

**CLiNKs**

Supporting the voluntary sector  
working in the criminal justice system

2018

# The state of the sector

A summary and how we will respond

## The state of the sector 2018

**For the last six years Clinks has been collecting information about how voluntary organisations working in criminal justice are faring.**

The results from this research have enabled us to recognise and celebrate voluntary organisations' many successes, as well as uncover some of the significant challenges they are facing.

The detailed information we collect helps us build a picture of voluntary organisations' experiences and helps determine how Clinks should respond to ensure we are providing the best support to the diverse sector we are here to serve.

This paper gives the key findings from our *State of the sector 2018* report and the commitments we're making to achieve the changes we think are needed.

## How we conduct our research

NCVO has continued to support the work and has used three data sources to collect the information: a survey, in-depth interviews and an analysis of the financial information which voluntary organisations have submitted to the Charity Commission.

In 2018 we introduced a thematic focus to our survey and interviews to explore how organisations are recognising and responding to the needs of service users who are protected under the Equality Act (2010). The characteristics which are protected from discrimination by the Act include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

The term 'organisations' is used throughout this paper to refer to voluntary organisations working with people, and their families, in contact with the criminal justice system (CJS).

For more information about our research methodology, and a detailed analysis of our findings, you can download the full report from our website:

[www.clinks.org](http://www.clinks.org)



# Key findings



1625 Independent People, Bristol / [www.1625ip.co.uk](http://www.1625ip.co.uk)

## Voluntary organisations working with people in contact with the criminal justice system continue to be diverse, both in terms of the services they provide and who they work to support.

Organisations provide a variety of services, including arts-based provision, through-the-gate support, housing advice, and peer support and mentoring.

57% of survey respondents support people who are protected under the Equality Act (2010), with many organisations reporting they provide a service tailored to meet the specific needs of these client groups.

Organisations operate across England and Wales, with most (47%) delivering their services locally and working both in prison and the community. 51% of organisations work in prison and the community with people transitioning through the prison gate. 51% work in the community with people serving a community penalty, whilst 45% of organisations work in the community with people who have not been sentenced.

## The people that organisations support<sup>1</sup>

The number of service users continues to rise with 55% of organisations telling us the number of people they are working with increased for the financial year 2016/17. **For the second consecutive year organisations told us that service user need is becoming more complex (80%) and urgent (78%) as people's basic needs are no longer being met.** This is taking place for a variety of reasons including welfare reforms, which are pushing people into poverty and homelessness, a lack of secure and appropriate housing options, mental health provision in the community becoming more difficult to access, and limited resources for criminal justice organisations. This is concerning, as **responding to changing service user need is continuing to put staff and volunteers under pressure** as staff continue to take on higher caseloads.

**Organisations working to meet the needs of particular client groups, including those protected under the Equality Act (2010), are more likely to say the needs of their service users have become more complex and immediate.** 84% and 79% report this to be the case respectively, compared to organisations who do not work in this way. 68% of organisations who do not work to meet the needs of a particular client group say the needs of their service users have become more complex and 70% say they have become more immediate.

**There is inconsistent understanding of the needs of people protected under the Equality Act (2010) and the 'protected characteristics' the act defines.** Organisations working to meet the specific needs of particular client groups have a clear understanding of the term 'protected characteristics', are aware of how this could have an impact on the needs of their clients and have tailored their services appropriately. For others, the term 'protected characteristics' does not resonate with the way they frame their work, but they still work with people in such a way that takes account of and responds to the needs of people protected under the Equality Act (2010).

On the other hand, some organisations do not consider protected characteristics when assessing people's needs but provide an individualised, tailored service in a way that is 'blind' to protected characteristics. A smaller number of organisations revealed that they did not have a full understanding of the term 'protected characteristics' or what it might mean for their service users' needs. This is concerning given the over-representation and/or specific vulnerabilities of people protected under the Equality Act (2010) in the criminal justice system. Clinks would like to see all parts of the sector recognising and working to address these issues.

**Organisations providing services for people protected under the Equality Act (2010) are more likely to recognise and respond to the intersectionality of their service users' needs** and either alter their services or partner with other specialist organisations to ensure they can address these needs appropriately.<sup>2</sup>



1625 Independent People, Bristol / www.1625ip.co.uk

**Organisations who identify clients protected under the Equality Act (2010) feel able to meet their needs.** Of the 57% of organisations who support people protected under the Equality Act (2010), 76% agree or strongly agree that they are able to meet their specific needs. They do this through developing specific service models, providing training and support for staff and volunteers, and partnering with specialist organisations.

**There remains a commitment to service user involvement but organisations could do more to represent service users on their trustee boards.** The majority of organisations (69%) say they consult service users about the design and delivery of services, whilst 38% say they have a service user forum, group, panel and/or council. 14% of organisations told us that service users are represented on their board of trustees; last year 20% told us this was the case.

<sup>2</sup> Intersectionality refers to the way in which different aspects of people's identity – including race, gender, class or disability- can interact and overlap, which can generate new, multiple and complex forms of discrimination or disadvantage.

## The services being delivered

**Organisations providing services tailored to meet the specific needs of particular client groups, including those protected under the Equality Act (2010), are more likely to be reducing their services.** 12% of organisations who work to meet the specific needs of particular client groups said they are reducing their services compared to 4% of organisations who do not work in this way.

For organisations working with people protected under the Equality Act (2010), including those whose whole organisation's offer is specifically tailored and those who provide some tailored services, 14% are reducing their services. Only 2% of organisations not working with people protected under the Equality Act (2010) are reducing their services. This is of concern as it indicates not only that these specialist organisations are experiencing more acute challenges compared to others in the voluntary sector, but that there is a reduction in the availability of tailored support for certain groups of people in contact with the CJS who have specific needs.

**Statutory organisations referring people to the voluntary sector do not provide adequate funding.** This is particularly true for referrals from prisons and the National Probation Service. In around half of referrals from these services, all the funding to support people comes from other sources. This is also the case for 40% of referrals made by Community Rehabilitation Companies.

**Partnership working is essential for meeting the needs of people protected under the Equality Act (2010).** More organisations (88%) say they work in partnership than those who do not provide a tailored service (75%).

**Organisations established to providing services tailored to meet the specific needs of particular client groups are embedded in their communities, advocating to partners on their clients' behalf and actively working to promote and share good practice.** However, this can be challenging as whilst organisations actively support partners and promote good practice, they must also hold partners to account for poor practice.



Good Vibrations / www.good-vibrations.org.uk

## The people delivering services

**The workforce of voluntary organisations is considerable and continues to rise.** In 2015/16 specialist criminal justice organisations employed 12,787 people, whilst non-specialist organisations employed 124,123 people, with volunteer numbers being 16,636 and 475,989 respectively. For the eight year period since 2008/09 the number of employees in specialist criminal justice organisations has risen by 33%, whilst for non-specialist organisations this has risen by 40%.

**Volunteers continue to provide essential support to organisations** and undertake a variety of roles directly supporting service users, including giving advice, information or counselling and by providing befriending or mentoring support. But **recruiting, supporting and retaining volunteers is resource intensive** as organisations need to generate funding to ensure they are able to provide the right training and support for their volunteers, which can be challenging.

**Volunteers tend to be more representative of service users than paid staff** with 18% of organisations saying volunteers are completely representative of their service users, whilst this is true for 12% of staff. This picture is true for all organisations, including those who work with people protected under the Equality Act (2010) who do not necessarily provide a tailored service and those providing a tailored service to meet their clients' unique needs.

**Organisations recognise the importance of a diverse workforce** and have taken proactive steps to recruit staff and volunteers who reflect the people they support, **but challenges remain in achieving diversity in the workforce** which organisations would like to overcome.

## How organisations are funded

Our financial analysis splits organisations into two groups:

- Specialist criminal justice organisations – whose main purpose is to work in criminal justice
- Non-specialist criminal justice organisations – whose service users might include people who have a conviction, but working in criminal justice is not their main purpose.

**Specialist criminal justice organisations are smaller than non-specialist criminal justice organisations.** 25% of specialist criminal justice organisations have an income of less than £100k, compared to 12% of non-specialist criminal justice organisations; whilst 26% of specialist criminal justice organisations have an income of more than £1m, compared to 35% of non-specialist criminal justice organisations.

**Organisations receive funding from a range of sources, and recognise the importance of diversifying their income for their future sustainability. Most income is earned through contracts or fees for services.** Other sources include from the government, charitable trusts and foundations and individuals. For specialist criminal justice organisations, contracts or fees for services represents 82% of their total income, whilst the figure for non-specialist criminal justice organisations is 65%. Organisations recognise the importance of diversifying their income and it is important for their future sustainability to have a diverse income portfolio.

**Income from local government has increased for specialist criminal justice organisations.** Between 2014/15 and 2015/16 their income from local government rose by 33%. In 2015/16 specialist criminal justice organisations received the same level of income from local and national government – £252m.

**The government predominantly funds specialist criminal justice organisations through contracts.** 95% of government income for specialist criminal justice organisations is earned income through contracts as opposed to grants (5%). Non-specialist organisations receive a higher proportion of their income from the government in the form of grants (14%) rather than contracts (86%).

**Charitable trusts and foundations provide essential grant funding for small specialist criminal justice organisations.** The smaller the organisation, the more likely they are to rely on income from the voluntary sector, which includes charitable trusts and foundations, than from the government. In 2015/16, specialist criminal justice organisations with an income between £100k and £500k received 33% of their income from the voluntary sector, and 23% from the government; whilst those with an income between £1m and £10m received 12% of their income from the voluntary sector and 60% from the government.

**Voluntary income, including grants, is essential for small specialist criminal justice organisations.** In 2015/16 specialist criminal justice organisations with an income of between 100k and 500k received 67% of their income as voluntary income.

**Organisations are subsidising contracts as they are unable to achieve full cost recovery.** Of the 58% of organisations delivering services under contract or sub-contract, only 22% always achieve full cost recovery on the contracts they are delivering, whilst 14% say they never achieve it. The majority (64%) of organisations responded to this by subsidising contracts with funding from other sources.



The Rees Foundation, Redditch / www.reesfoundation.org

**Specialist criminal justice organisations are less likely to receive donations and more likely to receive earned income from individuals.** In 2015/16 the value of donations specialist criminal justice organisations received was £26.5m but the value of earned income was nearly double at £52.8m. Although earned income is important for specialist criminal justice organisations, they experienced a significant 38% decline, from £79.8m to £52.8m, in the value of earned income between 2014/15 and 2015/16.

**Specialist criminal justice organisations have fewer reserves on average than the UK voluntary sector.** On average, specialist criminal justice organisations had 1.3 months of reserves available in 2015/16 whilst non-specialist criminal justice organisations had an average of 2.5 months of reserves for the same financial year. UK voluntary organisations had an average of around 6 months of reserves in 2015/16.



# Commitments



Nilaari, Bristol / [www.nilaari.co.uk](http://www.nilaari.co.uk)



Clinks' annual conference

## Our 2018 survey included a thematic focus to explore how organisations are identifying and working to meet the needs of people protected under the Equality Act (2010).

We launched our research in November 2018 and used the launch event as an opportunity to consult delegates to hear their views, ideas and commitments in relation to how we can proactively work to ensure all voluntary organisations are working to meet the needs of people protected under the Equality Act (2010).

Delegates were voluntary sector representatives, including those providing services tailored to specific client groups, civil servants and charitable trusts and foundations. We asked each stakeholder group to make commitments for themselves, rather than looking to what others could do. The commitments ranged from focusing on partnership working, to fair and transparent commissioning processes to highlighting the need for co-production and peer to peer support within services. Since the event we have synthesised the information and will focus on the following commitments in the coming year:

## 1 / Ensure voluntary organisations and criminal justice partners know what protected characteristics means

Our research found there was a lack of understanding by some organisations about what protected characteristics are, how to work to identify whether people belong to a group protected under the Equality Act (2010) and what impact this can have on service users' experiences. But others also told us that although they understood the term, and the legislation, it does not resonate with the way they work.

### Commitment

Clinks will promote a better understanding of tackling inequalities in the criminal justice system amongst all our stakeholders and we will review the language we use to do this to ensure that it is accessible and relevant.



The Rees Foundation, Redditch / www.reesfoundation.org



Geese Theatre Company, Birmingham / www.geese.co.uk

## 2 / Support partnership working between those providing a tailored service to a particular client group and those who do not

As our research demonstrates, some organisations are set up primarily to provide a service tailored to meet the needs of a particular client group and as such have invaluable expertise about how to do this. Other organisations do not have such expertise, but will work with people who have unique needs and experiences based on them belonging to a group protected under the Equality Act (2010). It is important that these distinct parts of the voluntary sector work collaboratively to share knowledge, expertise and to support each other. Many organisations already work in this way, and have done so for many years, but we want to see this expand and develop further.

### Commitment

Clinks will advocate for the effective involvement of organisations providing tailored services for particular client groups and good partnership working between them and other voluntary organisations.

## 3 / Promoting the work and value of small, locally based organisations providing a tailored service for a particular client group

The voluntary sector is diverse and organisations set up specifically to provide services tailored to a particular client group are essential for the vibrant, flexible and dynamic nature of the sector. Our research shows that they are experiencing unique challenges, based partly on the often small scale, targeted support they offer to small caseloads, making it challenging for them to demonstrate economies of scale.

### Commitment

Clinks will continue to advocate on behalf of organisations providing a tailored service for particular client groups, proactively working with key stakeholders including charitable trusts and foundations to demonstrate their essential value and the need for them to receive sustainable, long term grant funding.

## Monitoring success

Clinks will continue to use our state of the sector research to guide our advocacy work and the support that we provide to our members. We will proactively work to address the challenges our research has uncovered and encourage others to do the same.



## Our vision

Our vision is of a vibrant, independent and resilient voluntary sector that enables people to transform their lives.

## Our mission

To support, represent and advocate for the voluntary sector in criminal justice, enabling it to provide the best possible opportunities for individuals and their families.

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