away from crime and stop re-offending.

1.2 Getting the best advice to support equality and diversity

Issue

Many people in contact with the CJS have protected characteristics and/or require specialist support to ensure their distinct needs are met. Many voluntary sector organisations advocate for and/or provide this specialist support, ensuring diverse needs are met.

Idea 3: The Ministry of Justice (MoJ) and the National Offender Management Service (NOMS) can build on approaches such as the Young Review's Independent Advisory Group to consult with key experts in the voluntary sector throughout the design and implementation of the prison reform programme, in order to ensure that the distinct needs of those in the CJS with protected characteristics or requiring specialist support are met.

Issue

Due to the low numbers of women in prison in England and Wales, it is vital that a distinct approach is developed for the women's estate, considering the specific needs of women in any prison closures or plans around designing and building new prisons.

Idea 4: The MoJ and NOMS should work closely with the Advisory Board on Female Offenders and the RR3 Women's Reference Group to develop and implement this approach.

2 Engaging the voluntary sector in closing and opening prisons

2.1 Managing prison closures

Issue

Any prison closure will have an impact on voluntary sector organisations working in that prison, as well as their service users. It is therefore essential that voluntary sector organisations are informed and involved at the earliest opportunity.

Idea 5: NOMS should provide good advance notice of decommissioning processes, with clear information about timelines provided to relevant voluntary sector organisations. This should also be accessible to service users and their families.⁵

Idea 6: NOMS should conduct an impact assessment of each prison closure on voluntary sector organisations and their service users to ensure any decommissioning of prisons supports the managed exit of important rehabilitation services.



2.2 Building new prisons

Issue

Where new prisons are being built there is likely to be a voluntary sector presence that can usefully contribute to rehabilitation outcomes; other voluntary organisations may also want to offer delivery in that area. To enable their engagement, organisations will need to be involved at the earliest possible point, so that they can meaningfully contribute to the prison regime.

Idea 7: When a site is earmarked for potential development, Clinks could map the existing work taking place by the voluntary sector in that area,⁶ to provide the MoJ and NOMS with information about stakeholders for engagement.

Idea 8: NOMS, with support from Clinks, could bring together the voluntary sector working in a specific area where a new prison will be built, along with the local community, and involve them at the earliest opportunity in the process of building a new prison.

Issue

Maintaining positive relationships, whether it be with family, friends or a voluntary sector worker, is a crucial factor for supporting the desistance process.

Idea 9: The MoJ and NOMS should ensure new prisons are built in areas that are easily accessible to local communities and have good transport links, as well as suitable accommodation for visitors.

2.3 Prison design

Issue

The voluntary sector (as well as prison governors, prison staff, prisoners and their families) can contribute valuable expertise as to what constitutes an effective prison design to ensure prisoners are able to access all the services they require.⁷

Idea 10: The MoJ and NOMS should consult the voluntary sector, prison staff, prisoners and their families about the design of any new prison during initial planning stages. It is essential that any consultation process involves consistent feedback from officials so individuals are kept informed and engaged with the process.

Idea 11: The MoJ and NOMS should ensure that during consultation about prison design the location and accessibility of services delivered by the voluntary sector is considered. This needs to take into account the needs of all prisoners, including those who experience physical disabilities or belong to other equalities groups.

Issues

Prisoners who want to engage with services provided by the voluntary sector, including arts interventions, should be able to do this with ease during their sentence and the design of new prisons can facilitate this. These services provide essential support and advice to facilitate rehabilitation and support the desistance process; for example, through connecting prisoners with communities that must be willing to support their reintegration after they have served their sentences.⁸ This process of integration and acceptance can be facilitated through normalising the prison environment and enabling the local community to come into the prison.



Idea 12: The MoJ and NOMS, in partnership with the voluntary sector organisations which are embedded in their local communities, should consider how to ensure the community is able to access the prison.

3 Engaging the voluntary sector in the Reform Prisons

3.1 The voluntary sector as a strategic partner

Issue

Voluntary sector organisations have substantial knowledge and expertise about the local communities they work in, the service users they work with and the strategies needed to meet their service users' needs.⁹

Idea 13: The MoJ and NOMS should include key times for consultation with the voluntary sector within timelines for the prison reform programme, and allow for the continued input of expertise and feedback from the voluntary sector during the design and implementation of the prison reform programme.

Idea 14: Clinks could support the MoJ and NOMS to facilitate the meaningful engagement of the voluntary sector as a strategic partner for Executive Governors and senior management staff. Clinks can bring together a working group of key voluntary sector leaders, representative of small, medium, large and national single-issue organisations working across varying geographical areas, to support Executive Governors in understanding and working with the voluntary sector.

Idea 15: Executive Governors should provide flexible but systematic routes for voluntary sector organisations to share intelligence about emerging needs, pitch ideas and advocate for service improvements. The MoJ and NOMS should provide appropriate oversight of this process to ensure that issues raised by the voluntary sector are addressed.

Idea 16: Executive Governors could seek to engage the voluntary sector in strategic processes and decision-making within the prison. This can be done in a number of ways, as outlined in Clinks' guide *The rehabilitative prison: Good engagement with the voluntary sector*.

3.2 Commissioning for voluntary sector involvement

Issue

The voluntary sector can provide valuable support to the MoJ, NOMS and prison governors to achieve reductions in re-offending and develop innovative approaches to rehabilitation. Commissioning processes should seek to maximise the impact of the voluntary sector in this.

Idea 17: The MoJ and NOMS should work with Clinks to conduct a stakeholder mapping exercise for each Reform Prison area in order to determine what voluntary sector expertise and delivery already exists to support people in contact with the CJS inside prison, in the community and through the gate. This will prevent both the duplication and loss of existing provision, as well as ensuring that the prison reform programme actively contributes to better joined-up working in local areas.



Idea 18: Executive Governors could work in partnership with the voluntary sector to undertake a needs assessment of the people in the prison and identify key priorities for commissioning. This could be done in a number of ways, such as Executive Governors producing a document similar to the Police and Crime Plans produced by Police and Crime Commissioners which identifies strategic priorities over a specific period of time, or by feeding into the local authority's Joint Strategic Needs Assessment.

Issue

Executive Governors need to have access to a diverse range of services to meet the needs of their service users and support them on their journey to desistance. The majority of the voluntary sector organisations working in the CJS are small and have a turnover of less than £1 million.

Idea 19: Executive Governors need to consider the impact of contract size on market diversity, and where possible break contracts into smaller lots. The MoJ and NOMS should be alive to the challenges experienced by smaller organisations in engaging with the prime/subcontractor model and mechanisms such as payment by results.¹⁰

3.3 Facilitating voluntary sector access to the prison

Issue

Voluntary sector organisations can provide vital services within the prison, aid rehabilitation outside of prison (pre-entry and post-release), and add value to existing statutory services.

Idea 20: Prison staff should gather information upon an individual's reception to the prison about which voluntary sector organisations they are already in contact with and contact them as early as possible. The importance of gathering this information should be considered in any review of the Basic Custody Screening Tool.

Idea 21: Executive Governors should encourage and facilitate increased voluntary sector access to the prison to support someone in their desistance process. Practical guidance on how to achieve this is published in Clinks' *The rehabilitative prison: Good engagement with the voluntary sector*.¹¹ This should include a review of the security vetting process to ensure there are no unnecessary barriers to maximising the contribution of people with personal experience of the CJS.

Idea 22: Executive Governors could explore options for increased communication and skill-sharing between prison staff and voluntary sector staff. This would enable an improved understanding of each other's roles and allow voluntary sector staff to offer better support to staff within the prison. Strategies to develop this could include having a named voluntary sector/community/stakeholder co-ordinator within the prison; running joint training programmes for prison and voluntary sector staff; and agreeing information-sharing protocols between prison and voluntary sector staff.

3.4 Facilitating prison outreach and community in-reach

Issue

Desistance studies have shown that, irrespective of the work done with prisoners during their sentence to support their rehabilitation and desistance, it is the success or otherwise of their individual transitions back into the community that are key in determining outcomes.¹²



Idea 23: The MoJ, NOMS and Executive Governors could utilise the networks and knowledge of the voluntary sector to provide access to community services and ways to engage the community with the prison (such as through volunteering). This should include increased use of Release On Temporary Licence (ROTL);¹³ increased opportunities for the public to access the prison; and increased opportunities for prisoners' families to visit them in prison.

3.5 Providing good quality family support

Issue

NOMS, with input from the RR3 Special Interest Group on Commissioning Family Services, is currently reviewing its commissioning of family services and visitors' centres.

Idea 24: The RR3 Special Interest Group on Commissioning Family Services could be engaged to discuss how the commissioning of family services is integrated into the prison reform programme, with the aim of providing good quality support for the families of people in contact with the CJS across the prison estate.

3.6 Accountability

Issues

Reform Prisons must meet baseline standards but also be able to develop in line with local issues and feedback. This should encourage the development of mutual responsibility for longer-term outcomes relating to both the prison and community.

Idea 25: The MoJ and NOMS should ensure that there is clear national oversight of the prison reform programme and robust mechanisms in place for failure to achieve outcomes.

Idea 26: A local accountability structure could be put in place for each Reform Prison to enable this, such as a board of governors comprising local stakeholders in rehabilitation and resettlement and including voluntary sector representation. This structure should have direct links to the MoJ and NOMS to ensure that any developing problems are addressed.

Idea 27: Executive Governors could seek to engage with other already existing local structures such as Local Criminal Justice Boards, Police and Crime Commissioners, local authority forums, and other community and voluntary networks. They could also refer and feed into local plans relating to community safety, such as Joint Strategic Needs Assessments, Police and Crime Plans and any plans for justice devolution.

Idea 28: The MoJ and NOMS should issue clear guidance to Executive Governors on the involvement of the voluntary sector and wider community in setting local outcomes. This will ensure that outcomes are not only appropriate to each individual prison context, but are also outward facing, linking the prison and community to support the long-term process of desistance.



Summary of ideas

Ideas	Audience		
	Prison design leads (MoJ and NOMS)	Prison reform leads (MoJ and NOMS)	Executive governors
1 The engagement of the voluntary sector primarily needs to happen locally unless national or high volume services are being commissioned. This requires that the sector is engaged pro-actively by relevant criminal justice agencies; this will require some human resource to engage the sector.		✓	✓
2 The principles of desistance should be built in to the heart of any reform programme to better understand how and why people move away from crime and stop re-offending.	✓	✓	✓
3 The Ministry of Justice (MoJ) and the National Offender Management Service (NOMS) can build on approaches such as the Young Review's Independent Advisory Group to consult with key experts in the voluntary sector throughout the design and implementation of the prison reform programme, in order to ensure that the distinct needs of those in the CJS with protected characteristics or requiring specialist support are met.		✓	
4 The MoJ and NOMS should work closely with the Advisory Board on Female Offenders and the RR3 Women's Reference Group to develop and implement this approach.		✓	
5 NOMS should provide good advance notice of decommissioning processes, with clear information about timelines provided to relevant voluntary sector organisations. This should also be accessible to service users and their families.		✓	
6 NOMS should conduct an impact assessment of each prison closure on voluntary sector organisations and their service users to ensure any decommissioning of prisons supports the managed exit of important rehabilitation services.		✓	
7 When a site is earmarked for potential development, Clinks could map the existing work taking place by the voluntary sector in that area, to provide the MoJ and NOMS with information about stakeholders for engagement.		✓	
8 NOMS, with support from Clinks, could bring together the voluntary sector working in a specific area where a new prison will be built, along with the local community, and involve them at the earliest opportunity in the process of building a new prison.	✓		



Ideas	Audience		
	Prison design leads (MoJ and NOMS)	Prison reform leads (MoJ and NOMS)	Executive Governors
9 The MoJ and NOMS should ensure new prisons are built in areas that are easily accessible to local communities and have good transport links, as well as suitable accommodation for visitors.	✓		
10 The MoJ and NOMS should consult the voluntary sector, prison staff, prisoners and their families about the design of any new prison during initial planning stages. It is essential that any consultation process involves consistent feedback from officials so individuals are kept informed and engaged with the process.	✓		
11 The MoJ and NOMS should ensure that during consultation about prison design the location and accessibility of services delivered by the voluntary sector is considered. This needs to take into account the needs of all prisoners, including those who experience physical disabilities or belong to other equalities groups.	✓		
12 The MoJ and NOMS, in partnership with the voluntary sector organisations which are embedded in their local communities, should consider how to ensure the community is able to access the prison.	✓		
13 The MoJ and NOMS should include key times for consultation with the voluntary sector within timelines for the prison reform programme, and allow for the continued input of expertise and feedback from the voluntary sector during the design and implementation of the prison reform programme.	✓	✓	
14 Clinks could support the MoJ and NOMS to facilitate the meaningful engagement of the voluntary sector as a strategic partner for Executive Governors and senior management staff. Clinks can bring together a working group of key voluntary sector leaders, representative of small, medium, large and national single-issue organisations working across varying geographical areas, to support Executive Governors in understanding and working with the voluntary sector.		✓	
15 Executive Governors should provide flexible but systematic routes for voluntary sector organisations to share intelligence about emerging needs, pitch ideas and advocate for service improvements. The MoJ and NOMS should provide appropriate oversight of this process to ensure that issues raised by the voluntary sector are addressed.		✓	✓



Ideas	Audience		
	Prison design leads (MoJ and NOMS)	Prison reform leads (MoJ and NOMS)	Executive governors
<p>16 Executive Governors could seek to engage the voluntary sector in strategic processes and decision-making within the prison. This can be done in a number of ways, as outlined in Clinks' guide <i>The rehabilitative prison: Good engagement with the voluntary sector</i>.</p>			✓
<p>17 The MoJ and NOMS should work with Clinks to conduct a stakeholder mapping exercise for each Reform Prison area in order to determine what voluntary sector expertise and delivery already exists to support people in contact with the CJS inside prison, in the community and through the gate. This will prevent both the duplication and loss of existing provision, as well as ensuring that the prison reform programme actively contributes to better joined-up working in local areas.</p>		✓	
<p>18 Executive Governors could work in partnership with the voluntary sector to undertake a needs assessment of the people in the prison and identify key priorities for commissioning. This could be done in a number of ways, such as Executive Governors producing a document similar to the Police and Crime Plans produced by Police and Crime Commissioners which identifies strategic priorities over a specific period of time, or by feeding into the local authority's Joint Strategic Needs Assessment.</p>			✓
<p>19 Executive Governors need to consider the impact of contract size on market diversity, and where possible break contracts into smaller lots. The MoJ and NOMS should be alive to the challenges experienced by smaller organisations in engaging with the prime/subcontractor model and mechanisms such as payment by results.</p>		✓	✓
<p>20 Prison staff should gather information upon an individual's reception to the prison about which voluntary sector organisations they are already in contact with and contact them as early as possible. The importance of gathering this information should be considered in any review of the Basic Custody Screening Tool.</p>			✓



Ideas	Audience		
	Prison design leads (MoJ and NOMS)	Prison reform leads (MoJ and NOMS)	Executive governors
<p>21 Executive Governors should encourage and facilitate increased voluntary sector access to the prison to support someone in their desistance process. Practical guidance on how to achieve this is published in Clinks' <i>The rehabilitative prison: Good engagement with the voluntary sector</i>.¹⁴ This should include a review of the security vetting process to ensure there are no unnecessary barriers to maximising the contribution of people with personal experience of the CJS.</p>			✓
<p>22 Executive Governors could explore options for increased communication and skill-sharing between prison staff and voluntary sector staff. This would enable an improved understanding of each other's roles and allow voluntary sector staff to offer better support to staff within the prison. Strategies to develop this could include having a named voluntary sector/community/stakeholder co-ordinator within the prison; running joint training programmes for prison and voluntary sector staff; and agreeing information-sharing protocols between prison and voluntary sector staff.</p>			✓
<p>23 The MoJ, NOMS and Executive Governors could utilise the networks and knowledge of the voluntary sector to provide access to community services and ways to engage the community with the prison (such as through volunteering). This should include increased use of Release On Temporary Licence (ROTL); increased opportunities for the public to access the prison; and increased opportunities for prisoners' families to visit them in prison.</p>	✓	✓	✓
<p>24 The RR3 Special Interest Group on Commissioning Family Services could be engaged to discuss how the commissioning of family services is integrated into the prison reform programme, with the aim of providing good quality support for the families of people in contact with the CJS across the prison estate.</p>		✓	
<p>25 The MoJ and NOMS should ensure that there is clear national oversight of the prison reform programme and robust mechanisms in place for failure to achieve outcomes.</p>		✓	



Ideas	Audience		
	Prison design leads (MoJ and NOMS)	Prison reform leads (MoJ and NOMS)	Executive governors
<p>26 A local accountability structure could be put in place for each Reform Prison to enable this, such as a board of governors comprising local stakeholders in rehabilitation and resettlement and including voluntary sector representation. This structure should have direct links to the MoJ and NOMS to ensure that any developing problems are addressed.</p>		✓	✓
<p>27 Executive Governors could seek to engage with other already existing local structures such as Local Criminal Justice Boards, Police and Crime Commissioners, local authority forums, and other community and voluntary networks. They could also refer and feed into local plans relating to community safety, such as Joint Strategic Needs Assessments, Police and Crime Plans and any plans for justice devolution.</p>			✓
<p>28 The MoJ and NOMS should issue clear guidance to Executive Governors on the involvement of the voluntary sector and wider community in setting local outcomes. This will ensure that outcomes are not only appropriate to each individual prison context, but are also outward facing, linking the prison and community to support the long-term process of desistance.</p>		✓	



Clinks supports, represents and campaigns for the voluntary sector working with offenders. Clinks aims to ensure the sector and all those with whom they work, are informed and engaged in order to transform the lives of offenders.

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End notes

1. Clinks (2016) Reducing Reoffending Third Sector Advisory Group (RR3), Online: www.clinks.org/rr3 (last accessed 19.04.2016).
2. Clinks (2016) *The rehabilitative prison: Good engagement with the voluntary sector*, Online: www.clinks.org/criminal-justice/do-it-justice (last accessed 4.05.16)
3. Clinks (2016) *The rehabilitative prison: What does 'good' look like?*, Online: www.clinks.org/resources-discussion-papers/rehabilitative-prison-what-does-good-look (last accessed 4.05.16)
4. Clinks (2014) *More than a provider: The role of the voluntary sector in the commissioning of offender services* www.clinks.org/resources-reports/more-provider-role-voluntary-sector-commissioning-offender-services (last accessed 20.04.16)
5. This echoes a recommendation in Clinks' report *More than a provider*, which can be accessed here: www.clinks.org/resources-reports/more-provider-role-voluntary-sector-commissioning-offender-services
6. Clinks' Directory of Offender Services, which currently contains information about over 800 organisations and projects working with offenders and their families and can be searched by geographical location can support this process. It can be accessed here: www.clinks.org/directory
7. More details can be found in Clinks (2016) *The rehabilitative prison: What does 'good' look like?*, Online: www.clinks.org/resources-discussion-papers/rehabilitative-prison-what-does-good-look (last accessed 4.05.16)
8. Fergus, M., Farrall, S., Lightowler, C., and Maruna, S. (2012) *How and why people stop offending: Discovering desistance*, Online: www.iriss.org.uk/resources/how-and-why-people-stop-offending-discovering-desistance (last accessed 19.04.2016)
9. Clinks (2014) *More than a provider: The role of the voluntary sector in the commissioning of offender services* www.clinks.org/resources-reports/more-provider-role-voluntary-sector-commissioning-offender-services (last accessed 20.04.16)
10. Clinks (2014) *More than a provider: The role of the voluntary sector in the commissioning of offender services* www.clinks.org/resources-reports/more-provider-role-voluntary-sector-commissioning-offender-services (last accessed 20.04.16)
11. Clinks (2016) *The rehabilitative prison: Good engagement with the voluntary sector* www.clinks.org/criminal-justice/do-it-justice (last accessed 4.05.16)
12. Clinks (2016) *The Rehabilitative Prison: What does 'good' look like?* www.clinks.org/resources-discussion-papers/rehabilitative-prison-what-does-good-look (last accessed 4.05.16)
13. Clinks and the Prison Reform Trust (2016) *Inside Out: The role of the voluntary and private sector in providing opportunities for rehabilitation for people on temporary release* www.prisonreformtrust.org.uk/Portals/0/Documents/Inside%20Out%20Clinks%20PRT.pdf (last accessed on 20.02.16)
14. Clinks (2016) *The rehabilitative prison: Good engagement with the voluntary sector* www.clinks.org/criminal-justice/do-it-justice (last accessed 4.05.16)