

CLiNKs

Supporting the voluntary sector
working in the criminal justice system

The impact of Covid-19 on the voluntary sector in criminal justice

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Voluntary organisations working in the criminal justice system are made up of a diverse range of sizes and specialisms. They all share a dedication and commitment to improving outcomes for people in contact with the criminal justice system and transforming lives.

They have time and again shown their resilience and determination, in the face of challenging and changing environments, to continue delivering their vital services to meet people's needs. This report – drawing on the information we have gathered throughout the pandemic – has shown that this continues to be the case even in these unprecedented times when organisations have faced new and greater challenges in delivering services, supporting their service users and their staff and ensuring their long-term sustainability.

Delivering services in a pandemic

Over the course of the Covid-19 pandemic, the services delivered by voluntary organisations working in the criminal justice system have gone through extraordinary – and at times very rapid – changes. When the first lockdown was announced by the government in March, delivery models had to change overnight, with face-to-face services largely coming to a halt. Since then organisations have had to continually review and adapt their service delivery to respond to the changing Covid-19 guidance and restrictions both in prisons and communities across England and Wales. The unpredictable nature of this crisis – and uncertainty around how long different restrictions will last and how rule changes will apply to them – has meant that organisations have had to respond quickly in order to survive.

Throughout the pandemic most voluntary organisations working in the criminal justice system continued to operate to some extent. They adapted to remote delivery where possible and some organisations continued office-based tasks at home (61%), using telephone and video conferencing for case work (51%) and setting up telephone advice lines (38%). However, not all of their work can be easily replicated into remote delivery. As a result, **despite increased demand, service provision has fallen** – as indicated by 58% of respondents to our latest survey.

In August we found levels of service provision had started to slowly increase again. This partly reflects that some organisations had slowly begun to re-introduce face-to-face service delivery primarily in the community – albeit in a limited way – as some lockdown restrictions eased and organisations had embedded and improved their adapted delivery models. However, provision had still not recovered to the levels they were prior to the pandemic. **There is still much uncertainty over returning to face-to-face delivery.** The uncertainty is exacerbated by the unpredictability of changing lockdown rules and inconsistent policies and procedures across different sectors, agencies and areas. **Safety measures and operational procedures to protect against Covid-19 have been inconsistently applied across the prison estate creating barriers for organisations to feel confident about restarting services safely.** In October and November, new national lockdowns were put in place in both England and Wales respectively – which re-implemented stricter rules for activities outside of the home – limiting the progress that was being made on remobilising services and restoring levels of service provision.

The impact of lockdown on the people in the criminal justice system

Organisations consistently reported that the needs of the people in the criminal justice system they support have increased during, and as a result of, the pandemic. In our most recent survey 68% strongly agreed and a further 29% agreed this was the case.

Organisations highlighted a range of issues that are causing this. They raised concern that **the isolation and anxiety created by the pandemic and the restrictions put in place has a severe impact on the mental health and wellbeing of people in the criminal justice system.** This may be particularly acute for people in prison who are facing a more prolonged lockdown where they are confined to their cells and have limited contact with loved ones.

Organisations also told us that **the basic needs of people in the criminal justice system are going unmet during the pandemic and more are pushed into poverty as a result.**

Organisations highlighted that more people are facing greater challenges accessing welfare, employment and accommodation. As a result more organisations told us they are having to provide more crisis intervention to support people with basic necessities such as food. Accessing safe and stable accommodation was particularly cited as one of the biggest challenges facing people in the criminal justice system during this time with the existing housing crisis being exacerbated by the pandemic.

The impact of the pandemic on people facing poverty and disadvantage has been exacerbated by limited access to statutory services during this time. Coupled with this, voluntary organisations have clear concerns that they aren't able to reach as many people with much needed support – 62% of respondents to one survey said the number of people they were supporting had decreased. Organisations are also concerned about responding to people's heightened needs within the limitations of such a restrictive environment. Over half (51%) felt that the quality of support they are able to offer has decreased during the pandemic.

We found that the pandemic has hit some cohorts in the criminal justice system especially hard. **Organisations that provide tailored support to women highlighted that lockdown has increased the risk for women and girls of domestic abuse, exacerbated the multiple forms of disadvantage women in the criminal justice system often face and creates added pressures for women with children.**

Black and Asian people have been disproportionately impacted by Covid-19 in positive cases and deaths. When combined with the high risk environment of prisons, black and Asian people in prison have face heightened risk to Covid-19. The structural racism embedded across society against black, Asian and minority ethnic (BAME*) people means they also stand to be disproportionately impacted by the exacerbating effects of Covid-19 on poverty and disadvantage.

* We acknowledge that the term BAME can be problematic as it refers to a group of people who are far from homogeneous. The intersection of race, ethnicity, faith, and culture makes social identities multi-faceted and shifting: the experiences of individuals within these groups will vary. Wherever possible, we seek to be specific when describing groups of people but at times use the term BAME – albeit reluctantly – to describe inequality and discrimination across groups when necessary.

More than ever, voluntary sector services led by and for people from BAME communities are vital to support BAME people through and beyond this crisis. However, **the Covid-19 crisis has exacerbated the power imbalance facing BAME-led organisations**, leaving them feeling marginalised, unsupported and ignored and making it more challenging for them to support their service users.

The challenges of working or volunteering during the pandemic

The pandemic has impacted not only staff capacity and the way that staff have had to work but also their mental wellbeing. This is something that continues to present a concern. Staff too have faced isolation during the pandemic. Some are anxious about job security and the challenges of managing work and their other priorities whilst working from home.

Organisations have responded well to staff wellbeing during this time, ensuring additional support measures are in place, and are looking for more ways to stay connected while many work remotely. This includes more regular virtual catch-ups, online resources to support self-care and coping mechanisms and in some cases additional annual leave or wellbeing days.

Volunteer support has decreased as a result of the pandemic, with 58% of respondents to our latest survey saying this was the case. As a result, the capacity of organisations that rely on volunteers and continue to run services is significantly impacted. Others saw a drop in volunteers because they were not able to deliver the services they needed them for. This may not immediately create significant capacity issues but presents challenges for volunteer retention in the long-term – which could cause issues when remobilising services.

Accessing funding and financial support during this crisis

The pandemic has disrupted income generation and in a number of cases increased expenditure. As a result, **organisations are using their already limited reserves to sustain themselves with concern about depleting them. 27% of respondents to our fifth survey anticipated they could only continue doing so for three months or less.**

The initial response from grant and contract managers has been generally positive but **ongoing communication with contract managers about the impact on contracts, relief payments and targets has been inconsistent**, leaving organisations that have been unable to remobilise due to restrictions in prisons and the community heading into uncertain positions. Added to this, **organisations are at risk of being excluded from current and future commissioning opportunities due to a lack of resource at this time to engage** as they focus efforts on frontline delivery through the crisis. The qualitative evidence we have gathered suggests capacity challenges have been particularly acute for smaller organisations who do not have staff dedicated to bid writing and fundraising and have been particularly struggling to manage in the crisis.

Many organisations have not been able to fully operate their social enterprise and trading arms during the pandemic, creating significant loss of income and endangering sustainability. 51% of respondents to our latest survey said they had lost earned income as a result of the pandemic. This is particularly challenging for those that rely on these income sources to subsidise contracts and puts them in a very vulnerable position.

Whilst funders have redirected funds to provide much needed support for organisations to respond to this crisis, **organisations are struggling to access grant funding opportunities for services not related to the Covid-19 emergency response.** The lack of long-term grant funding opportunities and funding for core services is presenting challenges for organisations to plan for the future and recover their services.

Criminal justice specialist organisations have had limited access to emergency grant funding from the government and have primarily turned to trusts and foundations for support. 72% of respondents to our latest survey said they applied for emergency funding but of those, 77% said they applied for emergency grant funding from trusts and foundations compared to just 39% that said they applied to central government.

The financial support schemes put in place by the government have been primarily designed for businesses, leading to limited use of them by voluntary organisations working in the criminal justice system. In particular, **the government's Job Retention Scheme – one of the main forms of financial support during this time – had limited use with eligibility criteria presenting the largest barrier to accessing it.** Approximately half of organisations did not use the scheme and those that did used it to furlough small numbers of staff. However, those that have used the scheme – and are still not able to start remobilising due to the restrictions in place – are at financial risk when the scheme closes. As a result, **some organisations will have to make staff redundant.**

Organisations are not fully confident about their long-term sustainability. 65% of respondents to our most recent survey said they are only somewhat confident. A further 14% are not so confident and 2% are not at all confident. In particular, **concern is growing about the future availability of funding from trusts and foundations and cuts to government funding.**

Introduction

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Photo: Clinks conference © Ian Cuthbert

Covid-19 has had an unprecedented impact on societies and communities across the world, significantly affecting the way we interact, work and live. This impact of the pandemic has been felt profoundly by people in the criminal justice system – many of whom have faced even tighter restrictions for a more prolonged time than in wider society – their families and the voluntary sector working to support them.

During the pandemic, Clinks has been collecting information about how voluntary organisations working in the criminal justice system in England and Wales have been faring. The research has enabled us to build an in-depth picture about the impact of Covid-19 on voluntary organisations working in the criminal justice system and the people they support, the challenges organisations faced and how they have adapted and responded. This has helped Clinks to ensure that we can respond to the needs of organisations in the context of Covid-19 – and beyond – and provide the best possible support to the voluntary sector working in criminal justice.

The following report explores how the pandemic has impacted four key areas:

- The services being delivered
- People in the criminal justice system
- Staff and volunteers
- Funding and financial sustainability.

In each section we look at the way organisations were impacted in the first few months of going into lockdown when restrictions were at their tightest. We also explore how this has changed as the situation has progressed, exploring how organisations continue to fare and how the impact on them has changed. We then look to what is on the horizon and how we can build a post-pandemic future with a fairer criminal justice system that utilises the expertise of the voluntary sector and treats them as an equal partner.

Timing

Our research, and the content of this report, covers the period from first going into lockdown in March until October 2020. In November, the Covid-19 pandemic is not over and the situation – and its impact on the voluntary sector working in the criminal justice system – remains very changeable and unpredictable as cases of Covid-19 rise across England and Wales and we head into the winter months. For example, by the end of October many areas in England had gone into tiers two and three of local lockdown meaning further restrictions. On 23 October 2020, Wales went into a national ‘firebreak’ lockdown for two weeks with the intention of containing the latest spike in Covid-19 cases. The lockdown in Wales restricted non-essential travel, banned people from meeting anyone they did not live with (both indoors and outdoors) and meant that visits to prisons in Wales were stopped. Following this, on 5 November 2020, England also went into a national lockdown lasting until at least 2 December 2020. This bans leaving home except for specific purposes including work, exercise and to shop for basic necessities.

The voluntary sector in criminal justice before the pandemic

Over 1,700 voluntary organisations work specifically in criminal justice, playing a unique and valuable role in prisons and local communities. Nearly 5,000 additional voluntary organisations work with people in the criminal justice system by nature of their work.¹ These charities exist to support and advocate for some of the most stigmatised and excluded communities whose needs mainstream services often fail to meet.

Voluntary sector organisations specialising in criminal justice are often smaller organisations, rooted in local communities. The sector delivers a range of vital services, working across the prison estate and in the community with people in contact with the criminal justice system. Organisations have designed services to meet people’s different needs in diverse ways and many work to help people transition from custody to release.

Below we outline some of the systemic challenges faced by voluntary organisations working in the criminal justice system. This is to provide context to how they were impacted by Covid-19, how these challenges shaped their ability to respond to the crisis and how it will affect their recovery from it. In recovering from the pandemic, addressing these longstanding and systemic issues will be key to building a fairer and more effective criminal justice system in a post-pandemic future.

Prior to the pandemic, through our annual State of the sector research, Clinks found that for the past three consecutive years the criminal justice voluntary sector has been struggling for resource in a complex, competitive and changing commissioning environment. This is in a context of simultaneously trying to manage increasing caseloads, with the needs of their clients becoming more complex and urgent.

Note: The following findings are taken from *The state of the sector 2019*.

Funding challenges

- **From grants to contracts**

We found that grant funding was in decline for criminal justice specialist organisations.² Government funding makes up the largest source of income for these organisations but not only was that income in decline, it was also increasingly commissioned via contracts instead of grants – contracts that have been consistently underfunded with the sector reporting year on year that they cannot achieve full cost recovery.

- **Turning to social enterprises and trading**

In response to declining grant funding and to bridge shortfalls in funding from contracts that don’t meet core costs, organisations were adapting their services to enable them to receive fees for services, including adding social enterprise elements to their work and setting up trading arms.

- **Resilience to shocks**

Criminal justice specialist organisations have lower reserves on average, just 1.4 months worth of reserves compared to an average of 6.3 months for the wider voluntary sector. This makes them vulnerable to additional pressures and external shocks.

The needs of the people supported by the sector

- **More turning to the voluntary sector for support**

In our last State of the sector research 57% of respondents said the number of people accessing their services had increased.

- **More complex and urgent needs**

Last year the vast majority of organisations reported that their service users' needs had become more complex (72%) and more urgent (71%), reinforcing the same findings from the previous two years.

- **People's basic needs continuing to go unmet**

We found this to be driven by the worsening conditions in prison; a lack of support being provided to prison leavers for the transition to the community; austerity measures and welfare reforms pushing people into poverty; and a severe housing crisis.

Though we have found the sector to be resilient and flexible to these challenges – a trait which organisations have continued to demonstrate during the pandemic – this was an unsustainable position and has impacted the ability of the voluntary sector to weather, and respond to, this crisis with Covid-19 exacerbating these long-term trends and the impact on people in the criminal justice system.

The criminal justice response to the pandemic

Covid-19, and the measures put in place to prevent its spread, has put both the voluntary sector and prisons and probation in an unprecedented position. Organisations are now facing extraordinary challenges, from safeguarding the people they support and their staff, to loss in funding and responding to the rising needs of people in contact with the criminal justice system.

At the end of March in response to Covid-19, movement in prisons was severely restricted, with people locked in their cells for 23 hours or more a day. All physical visits were cancelled,

including education, training and non-essential employment activities that voluntary organisations are integral to delivering. This meant organisations could no longer enter prisons to deliver in-person support. This situation lasted for many months and for many it feels like this situation hasn't truly come to an end yet, with high levels of restrictions remaining in place across the estate. These restrictions mean many people in prison have faced these harsher conditions for almost the entirety of the pandemic and many voluntary organisations have not had access to prisons at all since March and won't this year.

Probation also moved into an Exceptional Delivery Model, closing most offices and continuing face-to-face contact for only those deemed high risk of harm and focusing on supervision tasks. Most community based voluntary organisations that support people transitioning through the gate or under probation supervision were unable to continue with their usual delivery models due to lockdown restrictions and social distancing measures, with many community facilities closing.

Her Majesty's Prison and Probation Service (HMPPS) went on to publish a national framework for easing lockdown³ and a roadmap to recovery for probation services delivered by the National Probation Service (NPS)⁴ which outline the national guidance for remobilising the prison and probation services. These documents show that easing lockdown particularly in prison would be a slow and incremental process. In prisons the framework also highlighted that easing of lockdown would not be a linear process and would happen at different stages across the estate and at a significantly slower pace than in the community.

To accompany the national framework and roadmap, HMPPS has been developing a series of documents providing further operational guidance for various aspects of the prison regime and probation service known as Exceptional Delivery Models (EDMs) which are intended to support the recovery of services. You can find a list of available EDMs, and information on how to get hold of them, on our [website](#).⁵

Many of the fundamental changes that will need to take place as they move through the recovery phases – and the future changes that are still to be made as restrictions ease – are dependent on voluntary sector organisations remobilising their services. It is vital therefore that voluntary

organisations are engaged in the decision-making for easing restrictions and the implementation of changes to enable sufficient time to have services in place and that they have access to the relevant EDMs to support delivery. However, this has been a challenging and convoluted process as HMPPS have not published the EDMs. Organisations have to request access to the EDMs, making the process more complex, time-consuming and less transparent which has been exacerbated by inconsistent communication and implementation at a local level.

The slow process towards recovery had begun. As of the beginning of October, all prison establishments had commenced transition to stage 3 of the national framework from stage 4. This meant prisons had begun to prioritise the return of family visits and a return to the prison regime by opening some services such as workshops and education with restrictions.

The most recent national lockdowns that were implemented in England and in Wales during October and November, and the rises in Covid-19 that continue to occur, stalled progress.

Following the national lockdown in England in November, the staged system set out in the framework for easing lockdown in prisons was paused. However, rather than preemptively imposing another lockdown of regimes across the whole of the estate, prisons were able to have an exemption from national rules and regulations. This allowed them to continue to operate certain activities and services that would otherwise be impossible. Some activities should have been able to continue if they were able to run in a safe way prior to the November lockdown (for example gyms, educational provision and workshops), subject to the capacity of providers, local outbreaks and staff availability. It should be noted however that social visits in the adult estate were suspended and access to prisons to deliver new activities was not possible.

Following the end of the latest national lockdowns, prisons in England and Wales restarted the staged process of easing restrictions. However, strict restrictions may remain in place at different prisons depending on local circumstances and outbreaks and may at any point still revert to stricter stages of lockdown if needed. The possibility of further waves of Covid-19 poses a real risk of this and it will take time for prisons to progress again in the staged system.

How we gathered our intelligence

Clinks has taken several measures to understand and respond to the impact of Covid-19 on voluntary organisations working in criminal justice through which we have gathered a significant amount of evidence about how the sector has been faring during this challenging time. We have used this evidence throughout the following report.

Surveys

Clinks has conducted six surveys of the voluntary sector in criminal justice on the impact of Covid-19. The first four surveys were fortnightly surveys from when lockdown was first announced to keep pace with the rapid changes taking place. We then conducted two more monthly surveys as lockdown began to ease to varying degrees in wider society and attention turned to remobilising to see how this was impacting the sector.

The surveys also included open questions where organisations could explain the responses they gave. This enabled us to gather more detailed insights and indications of trends behind the data.

We had an average response rate of 118 to our surveys.

Note: As the pandemic has progressed, we have updated a number of our questions to respond to the evolving environment. In the report we present data from across the surveys that we have conducted to highlight how the impact of Covid-19 on the voluntary sector has changed during the pandemic. We indicate which surveys the results have derived from.

More detail on the surveys can be found in the [Appendix](#).

Events

Clinks' Area Development Team has convened 28 network meetings between March and October to provide organisations across England and Wales with the opportunity to come together to

discuss the impact of Covid-19 on them and the responses of services during these challenging times. We have also held two network meetings specifically aimed at bringing together organisations providing gender-specific services for women to share their experience during Covid-19 as well as four events for organisations working specifically in health and justice.

We have engaged with 250 different organisations through these events.

The Reducing Reoffending Third Sector Advisory Group

The Reducing Reoffending Third Sector Advisory Group (RR3) – an advisory group to HMPPS and the Ministry of Justice, chaired and coordinated by Clinks – has set up a special interest group (SIG) in response to Covid-19. The SIG is made up of senior representatives of the voluntary sector in criminal justice and its aim has been to mitigate the impact of Covid-19 on services and ensure the safety of people in contact with the criminal justice system. The group has met regularly to discuss key issues and agree recommendations for senior officials at the Ministry of Justice (MoJ) and HMPPS.

Dedicated mailbox

Clinks has a designated Covid-19 mailbox for voluntary organisations working in the criminal justice system who have concerns or questions regarding how the criminal justice system's response to Covid-19 will affect their operations or the information they should provide to service users – covid19@clinks.org

Engaging organisations that deliver arts-based provision

The National Criminal Justice Arts Alliance (NCJAA), managed by Clinks, has a national network of over 800 artists, arts organisations and criminal justice practitioners using creative approaches to reduce reoffending. During the pandemic NCJAA has engaged with over 100 network members from organisations, freelance practitioners and artists, to academics and people working in the wider creative sector and criminal justice system. This has included speaking directly to over 65

network members via meetings and email; hearing from 39 organisations via Clinks second survey which had a specific focus on arts in the criminal justice system; and organisations responding to a 'call out' for information on creative activities taking place across the prison estate. In addition to this, NCJAA brought the Arts Forum together three times which is attended by the Ministry of Justice, Her Majesty's Prison and Probation Service, and the Arts Council England.

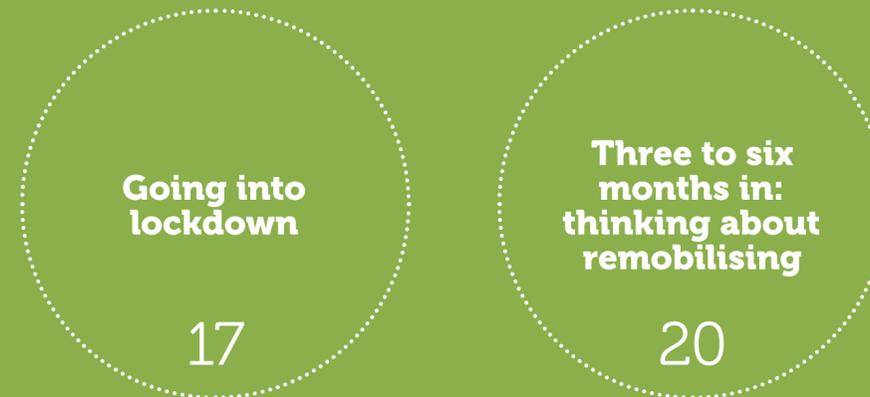
Note: The term 'organisations' is used throughout the report to refer to voluntary organisations working with people, and their families, in contact with the criminal justice system.

Notes

- 1 Meek, D., Gojkovic, D. and Mills, A. (2010). *The role of the third sector in work with offenders: the perceptions of criminal justice and third sector stakeholders*. Third Sector Research Centre. Available at: <https://core.ac.uk/download/pdf/28905596.pdf> [accessed 12 October 2020].
- 2 In our state of the sector research, for the purposes of our financial analysis, organisations were split into two groups; 'specialist criminal justice organisations' which refers to organisations whose main purpose is to work in criminal justice and '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.
- 3 Ministry of Justice and Her Majesty's Prison and Probation Service (2020). *COVID-19: National Framework for Prison Regimes and Services*. Available at: www.gov.uk/government/publications/covid-19-national-framework-for-prison-regimes-and-services [accessed 19 September 2020].
- 4 Her Majesty's Prison and Probation Service and the National Probation Service (2020). *Probation Roadmap to Recovery*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892498/probation-roadmap-to-recovery.pdf [accessed 19 September 2020].
- 5 www.clinks.org/our-work/coronavirus-covid-19

Impact

Service delivery



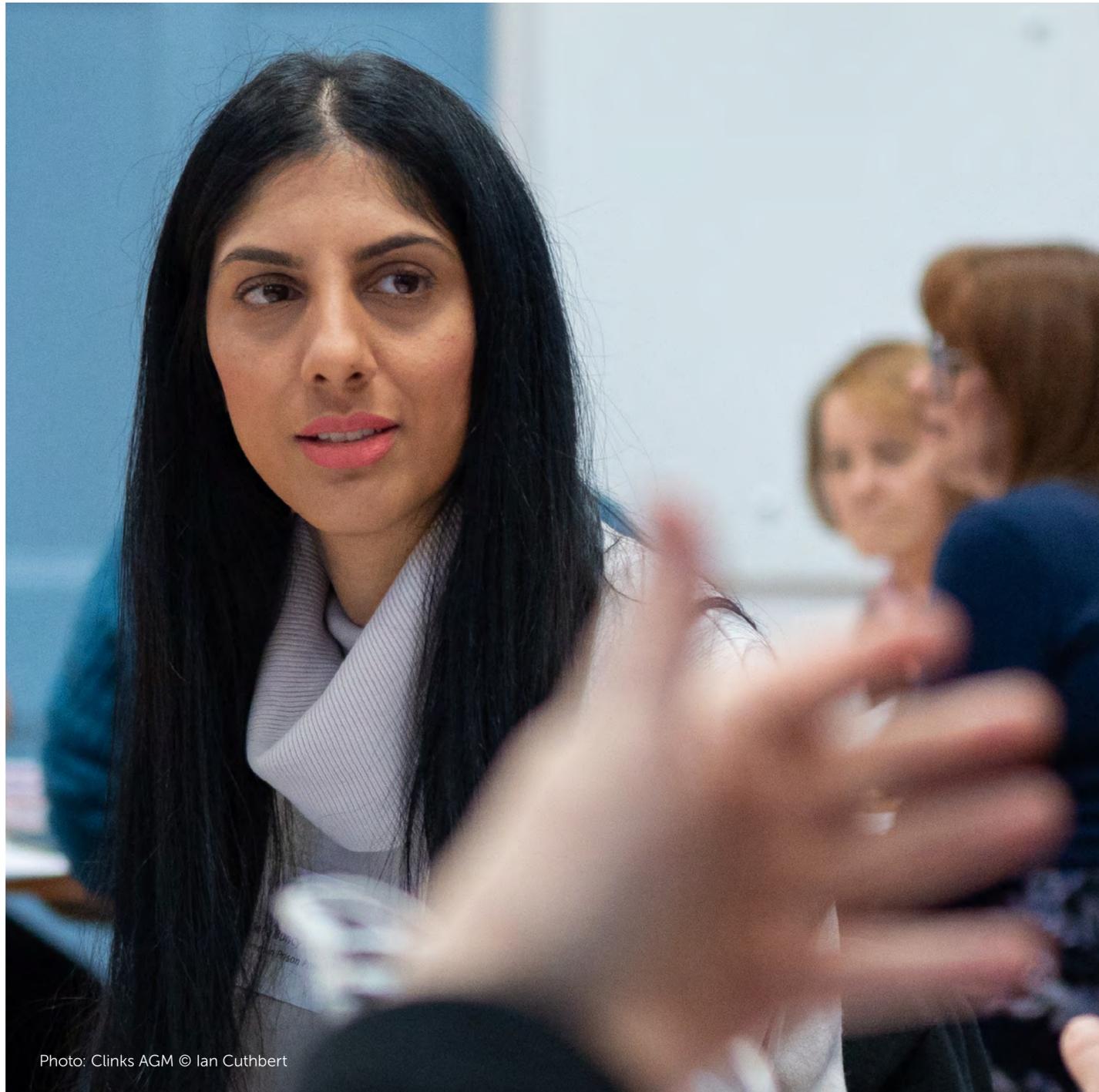


Photo: Clinks AGM © Ian Cuthbert

Collectively, the results of our surveys and our engagement with the voluntary sector in criminal justice during this time has reinforced how resilient this sector is. It has highlighted how committed organisations are as they worked to adapt to restrictions put in place to manage Covid-19 and keep pace with changes across prisons and wider society.

Some continued with face-to-face services and others embraced remote ways of delivering but this has not been without its challenges. Many organisations had to reduce their service provision.

As months of lockdown went on, and the rules and guidance continued to change, organisations continued to face uncertainty over remobilising and returning to face-to-face delivery as they tried to navigate different processes across different sectors and agencies while safeguarding their staff and clients. The most recent national lockdowns in England and Wales in October and November have added even further uncertainty for organisations who were preparing to reintroduce services and impacted the progress some organisations were making with face-to-face services.

Going into lockdown

In March when society and prisons first went into lockdown, organisations had to respond quickly and the impact differed across the sector depending on what services organisations delivered and who they worked to support – highlighting just how diverse the criminal justice voluntary sector is. Some organisations needed to respond to an increased demand for their services and find ways to continue delivering services in-person that were safe for staff and clients. Others worked at pace to redesign their services to be delivered remotely, and sadly in some cases organisations had to stop delivery altogether.

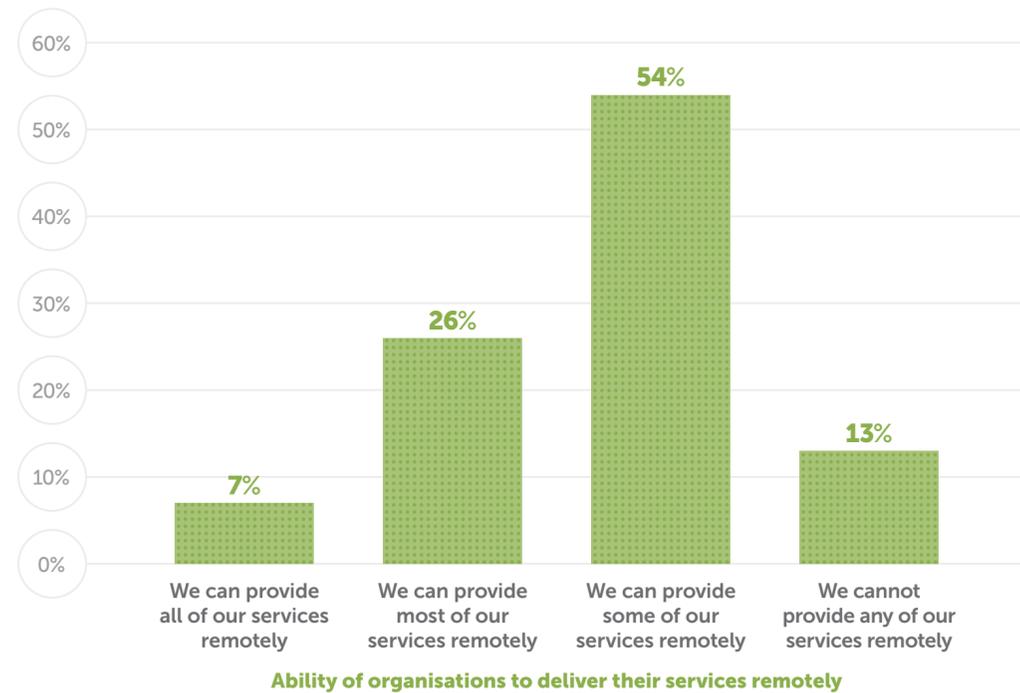
Key finding

Most organisations in the criminal justice voluntary sector continued to operate throughout the pandemic, adapting where possible to remote delivery.

In the early days of lockdown we asked how organisations had adapted and found that most organisations were able to continue delivering their services remotely to at least some extent. Organisations turned to primarily delivering their services through telephone contact/video conference with clients; advice lines; providing resource packs to people in prison; running virtual group sessions or online training and events among other innovative adaptations. The most common ways of working in the height of the lockdown were:

- Office-based tasks using home computers and laptops (61%)
- Case work via telephone or video conference (51%)
- Telephone advice line (38%).

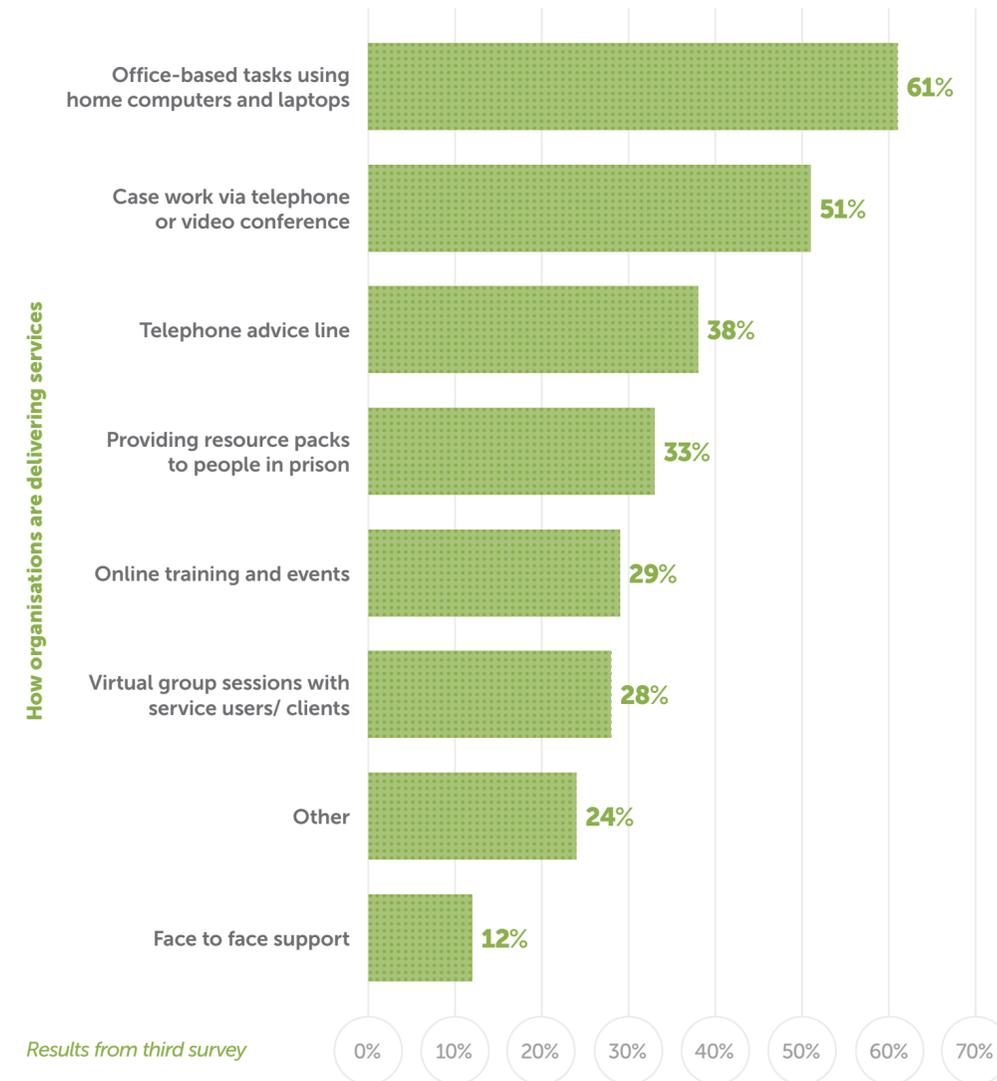
Figure 1 | The ability of organisations to deliver their services remotely



Results from third survey

Note: The percentages included in some of the graphs add up to over 100%. This is due to rounding and/ or where respondents could select more than one option.

Figure 2 | How organisations were primarily working during the height of lockdown



Results from third survey

Key finding

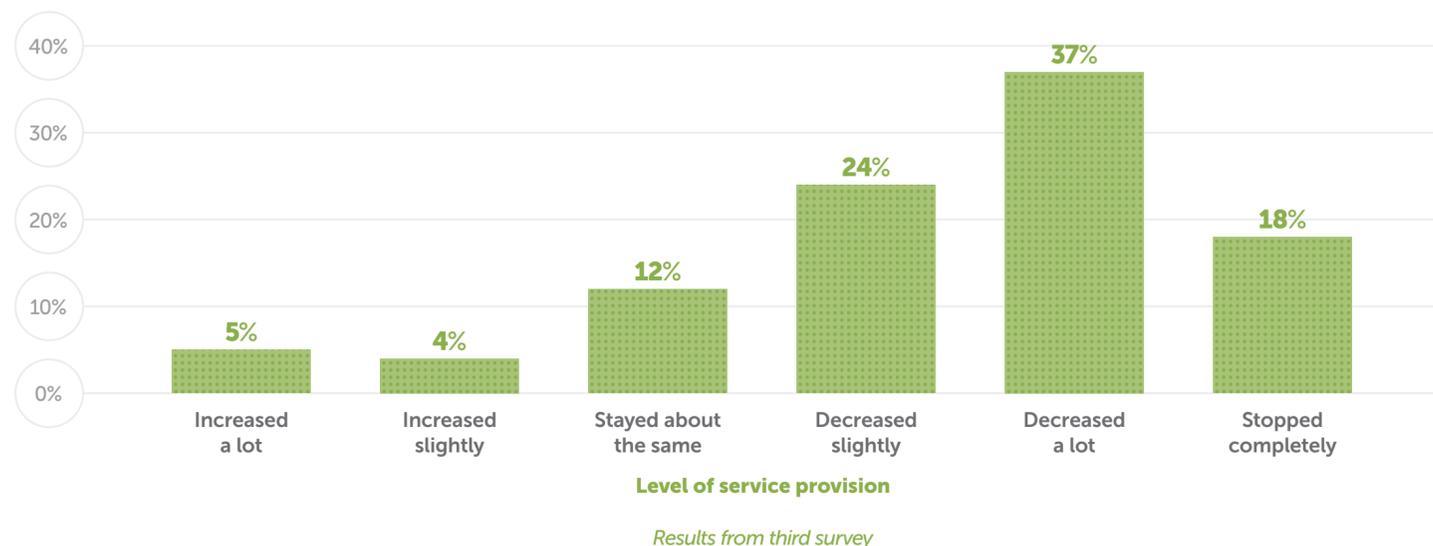
Not all work could be delivered remotely and service provision decreased across the criminal justice voluntary sector as a result of the pandemic.

Despite the sector's flexible response, we still saw an overall reduction in voluntary sector services within criminal justice. The majority of organisations reported that they had to decrease their service provision and were reaching fewer people.

- In our third survey 24% said their service provision had decreased slightly and 37% said it had decreased a lot
- In our fourth survey 24% said the numbers of people that organisations were working with had decreased and 38% said it had decreased a lot.

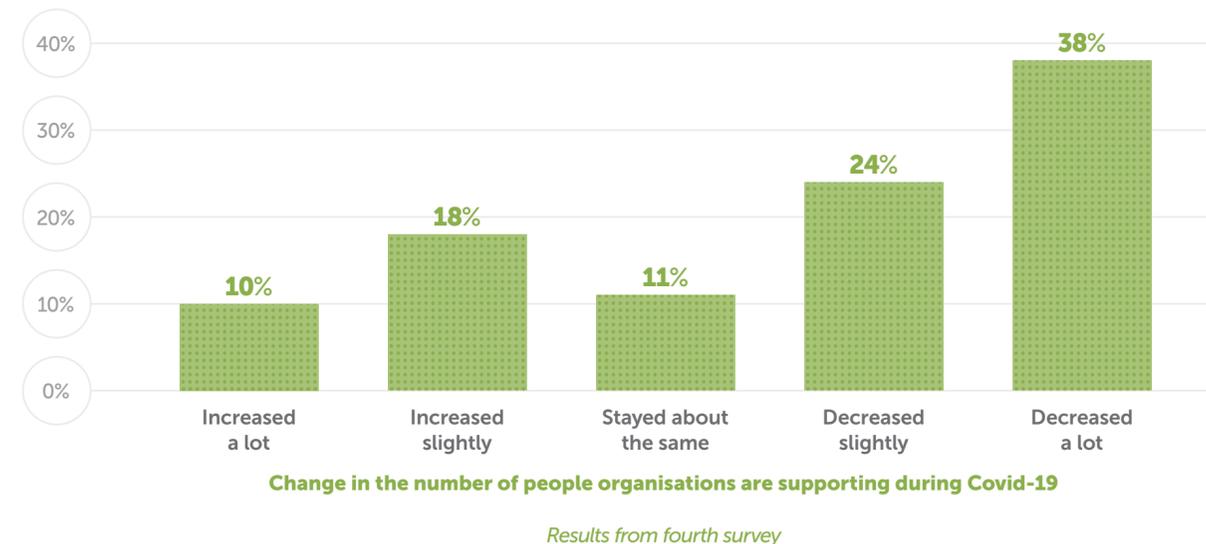
There were acute challenges, particularly for organisations that deliver services in prisons, in reaching clients and adapting services that are usually highly interactive into in-cell activity.

Figure 3 | Impact of Covid-19 on levels of service provision during the height of lockdown



Adapting to remote delivery is not always possible. 86% of respondents to our fourth survey said they were not continuing with face-to-face delivery for the services that they could not adapt to remote provision. This means those services had to stop.

Figure 4 | Impact of Covid-19 on the numbers of people organisations worked with during the height of the pandemic



There are some voluntary organisations for which remote working was not possible at all and though the need for their services was still very much there, being unable to get access to prisons and community spaces meant they had to stop delivering altogether. Our first four surveys found that, on average, 17% of organisations could not deliver their services at all.

For a number of organisations however, the opposite was true as they had to continue delivering services from the beginning of lockdown and responding to high demand to meet the gaps in service provision to provide essential services. Through our engagement with the sector, Clinks particularly found this to be the case for substance misuse, accommodation and resettlement services.

Organisations that continued to deliver face-to-face services throughout the pandemic faced challenges around safe delivery and co-ordinating services. As was raised by the RR3 special interest group on Covid-19, voluntary organisations supporting people on release were not being adequately provided with relevant risk information regarding the potential contact of individuals with Covid-19 whilst in custody.

This crisis has also reinforced the need for clear communication from statutory partners to enable voluntary organisations to provide timely and effective support. Qualitative evidence through our extensive engagement with the sector showed that information flow in the early stages of the pandemic from HMPPS, prisons and probation was slow and inconsistent. Organisations were left unaware of key operational information, including what level of support people were getting from the probation service. This created significant barriers for organisations trying to support people in contact with the criminal justice system and fill gaps in provision. Though improvements have been made and mechanisms put in place to facilitate information flow, significant challenges with communication continued to persist throughout lockdown impacting the ability of the voluntary sector to plan its services and remobilisation.

Three to six months in: thinking about remobilising

It soon became clear that Covid-19 and lockdown restrictions were going to last longer than many of us had originally anticipated. As we got further into lockdown the focus began to shift towards creating a 'new normal'. Guidelines around Covid-19 changed a number of times as national government began easing lockdown to varying degrees across society and in the criminal justice system. This presented challenges for the voluntary sector in criminal justice in how to respond to these changes, remobilise and re-introduce in-person services safely.

These challenges continue to be an issue, exacerbated by a series of local and regional lockdowns using a tiered system that create inconsistency across the community and prisons. As society faces a further wave of Covid-19 and different restrictions in response, organisations face complications about what this means for their service provision and having to again reduce services that they had started to rebuild. Many organisations will be facing the reality that they will not be able to deliver any face-to-face services before 2021.

Level of service provision

Key finding

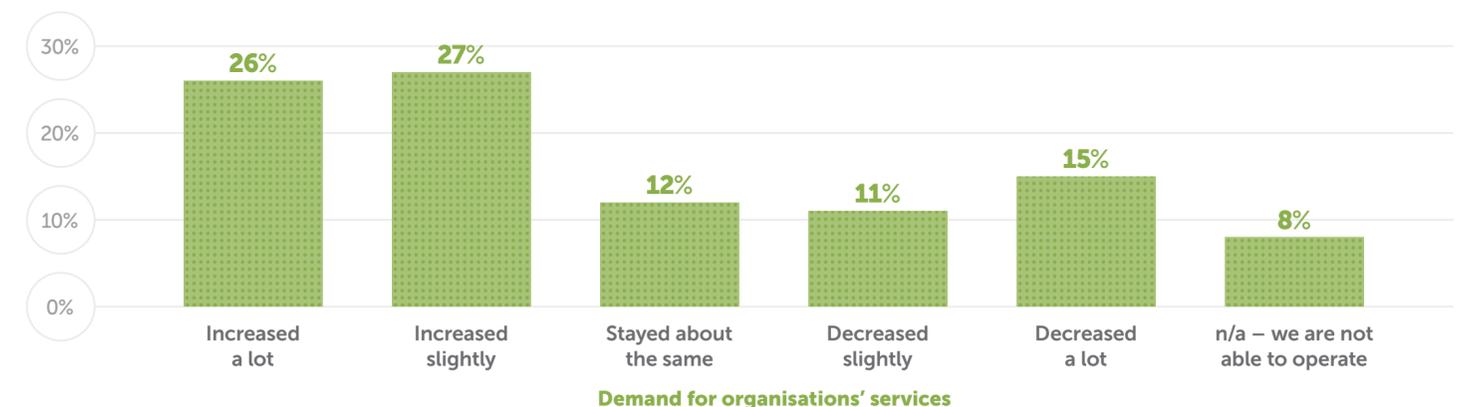
Despite high demand for services, the sector is struggling to provide services at the same level prior to the pandemic.

In our last two surveys we wanted to know how organisations were being affected by, and were adapting to, the rapidly changing external environment. We found that demand for the voluntary sector's services had increased, with 53% having told us this was the case. It is perhaps not surprising given the reduced availability of statutory services and lack of support that people in the criminal justice system were receiving, that people turned to the voluntary sector to fill the gap.

"For clients in most need, their needs have increased, particularly where mental health needs are present. Much of our usual support in prisons and in community has ceased or reduced, so we have needed to plug gaps that others would usually assist with."

Survey respondent

Figure 5 | How demand for the voluntary sector's services has changed during the pandemic



Results from fifth survey

However, responding to the demand in such a constrained environment continued to be challenging. Our most recent survey conducted in late August found that, as with previous surveys, levels of service provision had still not recovered in the sector and were lower than they had been prior to the pandemic. 58% said that service provision had decreased from levels prior to the pandemic and a further 7% were still not able to deliver services. The loss of services also put added pressure on those that continued to operate, as they worked to support as many people as possible who had less sources of support to turn to. However, the final survey that we conducted (in August) showed that service provision for many organisations began to increase again in that month. 43% said service provision had increased slightly and 14% said service provision has increased a lot in that month. This may represent a number of factors as organisations settled and embedded the new ways they adapted for delivering their services; some brought staff back from furlough; and some returned to delivering in-person services. However, it is important to note that organisations remobilising in-person services again were reliant on restrictions in the community (and in some cases in prison) changing and easing. Since our research was conducted, England and Wales had temporary national lockdowns. Local areas have since been subject to tiered systems which may mean that organisations are subject again to tighter restrictions depending on local Covid-19 infection rates.

Figure 6 | How the pandemic has impacted levels of service provision in the sector

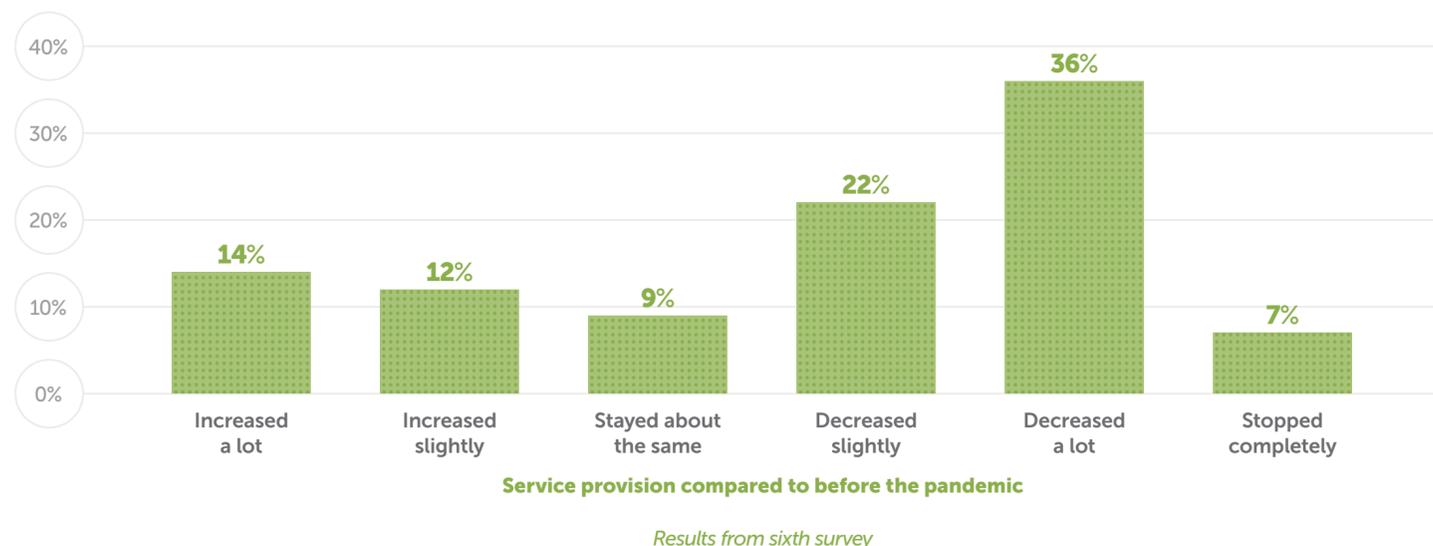
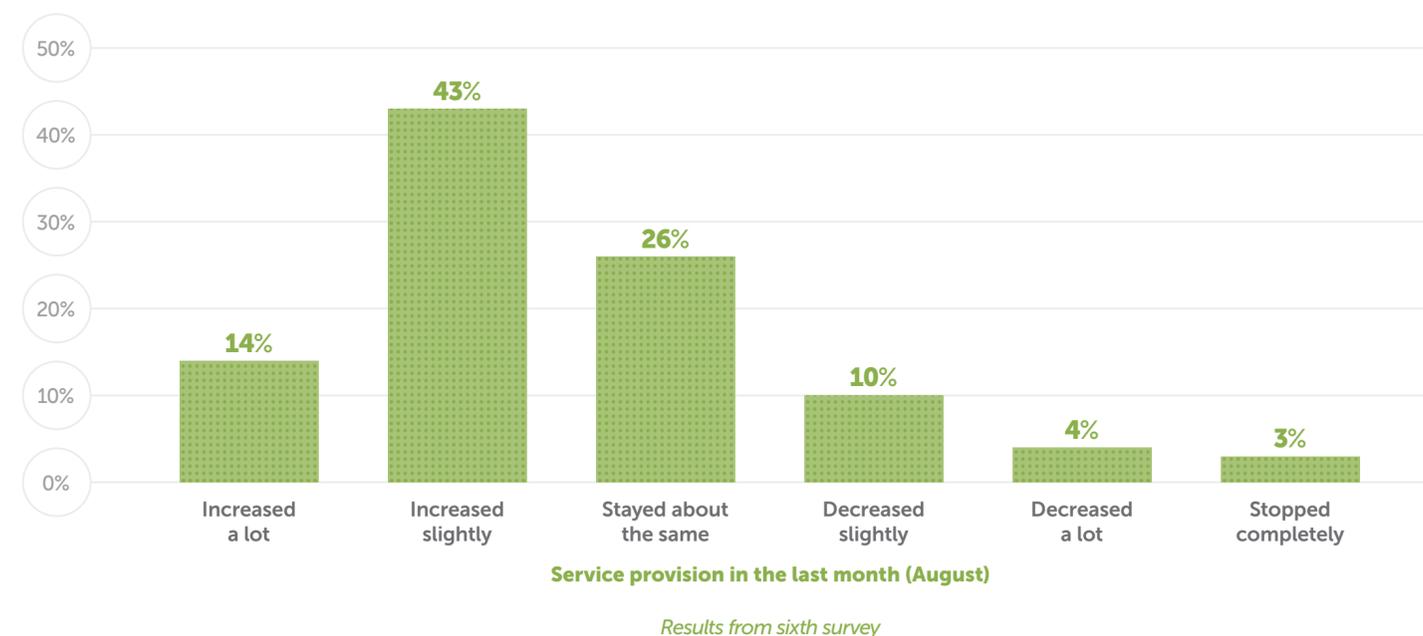


Figure 7 | How levels of service provision changed more recently (during August)



Restarting services in-person

To understand how the changing lockdown rules were impacting the service delivery landscape, in our last two surveys we asked organisations what their plans were for returning to face-to-face services. This was also a key focus point of discussions we facilitated at our regional and thematic network events where we gathered a significant body of information about the issues organisations were facing.

Key finding

Organisations had slowly begun to re-introduce face-to-face service delivery but there is still much uncertainty in the sector over doing so, exacerbated by changes in restrictions and the implementation of regional and national lockdowns.

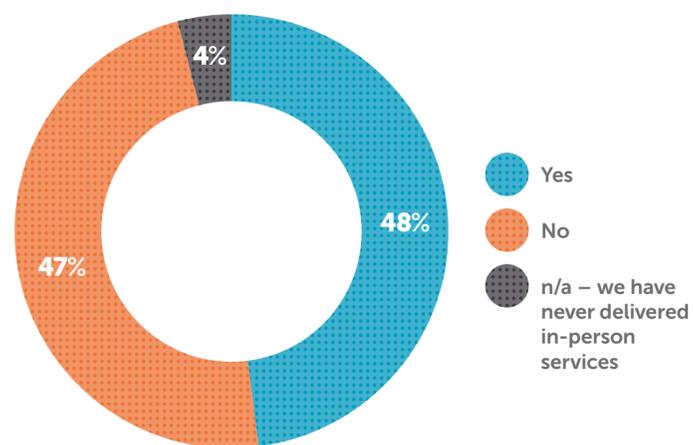
Our August survey showed an increase from the previous one of organisations beginning to deliver in-person services. However, there still remained a significant split in the sector:

- 48% told us that they had begun delivering in-person services that month
- Whilst 47% said they had not returned to face-to-face delivery
- The remaining 4% did not deliver in-person services prior to the pandemic.

Despite the increase in organisations remobilising, we still found a lot of uncertainty amongst the sector about returning to face-to-face services. Of those that were not delivering in-person services, 37% said they would not do so in the next month and 31% were not sure whether to.

Figure 8 | Proportion of organisations that restarted delivering services in-person (during August)

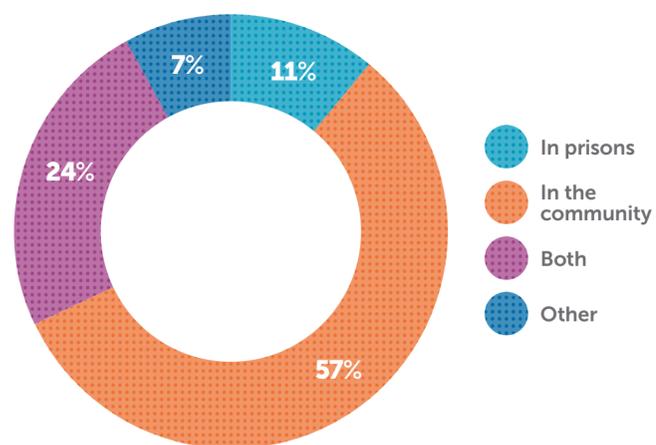
Restarted in-person services in the last month (as of August)



Results from sixth survey

Figure 9 | Where organisations that had restarted delivering services in-person were working (during August)

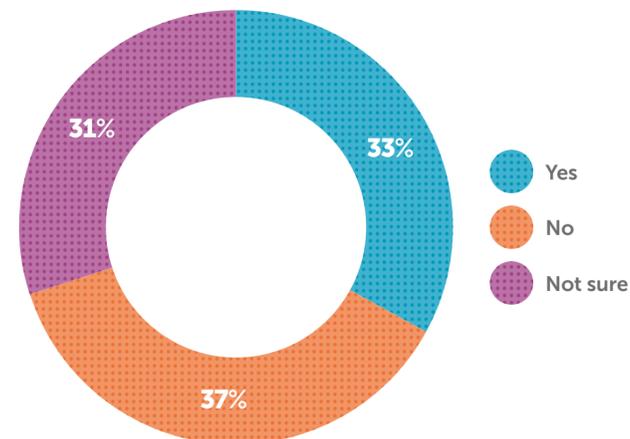
Where in-person services have been taking place in the last month (as of August)



Results from sixth survey

Figure 10 | The proportion of organisations not already delivering services in-person that plan to start delivery within the next month (as of August)

Plan to restart delivering services in-person in the following month



Results from sixth survey

Whilst we found that 31% of organisations were very confident about restarting services safely, the majority were not fully confident about this:

- 54% were only somewhat confident about restarting services safely in the context of Covid-19
- A further 15% were not so confident about doing so.

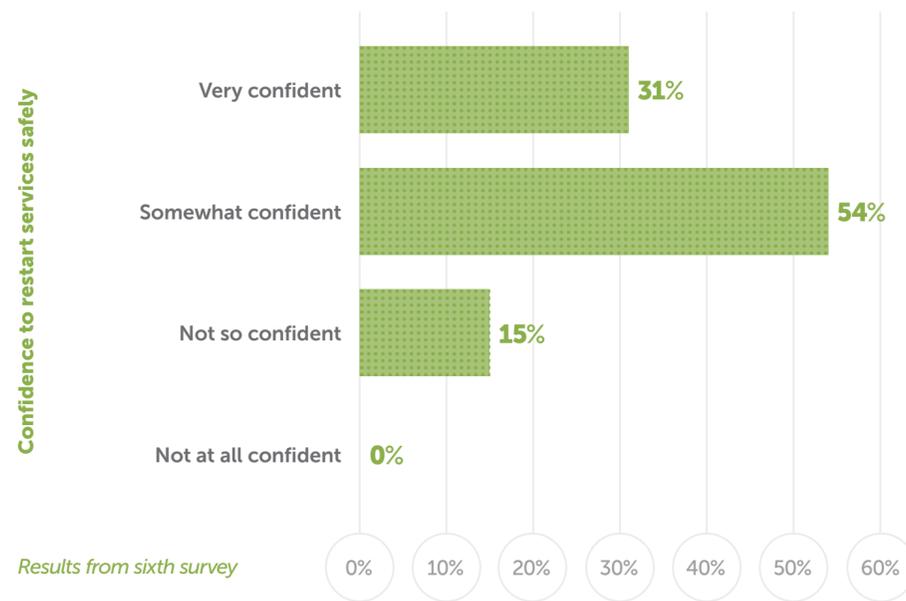
There are a lot of safeguarding issues and practical barriers to consider before beginning to reintroduce in-person services. Restarting services in-person is a complicated process that is not a matter of simply returning overnight to previous ways of delivering services. Added to this are risks that progress could be reversed if there are further local lockdowns or changes in Covid-19 rules that make them more restrictive e.g. such as changes to the rules which took place in September that meant (subject to some exemptions) indoor and outside gatherings were limited to six people.

Through our extensive engagement with organisations, we have found that inconsistent approaches across different sectors, agencies and areas created even greater barriers

for organisations trying to navigate the process of remobilising in-person services. Feedback from our surveys and engagement with organisations has highlighted that communication from HMPPS on these issues has been particularly poor.

The national lockdown in England that took place in November prevented new activities from starting in prisons in England. If voluntary organisations had not been able to get access to prisons prior to the latest lockdown, they would not have been able to during November, impacting plans for restarting service delivery. For those with access, staff availability has impacted the ability of prisons to support activities due to a rise in Covid-19 cases in some prisons. Contact tracing, which requires self-isolation, further impacted the sector's service delivery.

Figure 11 | How confident organisations are about restarting face-to-face service delivery safely in the context of Covid-19



Keeping staff and clients safe

The biggest challenge facing organisations looking at returning to in-person services is keeping people safe. Organisations need to do all they can to prevent staff and people accessing their services from contracting the virus. This has implications on the design of services and the costs associated. For example, organisations spoke about the challenges of:

- **Redesigning spaces and processes**

Ensuring that the spaces organisations use enable social distancing and that they have processes in place to ensure social distancing is adhered to can be challenging, particularly where the rooms or buildings organisations use are small and the design of them does not easily accommodate social distancing. The cost of accessing larger spaces is not practical. One response also highlighted the challenge of providing outreach work in the community during the pandemic and accessing spaces that are appropriate to speak with people but also safeguards them and staff against Covid-19.

- **Using personal protective equipment (PPE)**

Where social distancing cannot be accommodated, organisations that had begun in-person services again spoke about the challenges of using PPE. They reported that wearing face coverings was in some cases creating difficulties for clients and building relationships with them. Providing emotional support, particularly supporting those at crisis point and whose mental health has been impacted by the pandemic, is particularly challenging in this context.

- **Group work**

Particular challenges were cited with delivering group work during this time. This has limited the numbers of people organisations could support and impacted the design of sessions. Survey responses highlighted that many have found it hasn't been possible to get access to prisons to deliver group work.

- **Additional costs**

There are increased costs associated with additional cleaning, both in environments where frontline services are being delivered and in office environments where staff have returned.

Key finding

Covid-19 safety measures and operational procedures to protect against Covid-19 are inconsistently applied across the prison estate which is creating barriers for organisations to return to deliver services in prison safely.

Engagement with prisons

Our surveys, events and ongoing dialogue with organisations has highlighted unique challenges in remobilising services for organisations that work in prisons. This has been exacerbated by an inconsistent approach across the prison estate towards restarting services that also appears, at times, to be at odds with the national guidance on easing lockdown.

On one end of the spectrum, many organisations told us that they had no communication from prisons about recovery plans, changes in regime or plans to allow services to re-enter and engage with clients again.

As a result, many organisations have not been able to return to delivery because they have been unable able to get access to prisons. The majority of those who had started to deliver services face-to-face again (or were planning to) were doing so in the community.

Survey responses indicated that those unable to get access to prisons did not anticipate this would change in the foreseeable future. This is reiterated by organisations at our events who told us they have been unable to speak to key personnel and points of contact that they were working with before lockdown, leaving them in the dark about whether restarting services could be a possibility soon and causing greater anxiety about the future. Some organisations have expressed concern that the nature of their work is not prioritised for access to prisons.

“Very little information on adjusting requirements and outcomes.”

Survey respondent

On the other end of the spectrum, some organisations reported to us that they were asked by prisons to restart services regardless of what stage of the national framework for easing lockdown the prison was at and without the relevant operational guidance (known as Exceptional Delivery Models) in place.

This inconsistency and lack of transparency can make it hard for organisations to know what to do in this situation and is at odds with guidance from HMPPS centrally. This prevents organisations from feeling they can return safely. It also puts significant pressure on organisations that rely on good relationships with the prison for access. It is particularly a challenge if they are funded by prisons and are concerned about delivering services in the long-term.

“There’s fragmentation between what is said centrally and what is happening locally. We have spent months working on a sensible timeframe and sign off process and then HMPPS announced visits could reopen in a matter of days.”

Survey respondent

Both the responses to the survey and feedback received at our events highlights that lack of communication has also been a problem for organisations going back into prisons. In many cases, organisations were not made aware of the procedures in place to ensure the safety of voluntary sector staff and their service users, for example whether there will be PPE available or hand sanitiser, and a lack of guidance for them about how to work safely and what is expected of them. We have also had reports of safety measures being changed without updating voluntary sector staff, leaving them unprepared when entering the prison.

The confusion is exacerbated by disparities in processes at different prisons and the way they are being implemented on the ground. For example, there are disparities with how much social distancing is taking place in practice; some prisons are providing PPE and sets of wipes and sanitiser for people at the gate whilst others are not; and there are differences between staff using PPE depending on their role. This is leaving voluntary sector staff unsure what the requirement is for them and how to protect themselves.

“[Poor] adherence to cleaning regimes in individual establishments ...
Ongoing poor communication around what is and isn’t acceptable.”

Survey respondent

“Lack of information from prison what they want to do and how
and what are the risk assessment measures in place.”

Survey respondent

This was intensified by a lack of guidance for face coverings.⁶ HMPPS has policies on the use of face coverings for staff it directly employs, but staff entering prisons who are employed by voluntary sector organisations are free to follow the guidance set by their organisation. However, feedback suggests that prisons are applying this inconsistently across the estate. Added to this, because of the potential risk face coverings pose to security in places where people are moving around areas, people may be asked to remove face coverings for identification. Some organisations say this has been the case in communal areas which presents additional safeguarding concerns and anxieties for voluntary sector staff who are particularly vulnerable to Covid-19.

Notes

- ⁶ On 12 October 2020 HMPPS produced a *Staff Face Mask Strategy* for HMPPS staff and a *Prisoner Face Covering Strategy* outlining when they should wear face coverings in prisons. Voluntary organisations working alongside the prison service can request digital copies of both documents by emailing covid19@clinks.org. The lack of transparency of not publishing the strategies can make it challenging for organisations to know what measures are in place. It is yet to be determined whether the new guidance has improved consistency across the prison estate for the voluntary sector.



Case study: Zahid Mubarek Trust

Zahid Mubarek Trust (ZMT) is a national charity advocating for racial justice in the prison system that delivers specialist work to improve the treatment of, and outcomes for, BAME prisoners.

Alongside high-profile policy work to influence systemic change, ZMT provides external scrutiny in prisons. ZMT offers best practice approaches for addressing race disparity and scrutinises the effectiveness of local equalities policies and procedures in prisons. To do this work the Trust runs a number of activities to maintain a regular presence in prisons and ensure meaningful engagement with people in prison and senior management at establishments.

The Trust also provides advocacy on behalf of prisoners and families from minority ethnic communities who request ZMT's intervention around their treatment in prison. ZMT's advocacy supports them to navigate the internal mechanisms in prisons for resolving concerns.

How did Covid-19 and the lockdown impact ZMT and the people you support?

Prior to the pandemic, our work included regular visits to prisons which has stopped since the lockdown in March. Adapting to remote working was challenging. We were able to continue our national policy influencing work remotely and engage with stakeholders virtually, but maintaining contact with prison management and prisoners was more difficult. However, knowing everyone around us was in the same situation made the crisis more manageable. We were able to talk with other charities and share experiences and learning with each other which really made a huge difference in creating our new processes.

From early April we started receiving increasing numbers of requests from the families of prisoners enquiring about their loved ones in prisons. It was clear that none of them had any idea what was really going on in prisons and many had no phone calls for over a week at a time, which left them worried and anxious. Given the disproportionate impact of Covid-19 on healthcare staff and people from BAME communities, many families were also worried about the lack of information about those affected in prisons. It was an emotionally draining experience for our staff to deal with these desperate calls and requests, whilst we had very little information and communication ourselves from prisons and central government.

We have also seen an unprecedented increase in the demand from BAME prison leavers who knew about us from prison prior to the pandemic. ZMT was a natural point of support for them after their release. However, providing resettlement support is not our primary area of work and without dedicated support workers we have found it challenging to meet this demand. We are concerned that the increase in prison leavers turning to us reflects a lack of support being provided to BAME people on release, that their needs are not being met and that they are not being supported to navigate Covid-19 restrictions in the community.

What impact does the pandemic continue to have on ZMT? Have you been able to restart services in person?

At the end of September we had the opportunity to virtually attend two prison equalities meetings. This remains just a small fraction of the prisons we work in. We would have expected all prisons to have reintroduced some form of equalities work by now. ZMT's staff are ready to restart our equalities and scrutiny work in prisons as soon as we hear from prisons but as of yet we have not been able to get engagement from most prisons about this.

Whilst some elements of our scrutiny and equalities work can be adapted to remote delivery, this is not a long-term approach. We believe in-depth holistic scrutiny and support is what is needed to improve the outcomes of BAME prisoners. This is more vital now more than ever and we are concerned about the current lack of scrutiny on the impact on the treatment of BAME people in prison.



Photo courtesy of Zahid Mubarek Trust

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Library image, posed by models

Our research looks at what impact Covid-19 and lockdown in prisons and society, and the lack of services, had on people in the criminal justice system. The reduction in the sector's services during this time and the challenges around service delivery have come at a time when their work has never been more needed.

Our research consistently shows a detrimental impact on the people organisations work to support, with the pandemic exacerbating existing systemic issues in the criminal justice system.

Heightened need

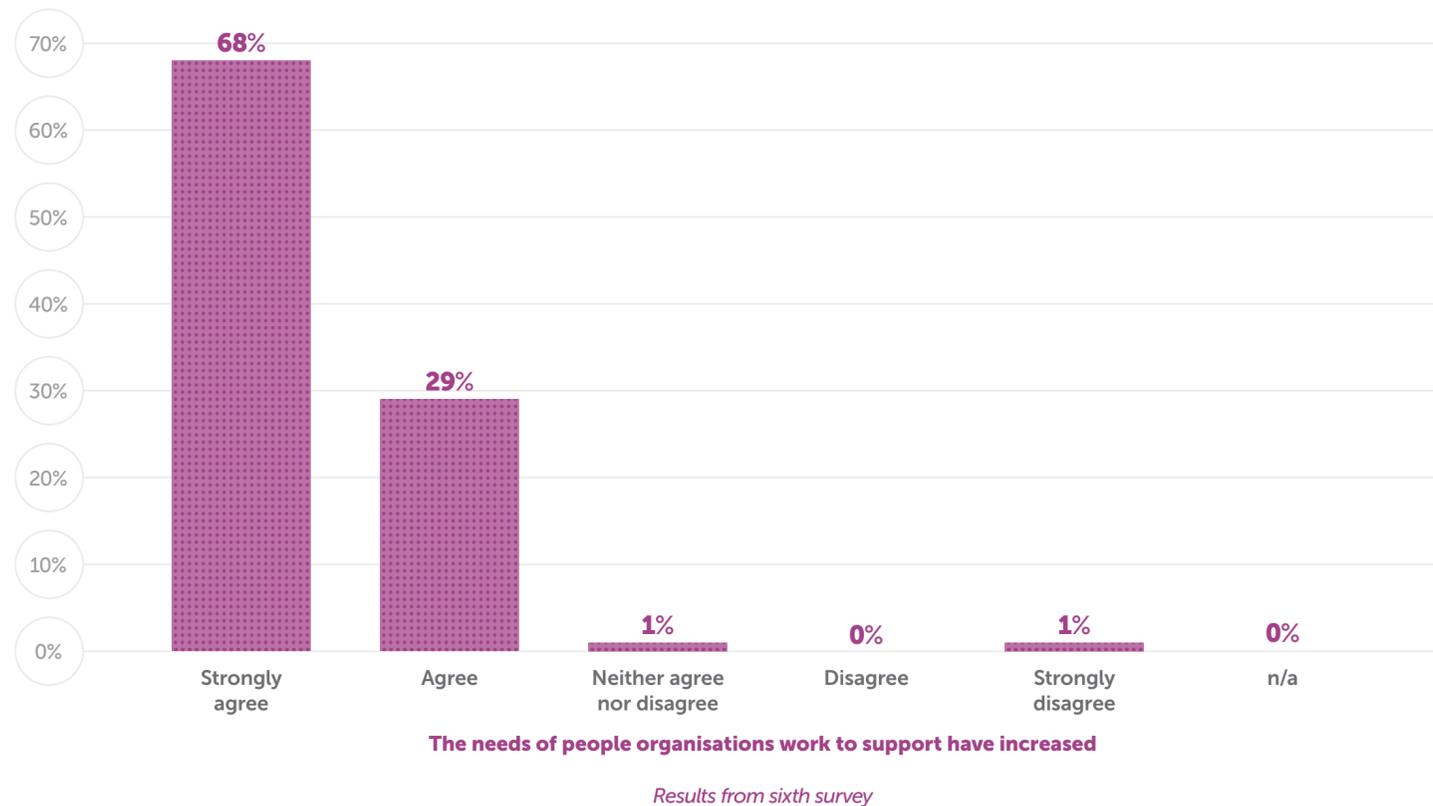
Key finding

The needs of people in the criminal justice system have increased during and as a result of the pandemic.

In our most recent survey 68% of respondents strongly agreed and a further 29% agreed that the needs of the people they work to support had increased during the pandemic. This finding was consistent every time we asked about the impact on people in the criminal justice system in the surveys.

- **Fourth survey**
28% strongly agreed and a further 31% agreed that the needs of the people they work to support had increased during the pandemic
- **Fifth survey**
52% strongly agreed and a further 43% agreed that the needs of the people they work to support had increased during the pandemic.

Figure 12 | How the pandemic has impacted the needs of people organisations in criminal justice support



In each survey, we asked organisations to expand on their answer and explain why they thought this was the case. The following section presents some of the key themes that emerged from their responses.

A mental health crisis

Key finding

The isolation and anxiety created by the pandemic and the restrictions put in place have had a severe impact on the mental health and wellbeing of people in the criminal justice system and triggered existing trauma.

The responses have highlighted the severe – and potentially long-lasting – impact of lockdown on the mental health of those in the criminal justice system and their families. The isolation, lack of contact with others and lack of activity has heightened anxieties, impacted mental wellbeing and exacerbated existing mental health conditions with a number of organisations finding increased levels of self-harm.

“We have experienced a high increase in mental health issues and substance misuse concerns which have led to an increase in safeguarding concerns.”

Survey respondent

“Several service users have reported deterioration in mental health, increased anxiety and this has led to more self-harm with some individuals.”

Survey respondent

Mental health issues are likely to rise in the population as a whole due to Covid-19. However, there is concern that the mental health impact on those in the criminal justice system will be particularly acute because restrictions are taking longer to ease combined with the disadvantage people in the criminal justice system often face. This has been raised as a particular concern for those in prison who have faced being locked in their cells for more than 23 hours a day.

As people’s mental health deteriorates, organisations are concerned that they are still, in many cases, unable to deliver their services at full capacity. The restrictions in place have prevented

organisations from providing in-depth and meaningful therapeutic services and made it more challenging to reach out to people. For example, in our events some organisations have noted that they haven't even been able to use the telephones in cells to make contact with clients. Other organisations pointed out that the lack of access to support is particularly concerning for those with pre-existing mental health concerns and experience of trauma.

"The strain and anxiety caused by not being able to see member(s) of the family in prison has been harder week by week; we know this from calls to the mobile family support helpline we set up during lockdown."

Survey respondent

"We are increasingly concerned by the prolonged period of effective solitary confinement being experienced by those serving sentences ... The damage to mental health will be enormous."

Survey respondent

"I have been in a prison site twice in the last two weeks and had the opportunity to talk to some residents. They are very worried about the deterioration of their mental health, individually and collectively, and they have told me of changes in themselves due to being locked in for 23 hours a day for such a long time."

Survey respondent

Even before the Covid-19 outbreak, the mental health needs of people in prison have been reported as becoming increasingly acute over the last few years, with rates of self-harm and suicide steadily rising as prison conditions have worsened. This has also been a problem in the community due to a lack of access to mental health support. Whilst official statistics from April indicate that at the height of lockdown self-harm incidents unexpectedly decreased,⁷ this does not reflect feedback at the local level from the voluntary sector where accounts from inside prisons have suggested that levels of self-harm have increased during the crisis.⁸ This reinforces concern that with reduced face-to-face contact with staff and staff capacity decreasing, mental health needs and self-harm incidents are more likely to be missed or go unrecorded. This may reflect – as in wider society – less people accessing mental health services.

Voluntary organisations demonstrated good practice in adapting to prison regime restrictions in order to deliver mental health interventions to service users in prison through 'distraction packs' which provide activities for people to complete whilst in their cells. Despite this, there are growing concerns that as a result of Covid-19 and worsening imprisonment conditions, with specialist face-to-face mental health interventions having largely ceased – and a likely ongoing reduction in voluntary mental health services – that the mental health needs of people in prison and self-harm will continue to grow even more acute.

Poverty and disadvantage

Key finding

More people in the criminal justice system are being pushed into poverty as a result of the pandemic.

The responses to our surveys also highlight how the pandemic is exacerbating poverty and homelessness for people in contact with the criminal justice system and their families. Organisations reported how the basic needs of those in the community have gone unmet with an increase in people accessing voluntary sector services at crisis point as they struggle to access benefits, accommodation and employment. As a result, organisations have told us they have had to support more people with getting essentials such as food, and phone credit to access services that are now provided remotely.

Many also cited a worsening of pre-existing issues with welfare and debt for people in the criminal justice system during the crisis. Prior to Covid-19, there were a number of issues in providing access to banking and Universal Credit payments for prison leavers prior to release, which has been exacerbated by a lack of resettlement planning and support, with some concern raised that claims are taking longer to process.

“Service users are needing more frequent contact with support workers. The focus of work has shifted to crisis work rather than long-term goals.”

Survey respondent

“The impact of existing poverty has been harder for people to manage.”

Survey respondent

“We have also had to provide more food parcels than previously and deliver them as part of a crisis intervention.”

Survey respondent

“Due to the Covid-19 pandemic we have seen a rise in referrals into our branch. Food/clothing voucher requests have risen sharply. The Department for Work and Pensions is also taking longer to process benefit claims.”

Survey respondent

Many responses highlighted that accessing accommodation for those in the criminal justice system, especially prison leavers, has been a vital issue. This concern was echoed in networking events run by Clinks with many expressing that housing for people in the criminal justice system and with criminal records has not been seen as a priority. When lockdown was first announced, emergency accommodation was sourced and block-booked by local authorities. But despite the initial determination to get everyone out of rough sleeping during this crisis, accessing emergency accommodation has been increasingly difficult as those spaces filled up and a lack of move-on accommodation created a backlog. This has left many people homeless upon release during the pandemic.

The government’s own figures shine a light on what a challenge accessing accommodation for prison leavers has been. For example, in just over a one month period between 23 March – when the lockdown was imposed – and 30 April, 840 men, 89 women and 85 young adults aged 18 to 24 were released from prison into rough sleeping or other forms of homelessness. A further 1,209 men, women and young adults were released with unknown accommodation circumstances in the same period. This does not even

account for those that may have technically been released into temporary and unsettled forms of accommodation but who are unlikely to still be in that accommodation.

“The needs of the clients we have continued to support have increased, significantly in some cases. This is mainly due to the closure/reduction in other support services resulting in needs not being addressed as effectively or at all e.g. homelessness. Temporary housing has been very difficult to address due to a lack of available options, despite government measures to assist with this.”

Survey respondent

“There are more clients presenting at our drop-in for the homeless.”

Survey respondent

“There are some prison releases during lockdown with very little warning, on Friday afternoons with no housing provision arranged prior to release.”

Survey respondent

There are fears that these issues will be long-standing. As wider society recovers from this crisis and amidst many job cuts, employment is likely to become even harder to obtain. Respondents expressed concern that in a more competitive job market, people with convictions are likely to be hit hardest exacerbating welfare and debt issues and stopping people in the criminal justice system from being able to afford a basic standard of living.

“With unemployment rising, people with criminal records will be at the back of the queue.”

Survey respondent

“We are concerned about the job market in the coming years.”

Survey respondent

The housing situation was already in crisis prior to the pandemic, with our State of the sector research continuously showing that people in the criminal justice system are being pushed into poverty and unable to access safe, secure and appropriate accommodation. In our research we – like many other voluntary sector partners – called for bolder action

to urgently address the systemic issue. It is a deep source of concern that rather than improvements being made, the pandemic has further worsened this and accelerated the homelessness, poverty and disadvantage facing people in the criminal justice system.

Accessing services

Our 2019 State of the sector research found that one of the main reasons why the needs of people in the criminal justice system are becoming more urgent and complex in recent years is austerity measures cutting the funding for statutory services in the community. This led to them to reduce their services and limit the support provided, particularly excluding people in the criminal justice system due to more restrictive criteria. Our new research shows how this has worsened the impact on people in the criminal justice system in the context of Covid-19.

The voluntary sector's services have therefore never been more needed. But the challenges faced by organisations delivering services during this crisis and the loss of service provision in the sector has hampered its ability to plug the gap in support.

Limited access to statutory services

Organisations have highlighted that statutory services have become more limited in response to Covid-19 and harder for people in the criminal justice system to access during the pandemic.

“With fewer services at full operation and statutory services heavily reduced, more people are struggling to resolve issues themselves and they need an advocate.”

Survey respondent

What has been available was largely moved to remote provision. This excludes a number of people in the criminal justice system facing multiple disadvantage who are often digitally excluded and do not have access to the necessary technology to reach essential services provided remotely. This was not addressed by the support people receive from the prison service for people

released or probation for people under their supervision. For example, the RR3 special interest group on Covid-19 has highlighted cases where prison leavers that were equipped with mobile phones did not have internet access preventing them from engaging with services online.

“Support services have become more difficult to access, and inequalities of access to those services are becoming more apparent. Many services are geared to email/web users, eg support with addictions over Skype, or online courses, which the majority of our service users cannot access.”

Survey respondent

“There are still individuals facing difficulties in accessing suitable accommodation upon release, which is compounded by barriers they face in engaging with statutory services.”

Survey respondent

“For people not used to being in contact via phone, who frequently miss calls, we are struggling to get them the help they need e.g. GP, citizens advice, benefits, as it is telephone based.”

Survey respondent

The sector also highlighted specific issues for people leaving prison during this time, with organisations providing feedback that limited resettlement support was taking place from prison and probation. Voluntary sector organisations that support people leaving prison reported that co-ordinating support became significantly harder as they were not able to make contact with people prior to their release. With less preparation in the run up to the transition to the community, this increased the needs of people immediately on release and left them struggling to navigate the new, and often changing, Covid-19 environment.

“Those inside are concerned about what they will meet on release and we have not been able to meet to assist / plan for their release ...”

Survey respondent

“The needs have been much higher for those released from prison without planning the community support and little direct access to services available in the community.”

Survey respondent

“Many of our clients are isolated due to being newly released from prison and not being able to access the normal services, i.e. housing providers, face to face support with benefits, etc. We have clients in custody who we have no way of contacting at present.”

Survey respondent

Voluntary sector services

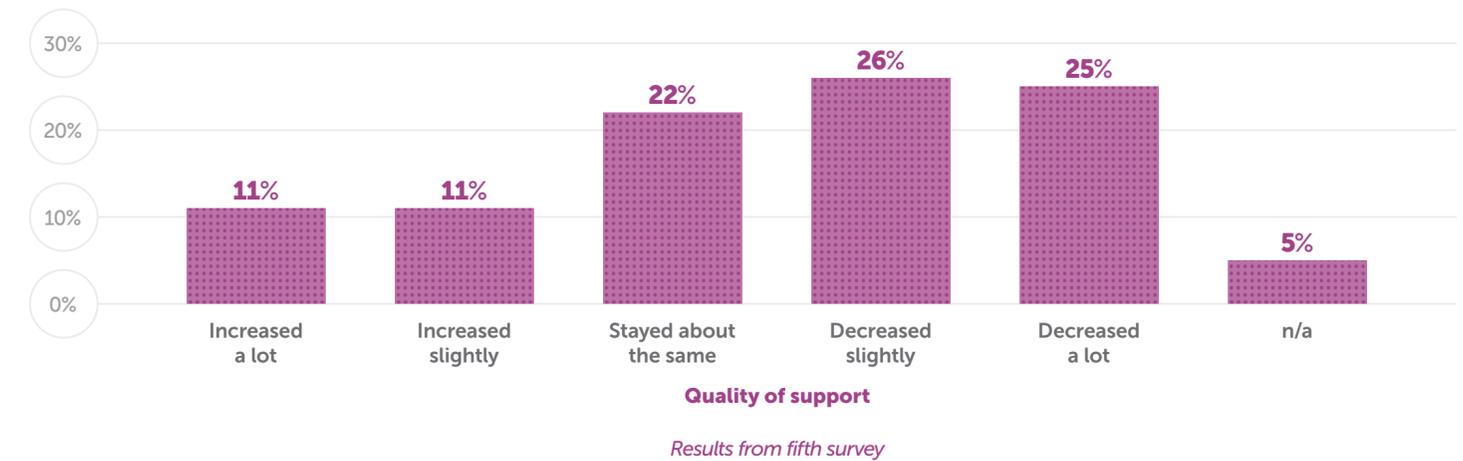
The responses to our surveys show clear concerns shared by many organisations that they could reach less people at this time, and that their response to the heightened needs of people would be limited whilst operating in such a restrictive environment.

- In the most recent survey, over half of respondents (51%) felt that the quality of support they were able to offer had decreased during the pandemic

“Increased vulnerability and a virtual support mechanism can only offer so much support and reassurance to people.”

Survey respondent

Figure 13 | How the pandemic has impacted the quality of support voluntary sector organisations feel they can provide



- In our fourth survey, the majority (62%) of organisations reported that the number of people they supported had decreased slightly or a lot during the pandemic.
- In our fifth and sixth surveys, we specifically asked about organisations’ ability to engage new people in their services. 46% and 62% respectively said the number of new clients they were able to engage had decreased during the pandemic.

Organisations that have had to reduce their service provision and are working at reduced capacity have understandably been able to take on fewer new clients. This is concerning because at a time of increased need, it may mean that people are unable to access the services they require, increasing pressure on other services and increasing the likelihood of more people falling through the gaps in support.

For organisations now delivering services remotely it can be a barrier to developing meaningful relationships with new clients and encouraging them to stay engaged with services. Even more so for people that are digitally excluded and lack the necessary technology to engage with services delivered virtually where services have been redesigned to utilise software

such as video conferencing. This can be particularly challenging for people facing multiple disadvantages, on low to no income and people in unsettled living conditions.

“There has been a drop in referrals, coupled with an inability to progress existing caseloads due to the restrictions in place. Lack of face to face contact has resulted in delays in communication, additional time to build relationships and increased disengagement.”

Survey respondent

Figure 14 | The impact of the pandemic on the number of people organisations are supporting

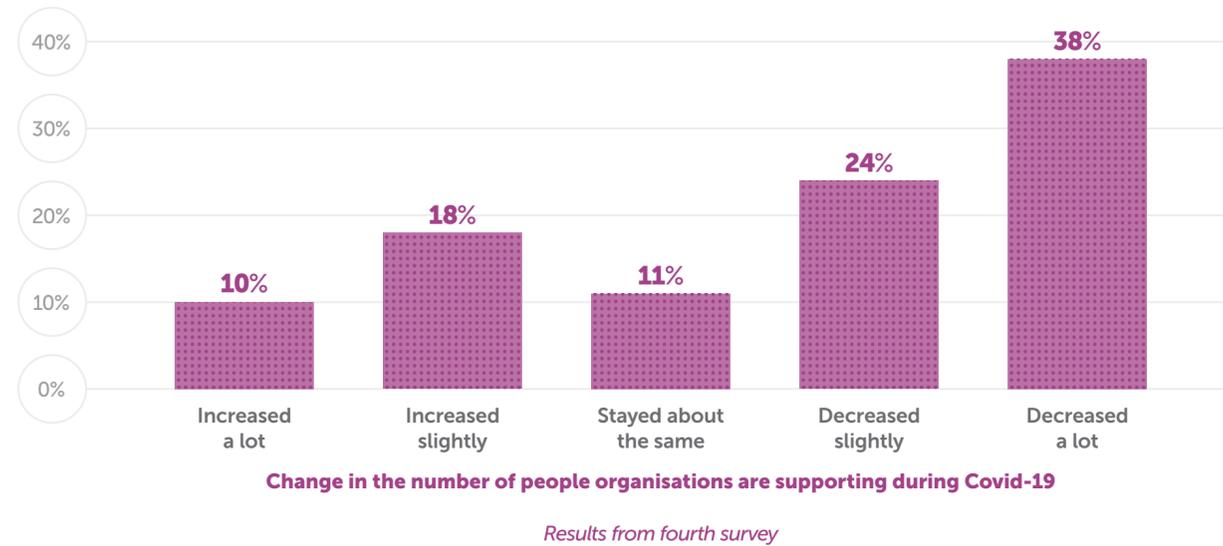
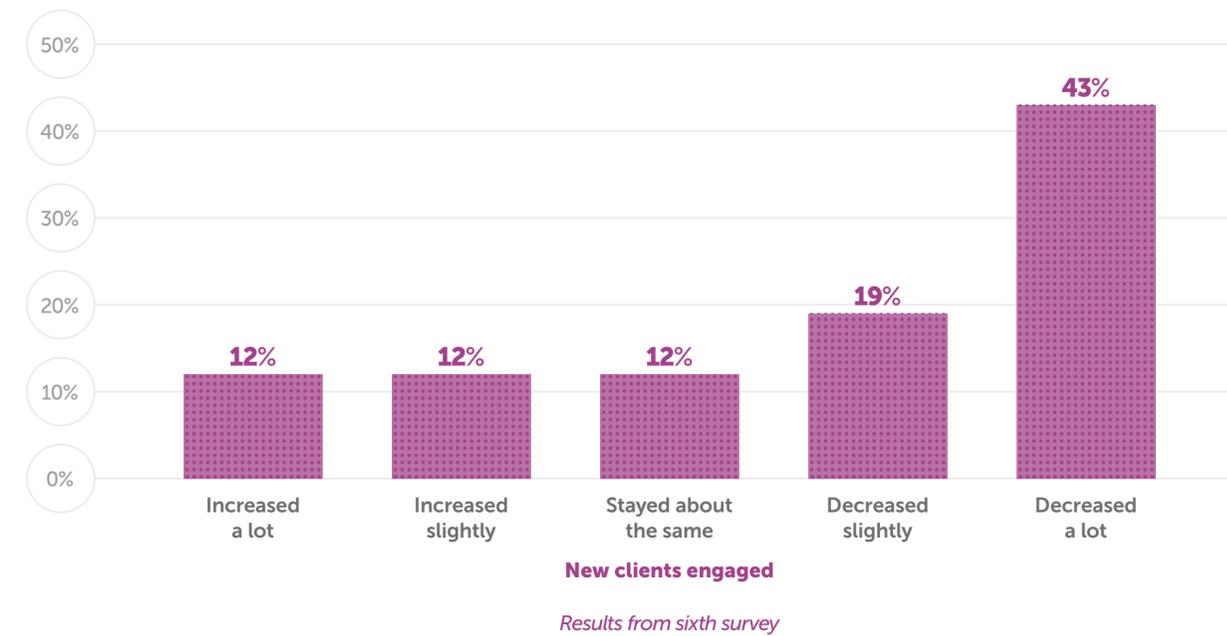
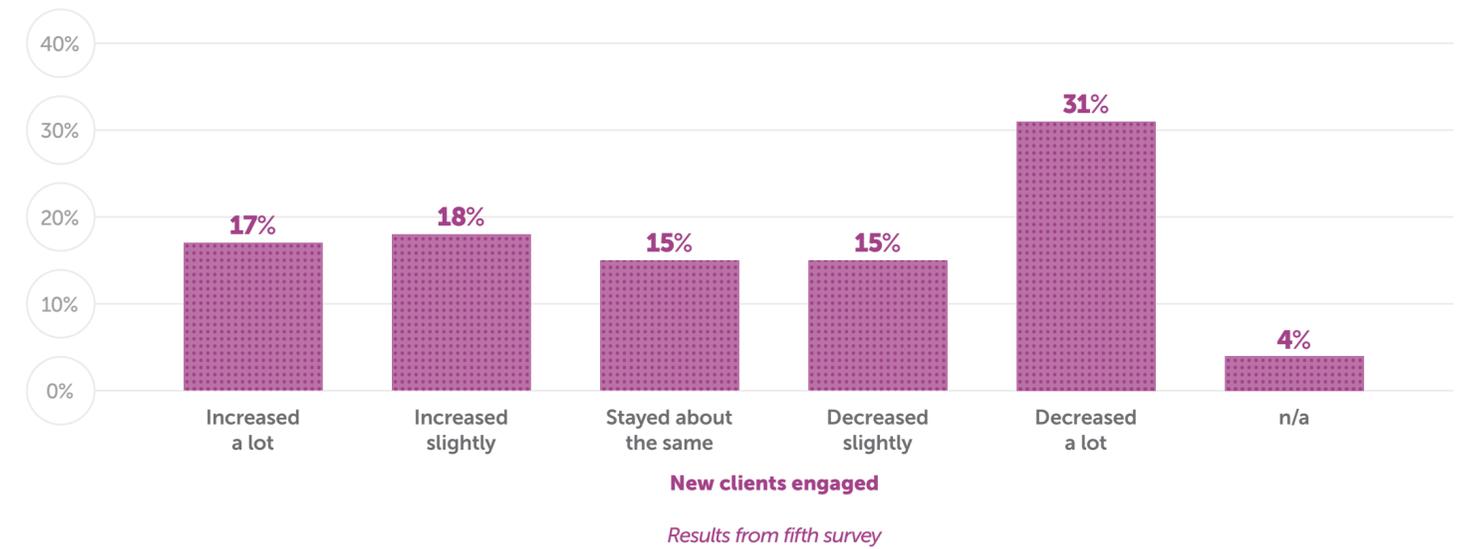


Figure 15 | The impact of the pandemic on the number of new clients organisations have been able to engage



The gendered impact of lockdown

Key finding

Lockdown has increased the risk of domestic abuse for women and girls, exacerbated the multiple forms of disadvantage women in the criminal justice system often face and created added pressures for women with children.

Several organisations raised concern about the impact of the lockdown on women. Organisations that provide tailored support to women highlighted the challenges of providing trauma-informed support to women who have experience of trauma which is at risk of being triggered by the lockdown. Services that support women with multiple forms of disadvantage raised concern that these have been exacerbated by the pandemic.

“For those service users who were already engaging pre-lockdown we saw that their immediate needs escalated. New referrals tended to be for women with more complex and multiple needs”

Survey respondent

“The group of women that we support already face multiple forms of disadvantage, all of which have been exacerbated by the pandemic. These include domestic violence, mental health issues, low income, familial and caring responsibilities, and employment issues. Many women have been furloughed or lost their jobs, making their circumstances more acute.”

Survey respondent

Many women in the criminal justice system also face additional pressures with caring responsibilities, impacting their wellbeing and making them more vulnerable to the worsened effects of poverty, making it more challenging for them to have the time to engage with services. For mothers in prison, the separation and lack of contact with their children has been shown to be acutely painful and a significant source of distress for many during this time.

Many organisations whose main purpose is to provide services for women in the criminal justice system have had to close their community spaces and drop-in services. The lack of safe spaces combined with the wider restrictions in society – particularly in the height of lockdown – limited people’s ability to leave their homes during the pandemic and increased the risk of domestic abuse against women and girls. Under these circumstances, women will struggle even more to access domestic abuse services and other forms of support. Doing so remotely on their own will not be an option for many.

“... We have seen many more women disclosing abuse and exploitation & related difficulties in safeguarding due to lack of face to face contact/safe spaces to talk/ability to communicate ... Increase in need for housing for women, particularly those who are sofa surfing or hidden homeless and may have been kicked out of their accommodation but have never flagged up to services before.”

Survey respondent

“An increase in domestic abuse and coercive control during lockdown.”

Survey respondent

Safeguarding people from ethnic minority backgrounds

Key finding

The Covid-19 crisis has exacerbated the power imbalance facing organisations led by and for black, Asian and minority ethnic (BAME)⁹ communities.

Evidence has also shown a disproportionate impact of Covid-19 on people of colour, with black people most likely to be diagnosed and death rates from Covid-19 highest among black and Asian communities. Prison also presents a high-risk environment

for Covid-19, due to the overcrowding and poor conditions in the prison estate and the close proximity that people must live in – including having to share cells.

People from black and Asian communities in prison therefore face a heightened risk of Covid-19 as well as increased anxiety for family and loved ones outside of prison. Voluntary sector organisations have been raising concern that the risk posed to BAME communities is not being sufficiently recognised and taken into account in the criminal justice response to Covid-19 and its recovery from it. For example:

- **Data collection**

HMPPS has not been transparent about the number of BAME people in prison and BAME staff that have tested positive for Covid-19 or died from Covid-19.

- **Decision-making**

Successive reviews and reports have highlighted that outcomes in the criminal justice system based on discretionary decision-making can be impacted by conscious and unconscious racism and lead to discriminatory outcomes for BAME people. Despite this, no measures were put in place to ensure scrutiny, transparency and accountability for decisions on early release or to prevent BAME individuals from being excluded from the Covid-19 related release schemes.

- **Recovery planning**

Neither the framework for easing lockdown in prisons nor the probation roadmap to recovery produced by HMPPS mentions the disproportionate impact of Covid-19 on BAME people. Nor does there appear to have been an Equality Impact Assessment for either document. This has reinforced concern that safeguarding the lives of people from BAME communities in prison hasn't been sufficiently prioritised.

Prior to Covid-19, the Lammy Review highlighted that BAME people in prison are less likely to be recorded as having a mental health concern and less likely to be identified as at risk of self-harm. This raises concern that the mental health needs of people from BAME communities are not being recognised, which in turn prevents access to mental health support and other services. Lockdown and its impact on people in prison risks exacerbating this issue with long-term implications on mental health and wellbeing of BAME people.

The structural and institutional racism embedded in society – and therefore the criminal justice system – increases the risk to BAME people of poverty, living in deprived areas and poor housing, and receiving poor education and healthcare. It also creates greater barriers in accessing future educational opportunities and the job market, increasing the likelihood of unemployment, low income and pay gaps. Therefore concern has also been raised by organisations that specialise in providing tailored support to people from BAME communities, that BAME people are disproportionately impacted by the exacerbating effects of Covid-19 on poverty and disadvantage.

“We support marginalised communities and they have been more affected by the pandemic than other communities, e.g. BAME communities being disproportionately affected health-wise and unemployment rising/limited career prospects.”

Survey respondent

“We work with BAME prisoners and prison leavers. In my view, these groups have continued to be disproportionately affected by the reduction of statutory services, benefits, etc.”

Survey respondent

“Basic amenities like shelter and water have been made inaccessible during Covid-19 for Gypsy and Traveller families who live in trailers and caravans.”

Survey respondent

Voluntary sector services led by and for people from BAME communities are vital for ensuring BAME people in the criminal justice system have access to specialist support that understands and can better respond to the experiences of, and barriers faced by, BAME people particularly as a result of the racism they experience.

Collectively, BAME-led voluntary organisations offer significant resources tailored for their service users including bespoke and tailored wellbeing and mentoring resources that many organisations adapted to deliver to BAME prisoners and staff remotely. However, they have reported coming up against several communication and technical barriers with the prison service in making their services available to prisoners compared to non-BAME led charities with a broad client base. For example, having to wait over a month from signing up to the ‘email a prisoner’ scheme to be able to use the scheme.

BAME-led initiatives are often small, grass-roots community organisations that are being squeezed out by larger organisations and companies that offer more competitive prices, or risk having their core mission diluted by contractual requirements within tightly defined parameters. BAME-led voluntary organisations have reported to us that they feel undervalued and that the scope for them to act as key strategic partners is underestimated. They highlight a lack of communication and information sharing with them. Organisations that deliver services in the secure estate have reported that they are treated with suspicion and disrespect due to their ethnicity, indicating that the institutionalised racism extends to those that work in criminal justice and seek to support those impacted by it. As a result, they find it difficult to access the secure estate in the first instance, or to deliver their programmes.

This power imbalance faced by BAME-led organisations has been exacerbated by the crisis. The BAME-led sector has found communication with statutory services at a local and national level to be particularly challenging during this crisis. They are left feeling isolated and facing additional barriers in coordinating support for their service users and their sustainability has been put at even greater risk, with organisations struggling to access emergency funding and financial support.¹⁰

Notes

- 7 Hewson, T., Green, R., Shepherd, A., Hard, J. and Shaw, J. (2020). *The effects of COVID-19 on self-harm in UK prisons*. Available at: www.cambridge.org/core/services/aop-cambridge-core/content/view/2E6B81CF52D64878FE0517F29726812F/S2056469420000832a.pdf/effects_of_covid19_on_selfharm_in_uk_prisons.pdf [accessed 12 October 2020].
- 8 Clinks (2020). *Leaving prison in a pandemic: how services are responding*. Available at: www.clinks.org/community/blog-posts/leaving-prison-pandemic-how-services-are-responding [accessed 12 October 2020].
- 9 We acknowledge that the term BAME can be problematic as it refers to a group of people who are far from homogeneous. The intersection of race, ethnicity, faith, and culture makes social identities multi-faceted and shifting: the experiences of individuals within these groups will vary. Wherever possible, we seek to be specific when describing groups of people but at times use the term BAME – albeit reluctantly – to describe inequality and discrimination across groups when necessary.
- 10 For more information on the experience of the BAME-led voluntary sector working in criminal justice during Covid-19 please see: *The collective voice of the BAME-led Charity Sector – input into MoJ/HMPPS Recovery Planning Process*. Available at: www.clinks.org/publication/letter-dr-jo-farrar-race-and-ethnicity-critical-moment [accessed 12 October 2020].



Case study: New Dawn New Day

New Dawn New Day is a women's centre which has provided services for women in Leicestershire for over 30 years. Its mission is to help women with multiple and complex needs recover from trauma and improve their lives. In 2010, the charity set up Just Women, a specialist service supporting women who have offended or are at risk of offending who are referred as part of a community sentence or out-of-court disposal.

How did Covid-19 and the lockdown impact New Dawn New Day and the women you support?

The Covid-19 pandemic presented us with extraordinary challenges. Within 24 hours our small staff team moved entirely to working from home, setting up telephone support to all women in our service.

Creating a safe space for community connection and trusting relationships has always been a fundamental value underpinning our work. The way we work is therefore usually very relational. Women who come to the centre receive a lot of contact and support in person and there are lots of opportunities to meet and connect with others. It was a real challenge to think how we could maintain this whilst not sharing physical space, and our team were concerned about the impact of the lockdown measures on the women we support, many of whom were homeless or living in unsafe situations and were experiencing mental distress.

However, we found that maintaining regular day-to-day telephone contact during the initial stages of lockdown was welcomed by the women. We were able to continue offering the practical and emotional support they needed this way.

We've looked for a range of ways to maintain our services and provide support virtually. A short way into the lockdown, we set up secure video conferencing to provide group activities again. This included our structured programmes and trauma recovery therapy group which provided welcome connection between the women. We used a private Facebook group to continue peer support. We were also able to secure some emergency funding which enabled us to deliver additional projects and online activities such as craft sessions and yoga.

For some women, we had to provide mobile phones, credit and data for them to be able to get the support they needed and engage with activities. Others found it almost impossible to participate this way. Yet, for many, our services were more accessible than ever before when delivered virtually.

What impact does the pandemic continue to have on New Dawn New Day? Have you been able to restart services in person?

The extended lockdown in Leicester has had a huge impact on us. We have developed several recovery plans which have had to be put on hold, meaning that we have been unable to progress with opening up the women's centre for face-to-face contact with women.

We continue to plan for a return to in-person working but there are some real obstacles to achieving this. Using some emergency funding, we are doing what we can to reconfigure our space, purchase new wipe clean furniture and install IT conferencing equipment. However, the women's centre is in a Victorian Grade II listed building which cannot be easily adapted to create larger spaces that facilitate social distancing.

The biggest challenge has been creating a 'Covid secure' environment that also supports the trauma-informed principles that underpin our practice. For instance, we have never put up any kind of physical barriers, we purposely don't have any signs telling women what they can and can't do, our rooms are designed to be cosy with soft furnishings and there has always been a constant supply of hot drinks and shared food.

The emotional toll of this pandemic has been brutal at times, but even though staff and volunteers have experienced their own personal costs of the pandemic they have adapted incredibly well and shown extraordinary commitment and willingness to try new ways of working to get women the support they need. When we return to some level of normality we intend to continue offering our support in a flexible and blended way, which will include virtual services.

It was fantastic to secure emergency funding to support us in our response to the pandemic. However, this is short-term support and the picture could be very different in the next 12 months. We generate income from trading, including hiring out rooms for evenings and weekends, co-location office rental and training and events. This ended abruptly in March and we need to think creatively about how to replace this income to achieve some sort of financial sustainability.

Even before the pandemic, we were working in a climate where services had been devastated through years of austerity. The pandemic could make this worse and the impact could be catastrophic, particularly for those who are excluded and on the margins of society. For this reason, we are determined to navigate this period successfully and ensure that we continue to be here for the women in our community.

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Staff and volunteers

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in a pandemic
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Photo: Clinks conference © Ian Cuthbert

The Covid-19 pandemic has created unprecedented challenges for safeguarding staff and volunteers. Organisations have faced difficulties with sickness, ensuring full staff capacity and retaining volunteers, but most importantly in protecting their wellbeing which we found to have been adversely impacted by the pandemic.

Across all our surveys, we consistently found that organisations were experiencing a decrease in volunteers, which reduces organisations' ability to deliver their services.

What working in a pandemic looks like

Key finding

Organisations have responded well to staff wellbeing during this time, ensuring additional support measures are in place.

In the early days of lockdown, we asked organisations how this had impacted the ability of staff to work. In the quantitative data, there was a mixed picture in terms of the impact on staff:

- **Frontline service delivery staff**

Many frontline staff were trying to continue to work remotely but were constrained in how much of their job they could do from home, because of the restrictions that were in place and the nature of their role. In May – just over a month into lockdown – we found that only 13% of respondents said that all their frontline staff were continuing to work remotely. A further 31% said that most of their frontline staff were continuing to work. However, 49% said that frontline staff could not work at all or only to some extent.

- **Office based staff**

The majority of office-based staff were able to continue working from home. In the same survey, 45% of organisations said that all their office-based staff were able to do so and an additional 26% said that most of their office-based staff are able to work from home.

From our qualitative engagement, we know Covid-19 and lockdown created several challenges for staff, for those whose roles were usually office-based and those whose jobs were to deliver frontline services. Whatever their role, staff working from home now faced a number of additional pressures. Those with children faced issues such as additional childcare and schooling responsibilities as schools and nurseries closed. Many did not have homes equipped for home working, including a lack of technology such as work laptops and phones and appropriate working spaces including desks, chairs and a space they could focus in.

Figure 16 | Frontline staff work during the height of the pandemic

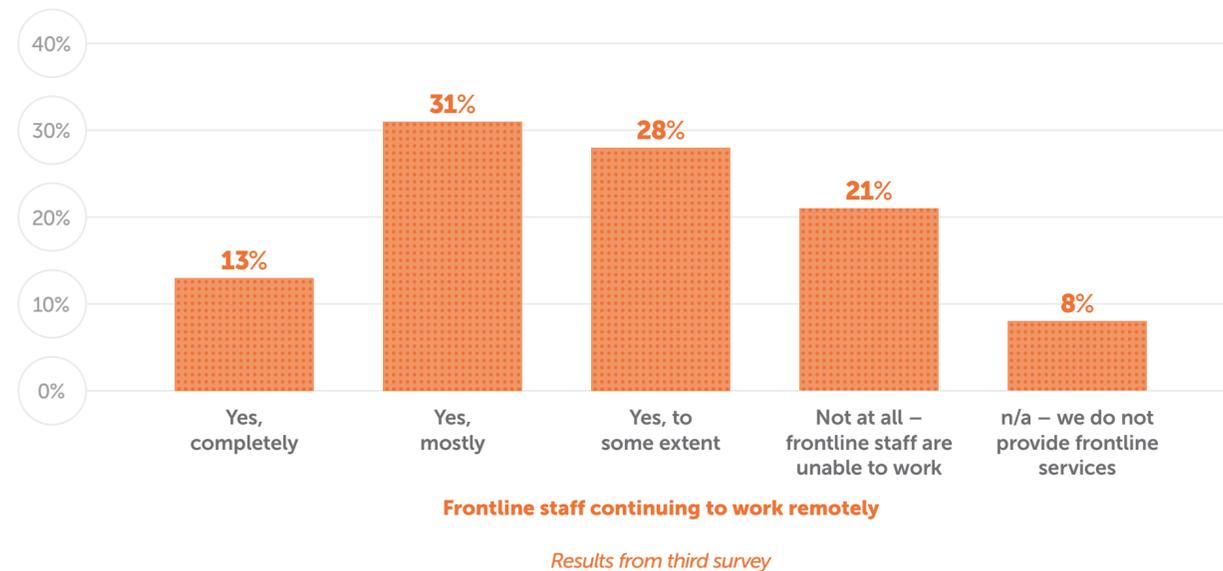
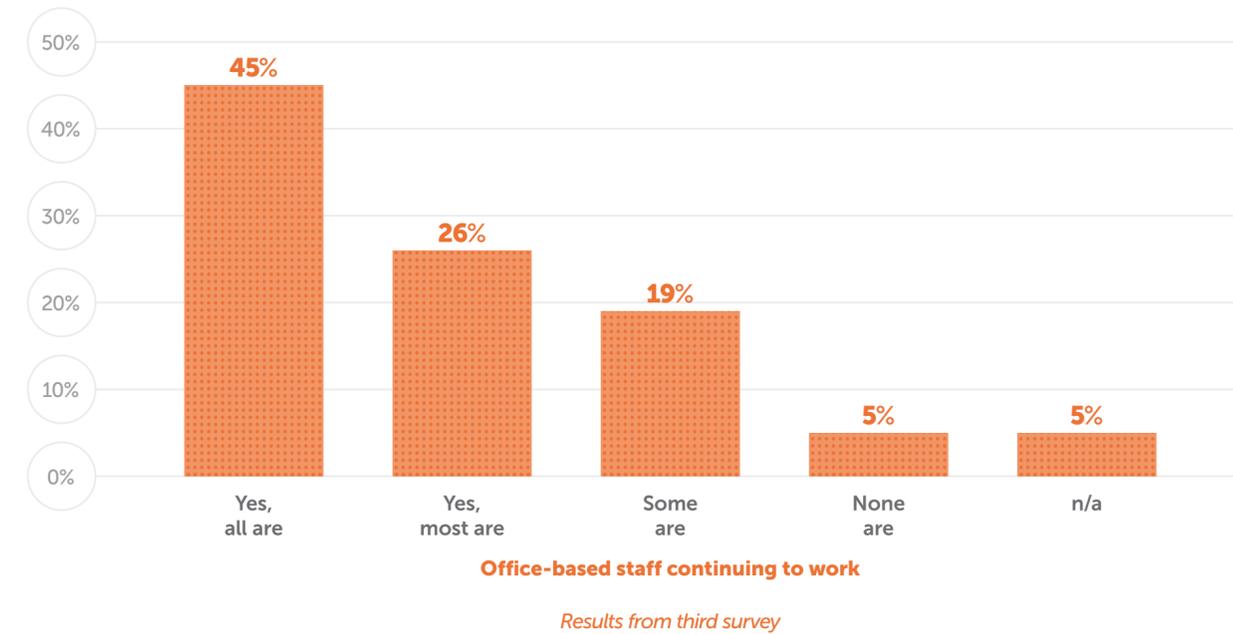


Figure 17 | Office staff work during the height of the pandemic



At the height of the pandemic, in the months following the first lockdown announcement when many strict Covid-19 rules were still in place, 18% of organisations said that staff were continuing to deliver services face-to-face in response to our third survey (conducted in May). For those still providing some level of in-person services or work that required them to leave home, there were challenges around shielding those who might be more vulnerable to Covid-19, sickness and childcare as well as problems with transportation with many transport links running a reduced services. Organisations also incurred additional costs for PPE that was not covered by existing funding arrangements and as previously highlighted, experienced issues in accessing the necessary risk information regarding the potential contact of individuals with Covid-19 to protect staff.

Staff wellbeing

The pandemic has not just impacted staff capacity and changed the way they work, it has also impacted the mental wellbeing of staff as expressed by organisations in our surveys. This was reiterated by feedback from our discussions during networking events.

Staff, as well as clients, have been exposed to greater isolation at this time as well as the impact of the pandemic on mental health. Our surveys highlighted concern about increased anxiety amongst staff over job security. This is especially the case for smaller organisations that have faced greater challenges weathering the crisis and were concerned about financial stability for those who had been furloughed, or those that saw a loss in demand for their work.

Some organisations noted the frustration and concern of staff who can see the impact of the pandemic on people but are not able to support them as they would like to during this time. Working from home also poses new challenges for managing work-life balance, particularly in many cases where workloads have increased or if people's roles involve managing casework and involvement with potentially traumatic and emotional work in their home space. The emotional toll of the crisis and impact on people's resilience could be significant. The limited ability to leave their homes particularly in the height of lockdown exacerbated this. For those managing additional priorities such as childcare, shielding, concern for loved ones, or navigating a challenging home life, the emotional exhaustion could be particularly acute.

"We're all very tired, quite frightened and extremely despondent. Supporting the mental wellbeing of existing office and delivery staff through the massive uncertainty, both short and medium term has become a larger part of day to day work for SMT which leaves less time to focus on keeping things moving."

Survey respondent

"There are difficulties for staff trying to support clients through crisis and this is impacting on staff's mental health."

Survey respondent

"There is a great deal of anxiety deriving from uncertainty."

Survey respondent

The continued uncertainty of how long these circumstances will last, with the potential for further spikes and waves of Covid-19 adds to this challenge. Some staff will be facing increasing anxiety about the impact of stricter lockdowns preventing them from delivering services, whilst others will be facing anxiety over the prospect of potentially returning to work outside of their home.

"We have been speaking weekly to staff by phone, checking on how they are coping and responding to any needs they raise; many are anxious about the level of protection they will have and whether risk assessments will be completed in the workplace before they return to work."

Survey respondent

Organisations responded to the impact on staff wellbeing in a variety of ways to support staff through this challenging time. Most organisations said they were ensuring that they kept in regular contact with staff to stay connected and ensure they checked in on their wellbeing. This included virtual tea and coffee breaks, increasing team meetings, and one-to-one support. Organisations also spoke about setting up regular staff bulletins to ensure staff were kept updated, and that senior management provided regular updates to ease staff concerns on sustainability.

Other examples of supporting staff included extra training, sharing online resources to support self-care and wellbeing, and providing access to an Employee Assistance Programme. Organisations also spoke about ensuring staff could work flexible hours to suit their new home situations, with some telling us that they had given staff extra annual leave or wellbeing days to look after their mental health or reduced working hours to help staff cope.

Losing the vital support of volunteers

Key finding

Volunteer support has decreased in the criminal justice voluntary sector as a result of the pandemic.

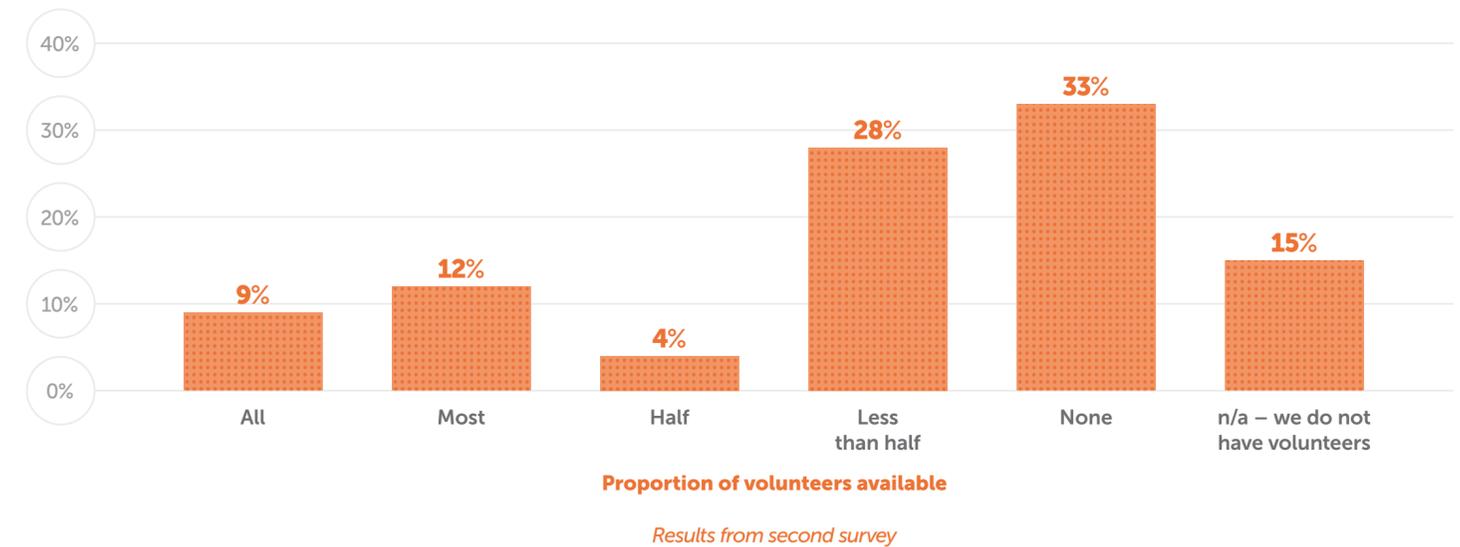
Many voluntary organisations in the criminal justice system rely on volunteers. They are a vital backbone for the sector. Our State of the sector research has shown that in the criminal justice voluntary sector there are 20 volunteers for every nine members of staff. Volunteers provide a range of important activities for organisations from mentoring and befriending, providing advice or counselling, to leading groups or training.

However, in each of our surveys we found that as a result of the pandemic, organisations were experiencing a decrease in this vital source of support. Having fewer volunteers has significant implications for organisations' capacity and their ability to deliver services.

Our early surveys showed that going into lockdown, only 9% of organisations with volunteers had all volunteers available to support the organisation. 28% had less than half their normal volunteers available and a further 33% said that none of their volunteers were available.

This continued to be a trend throughout the pandemic, with 58% from our most recent survey saying that the number of volunteers supporting their organisation was lower as a result of the pandemic. Of those, 43% said volunteers had decreased a lot.

Figure 18 | The impact of the pandemic on the number of volunteers available to support organisations



The responses paint a mixed picture as to the reasons for this decrease. Nevertheless, they highlight concern about the impact this is having on current, and future capacity of organisations.

Capacity was significantly impacted in organisations that rely on volunteers and continued to run services, because volunteers were not available for reasons such as shielding or concern about the risk of Covid-19. This led to a reduction in services or other staff and volunteers taking on greater workloads.

“We have had to use paid workers and intensify recruitment to meet the demand.”

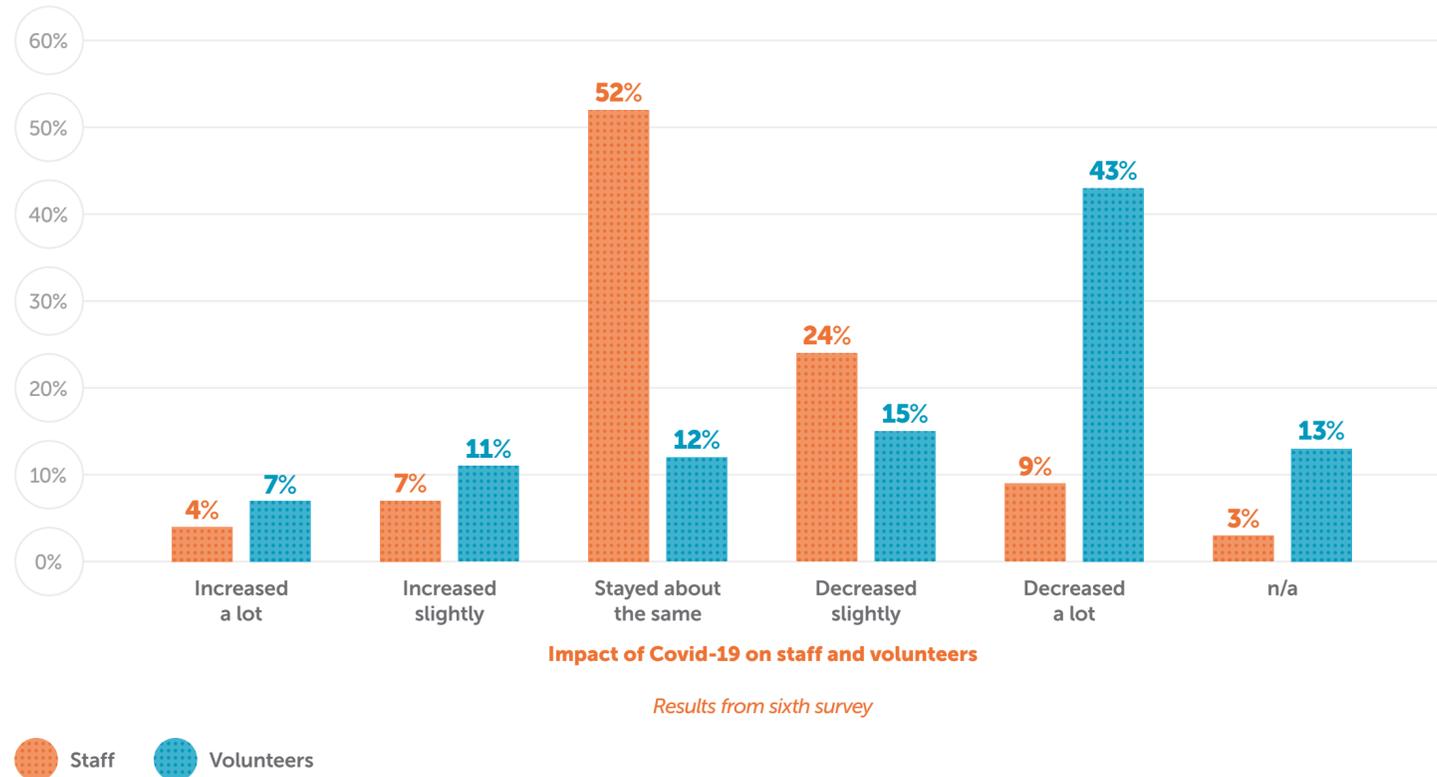
Survey respondent

“We have been unable to provide support services to the community as we would have liked.”

Survey respondent

There was also concern that those vulnerable to Covid-19 will choose not to return – particularly amidst concerns of further spikes in Covid-19 – and impact capacity long-term.

Figure 19 | The continued impact of Covid-19 on staff and volunteer numbers



“We are regularly contacting our volunteers in order to try to keep them engaged with the organisation.”

Survey respondent

Some organisations spoke about trying to recruit more volunteers during the pandemic but finding it challenging due to the restrictions in place, creating greater issues around safeguarding, supporting and training volunteers and sometimes requiring greater resource to do so.

“More resource is required to train and mentor them.”

Survey respondent

“Our other trading activities have been hampered as we have less volunteer support due to social distancing and shielding and increased costs due to the need for increased PPE and increased hygiene measures.”

Survey respondent

It is likely that the full impact on volunteering and capacity implications of organisations will continue to develop over the coming months.

“Impact is yet to be fully realised – many older volunteers have been shielding at home, while services have been maintained through other volunteers with additional free time during lockdown taking up extra shifts. We anticipate a sizeable proportion of those may choose to delay their return or not return at all, creating a shortfall as other volunteers return to work.”

Survey respondent

For some, the number of volunteers decreased because they were not able to access prisons and deliver their work. While this did not have a direct impact on capacity at the time, there were concerns about the impact on capacity in the long run because of difficulties in keeping volunteers engaged and having enough volunteer support when services can resume.



Case study: Together for Mental Wellbeing

Together for Mental Wellbeing (Together) is a national mental health charity with services in accommodation, community support, and advocacy that also provides specialist criminal justice services in London. Together provides liaison and diversion services at courts and ongoing liaison and diversion community support. The charity is also part of the London Offender Personality Disorder pathway and Southwark Anti-Violence Units.

How did Covid-19 and the lockdown impact the criminal justice services provided by Together and the people you support?

We continue to deliver face-to-face services in courts as part of our liaison and diversion provision which is in line with the expectations of our service commissioner. There have been some resourcing challenges – we had to cover the gaps when staff isolated or shielded, and NHS staff were redeployed, during the first lockdown. We have kept a clear focus on the safety of our staff and service users throughout, ensuring PPE is available and clear guidance on Covid-19 restrictions is provided. The team have been very resilient and adapted to the safety requirements without compromising the quality of support.

Our community services have all been delivered remotely and we have kept in contact with service users over the phone or using video technology. The main barrier to adapting to remote delivery was ensuring that the technology we had could support our service delivery effectively. Despite some early issues with equipment, offering remote support during lockdown actually increased the community team's engagement rates. However, conducting examinations of people's mental state over the phone has definitely been more challenging for practitioners. We found it makes the process more stunted and our team lose out on important cues they would otherwise pick up on in person, for example in facial expressions or body language.

We continued to experience large demand for our services and referral rates remained high. We have been able to continue taking on new clients during the Covid-19 lockdown and they have engaged well with our services. However, it became evident in some cases that service users were living with a greater level of complex needs and required an increased level of support. This is something that concerned us, especially since statutory services were not operating to their previous capacity and had been forced to change the way they worked which made them harder to access. This manifested in service users needing more support from us than usual to connect them to other support, such as substance misuse services or welfare support services being provided online or via telephone.

Housing services have been especially challenging to access and this continues to be a challenge, especially when services have not been offering face-to-face appointments. Accessing GPs was also difficult and a shortage of mental health beds has led to greater delays in clients being admitted to hospital if needed.

Making safeguarding referrals to local authorities has been particularly challenging during the pandemic. The team have been informed that only serious cases are being accepted by local authorities and that some of the concerns they've raised do not meet the service's threshold. This puts us in a difficult position to hold onto those concerns and adds more pressure for our staff to manage them on their own. Staff have developed local knowledge about other support that can be offered to their service users though those services have faced additional pressures due to the pandemic.

How does the pandemic continue to impact Together for Mental Wellbeing? Have you been able to restart services in person?

Throughout this difficult time, we have continued to support our frontline workers and operational managers, although it has been challenging. The Covid-19 crisis has lasted longer than people initially expected, and with restrictions becoming stricter again in many areas it is challenging to maintain motivation and morale. Staff who have been working remotely have really missed the face-to-face interactions in supporting service users. Some

have felt isolated from their colleagues and miss working with professionals from partner organisations that they used to meet on a daily basis. This can be especially challenging for staff when they are also picking up more complex cases that need more support.

We have ensured our offer to service users remains as flexible as possible. We want to ensure that people have the opportunity to meet with us in the community. People's need for face-to-face contact has been assessed on an individual basis which is followed by a risk assessment of the contact and is reviewed by our Head of Service.

We have created a three stage plan to support our response to the pandemic and remobilisation of face-to-face support. We recently moved to stage two of this plan which means we are now re-introducing face-to-face support on a wider scale to people. Though within that, we're often required to adjust the direction we provide to staff following new announcements from the government and local restrictions, to react to the regularly changing situation.

As a service, we have been grateful that our NHS commissioners have engaged effectively with us and been focused on solutions. This has meant we have been able to adapt flexibly and confidently. We hope to be able to continue that positive relationship so we can continue to respond to the changing environment and the changing needs of our service users.

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Funding and finances

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Photo: RSVP © Ian Cuthbert

This section will look at the financial impact of Covid-19 on the voluntary sector, from the immediate impact at the start of lockdown to the medium-long-term concerns about financial sustainability.

Our engagement with the sector has also highlighted the challenges of accessing emergency funding from the government and financial support schemes put in place, with eligibility criteria often excluding voluntary organisations.

What Covid-19 and lockdown has meant for funding

As we went into lockdown, organisations overnight became unable to deliver on their grant and contract requirements and their avenues to earned income were cut off. The uncertainty and lack of clarity over how long lockdown might last made it particularly difficult for organisations to manage and respond to this.

“While we have quite a bit of secure funding we have a significant funding gap. Usually we would fill that with grant funding, income from our social enterprise, individual and corporate donations but we are expecting very low or no income from those streams this year. We will feel the effects of this gradually through the first half of the year.”

Survey respondent

In addition to the concerns about loss of funding, in many instances organisations faced increased expenditure. Voluntary sector organisations incurred significant costs redesigning services for remote delivery and equipping staff with the necessary technology (such as laptops, phones and video conferencing software) and equipment to work safely from home (such as office chairs). The fact that these additional costs were unplanned made it more challenging for

organisations, putting them under greater financial pressure. This is likely to have impacted smaller organisations more acutely. For organisations that continued to deliver services in-person there were also additional costs for PPE that were not covered by existing funding arrangements.

Key finding

Voluntary organisations had to use their already limited reserves to sustain themselves during the Covid-19 crisis.

Organisations were therefore concerned they would experience cash-flow problems. In our second survey – conducted within the first month of lockdown – 43% expected this within the first three months of the pandemic. Their concerns were not unjustified. Our later research showed that by our fifth survey, organisations were having to use their reserves as a direct result of the pandemic. 43% said this was the case. This is particularly concerning because our State of the sector research has consistently shown specialist criminal justice organisations to have far lower levels of reserves on average – just 1.4 months – than the wider UK voluntary sector, which has an average of 6.3 months of reserves.

In our fifth survey (conducted in July), of the organisations that said they were using their reserves to sustain themselves during this crisis, 27% anticipated they could continue doing so for three months or less.

“We have used up reserves to maintain our position. With no ability to earn income, we can only maintain a holding position for so long.”

Survey respondent

“All funding into the business has stopped. We have no idea when prisons will reopen and we've had to use all our reserves.”

Survey respondent

The responses highlighted concern amongst organisations that were using their reserves during lockdown – and possibly depleting them – to maintain themselves through the

crisis point of the pandemic. They feared the long-term impact this would have on their ability to remobilise, respond to new opportunities, and expand and deliver on their business strategies. This has implications for the sector's long-term sustainability.

“We are spending much more on staying in touch with people in prison through other means. Drawing down on reserves that were intended to provide for growth means that our strategic plans are on hold whilst we maintain services.”

Survey respondent

“Our reserves will be greatly depleted by the end of this, meaning we will be more conservative in our outlook and less able to be creative in our responses.”

Survey respondent

“Mainly through having to use some of our reserves to keep any kind of staff/delivery going. Over time it's likely to lead to great instability as it's unlikely there will be the funding available that there once was.”

Survey respondent

Grants and contracts

Key finding

The initial response from grant and contract managers has been generally positive but ongoing communication with contract managers about the impact on contracts, relief payments and targets going forward has been inconsistent.

During the pandemic, there was a mixed picture with regards to the sector's experience of grant and contract management and the response of commissioners to the crisis. Our surveys found that the communication and flexibility from grant and contract managers had generally been positive, but more so for trusts and foundations compared to contract managers for government funding:

- **Trusts and foundations**

Of those that received funding from trusts and foundations, 73% agreed or strongly agreed that their grant managers had communicated clearly and been flexible in adjusting grant requirements.

- **Statutory funding**

Of those that received statutory funding, 57% agreed or strongly agreed that grant and contract managers had communicated clearly and been flexible in adjusting grant and/or contract requirements.

Our surveys highlighted that this generally positive approach continued throughout our research. However, there has been growing concern about a lack of communication, particularly from central government. Uncertainty about funding in the near future has left some organisations heading into the unknown. This is reinforced by Clinks' dialogue with the voluntary sector, in its regional and thematic networking events and through feedback from the RR3 specialist interest group on Covid-19. The RR3 group showed a more varied experience of contract management during this time, with organisations reporting a lack of clarity and poorer communication from central government.

"Information has been received very late in some instances – often after the period it applies to, so we have been in financial limbo not knowing whether we would continue to receive contract funding, but not being able to reduce costs."

Survey respondent

"Very little guidance, or communication regarding impact. [This is] particularly pertinent considering timing of current contracts ending with re-nationalisation. No adjustment to outcomes or comms around targets. Pressure to continue to scope for referrals."

Survey respondent

"Differs contract to contract. Most are supportive and cognisant of the challenges. Others are behaving as if there is no pandemic."

Survey respondent

"We have good commissioners who are hopeful about the future and have assured us that we will still be receiving our funding. However, they are clearly busy and I don't feel fully up-to-date about what is possible at the moment and the near future."

Survey respondent

By November, prisons were still highly restricted, preventing services from fully remobilising. As organisations face not being able to fully deliver on their contracts for a much longer period than originally anticipated, concern is growing about how long any flexibility shown by contract and grant managers will last.

It is important in these extreme circumstances that commissioners exercise flexibility and guarantee that contract management will be sensible, consistent and proportionate. This is especially important as restrictions change at different paces across different regions in wider society and at a different pace compared to prisons, as organisations will need clarity on the implications this has for their contracts and expectations of them.

However, the Cabinet Office ended contract relief for suppliers on the 31 October 2020. This impacts a number of criminal justice contracts with the voluntary sector, for example contracts through the prison education Dynamic Purchasing System (DPS). Contractors are expected to work with their local prison to maximise service delivery within current restrictions, but where there is no possibility of an appropriate service being delivered these contracts will be terminated, creating significant implications for the sustainability and recovery of those organisations.

The pandemic has also impacted on future contract opportunities and the process of retendering for contracts that are coming to an end during this time. Organisations that were awarded contracts just shortly before lockdown, and were due to start mobilising when the lockdown was announced, were also left in uncertain and in precarious positions.

"With services teams stretched trying to deliver services differently, staff furloughed – and senior management focusing on the financial implications of Covid and the wellbeing of staff during lockdown and when remobilisation happens – retendering of services is unhelpful."

Survey respondent

“We won a new DPS contract just before Covid-19 but are still waiting for it to be issued. We are unclear when this will be (which is unhelpful for planning, recruitment and cash flow).”

Survey respondent

Key finding

Due to lack of resources at this time, organisations are at risk of being excluded from current and future commissioning opportunities.

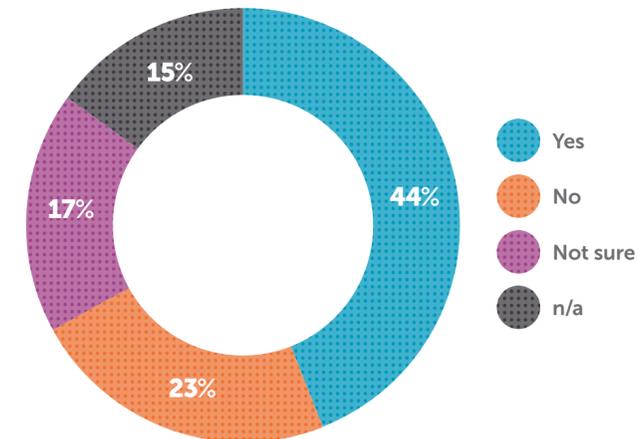
Many organisations expressed willingness to engage in commissioning processes for new services, which provide important opportunities for organisations to secure delivery of services in the future, and for many will have been factored into their business development plans for some time. For example, 44% of those who responded to our fourth survey said they felt they could engage in a new commissioning process for the delivery of future post-pandemic services (for example for the new probation programme or education services). However, there was a mixed picture about the sector’s capacity to do so with 23% responding “not able to do so at this time” and 17% “unsure”.

Our latest survey also indicated that the majority of organisations continued to look for opportunities to sustain and rebuild services and maintain core activities from funding not specifically related to the Covid-19 emergency response. 62% of respondents to the question (n=88) told us that they have applied for funding outside of the Covid-19 response.

However, this has not been without its challenges. For organisations looking to engage in or qualify for either competitions for contracts, or government grants that have been available during this crisis, the process has often been very resource intensive, time consuming and complex. This comes at a time when many are operating at reduced capacity. Many organisations had deployed resources to maintain service delivery and furloughed business support staff. This made the process more difficult to engage with.

Figure 20 | The capacity of organisations to engage in new commissioning processes during the pandemic for future service delivery

Ability to engage in commissioning processes during the pandemic



Results from fourth survey

The qualitative evidence also suggests capacity challenges have been particularly acute for smaller organisations who do not have staff dedicated to bid writing and fundraising.

“We’re a small charity, have limited resources, and have staff deployed to service delivery/supporting service delivery as a priority during this time.”

Survey respondent

“There is little time to invest in future processes while we are managing operations day to day.”

Survey respondent

“We do not have the staff to complete procurement applications or tenders.”

Survey respondent

“This would be very difficult - staff resource is devoted to managing Covid-related operations, and we wouldn’t be able to undertake site visits etc. In common with lots of small voluntary organisations, we do not have a bid writing team waiting for procurement opportunities. It would be operational staff who needed to respond to these, but they are either furloughed or have other demands on their time dealing with changes to current delivery.”

Survey respondent

It has also been challenging for organisations in this situation to engage in long-term planning and put in bids for future service delivery as their immediate sustainability is at risk and their future more uncertain. This is creating barriers to them engaging in commissioning processes that typically favour larger organisations from the outset and therefore risks excluding them.

“Capacity has been a problem as we’re looking for short-term funding to survive.”

Survey respondent

“It is very difficult to make plans for delivery when we don’t know when and how restrictions on physical distancing will be lifted.”

Survey respondent

“We will need to get back up and running again first.”

Survey respondent

Social enterprises and trading arms

Key finding

Many organisations have not been able to fully operate their social enterprise and trading arms during the pandemic, creating significant loss of income and endangering sustainability.

In response to the challenging funding environment they faced prior to the pandemic, many voluntary sector organisations in criminal justice had diversified their income through social

enterprises, trading and fees for services. In many cases social enterprises and trading arms were used to bridge shortfalls in underfunded contracts that didn’t meet core costs.

However, lockdown measures in prisons and wider society meant that many of these activities were unable to operate or had to operate at reduced levels. This has had a potentially detrimental impact on those organisations, particularly on those that rely on these income sources to subsidise contracts. It has created significant shortfalls and put them in very vulnerable positions.

The Institute for Fundraising and NCVO found in their research of the UK voluntary sector that trading income has been hit the hardest by Covid-19, falling by 72%. 70% of the organisations that took Clinks’ third survey in May that had a social enterprise or trading element said that this part of the service was not able to operate. More recently, in our latest survey, just over half of respondents (51%) said they had lost earned income as a result of the pandemic.

“Without events and with limited routes to market, our income streams from donations and trading are down by 50%.”

Survey respondent

“Our trainees and staff produce market garden, woodwork and pottery products for sale to the public. During lockdown, woodwork and pottery sales all but ceased...”

Survey respondent

“Almost all income that we were expecting from prisons has ceased. We expect to have lost in excess of £50,000 by the end of the year.”

Survey respondent

“[We’ve lost] approximately a quarter of our turnover this year including cancelled bookings.”

Survey respondent

The impact on trading income is expected to continue, with a potential drop of 57% over the next 12 months for the wider UK voluntary sector. This is likely to be exacerbated for those whose trading function relies on prisons where lockdown is easing at a slower pace than wider society.



Example

Prison family and significant other services

In 2017, HMPPS re-commissioned the majority of family and significant other service contracts across the male and female prison estates. Three-year contracts were awarded to 11 organisations. However, the budget available for family service contracts is insufficient to cover the costs. The male estate received a budget of £65/head and there was a budget of £135/head in the female estate.

The contract service specifications are unrealistic and unachievable within the constraints of such a minimal budget. This has created significant challenges for providers relating to staffing models and financial security, as well as safe and effective practice. Generating income to supplement a public contract can also deplete organisations' resources to generate income for other areas of unmet need.

To fully resource family contract specifications, most of the providers must rely on additional funding or income in at least 50% of the sites they work in. The majority of charitable trusts, who may be able to provide funding to enhance family services, do not provide funding to subsidise public sector contracts. Many rely on revenue from running a tea bar at prison visit centres, which have been closed during lockdown.

Even as prisons begin to ease lockdown and allow some visits and services to restart, tea bars have not been able to reopen.

This is an unsustainable model. The need to supplement budget places significant risk on providers and has left family support organisations acutely vulnerable at this time. They need that income to sustain wider services for prisoners and their families and the organisation, but face months of being unable to run tea bars and generate income.

Grants

Key finding

Organisations are struggling to access grant funding opportunities for services not related to the Covid-19 emergency response.

In response to the pandemic, funders redirected a lot of their funds towards frontline services responding to Covid-19. While this support was extremely positive and provided a lifeline for many organisations, we also received feedback that organisations which were affected by the crisis but not providing services specific to the Covid-19 response found themselves excluded from such support measures.

There is further concern about the short-term nature of this support, the impact on longer term funding behaviour by these funders and fears that the sector is heading for a cliff edge in funding. Organisations raised issues with us about a lack of grant funding opportunities outside of the Covid-19 response whilst they experience growing challenges with accessing funding for core services. Organisations have cited challenges with funders not accepting applications, and many existing opportunities and decisions about grants that were in the pipeline were put on hold during the crisis.

"We have ongoing funding needs for areas of work that are part of our normal service. For example, staff who were needed to support families before the Covid-19 crisis and will be even more needed after. These needs do not 'fit' many of the Covid-19 Response Grant Programme criteria and we have therefore been unable to make as many applications as we would normally make to trusts and foundations who have put normal programmes on hold."

Survey respondent

"Some funders are not accepting applications due to the crisis."

Survey respondent

This uncertainty makes it more challenging for organisations to plan their recovery and achieve secure and stable funding. Organisations that have been surviving on short-term grants – a common feature in the funding of smaller organisations – have been particularly vulnerable in this context.

“The challenge is that ... funding is not easy to come by and every year is a battle to ensure we can stay afloat. Covid has impacted that because it is also about finding the time to do the bids, write them whilst also dealing with those we work alongside and need immediate support.”

Survey respondent

Where organisations have been able to apply for non-emergency grant funding, there are challenges in delivering their work. For example, in a Clinks health and justice network meeting, held in September, an organisation gave an example of being offered a grant for new project work but they are still unable to get into the prison and start delivering the service. This could lead to losing the grant. In other cases, because they cannot get access to deliver their service, organisations have not been able to get grant funding in the first instance because they cannot guarantee delivery. This is exacerbated by the lack of clarity and inconsistent approach over getting access to prisons and the uncertainty around lockdown rules in the community.

“The impact of not being able to visit the establishment has meant that we do not have a cohort of prisoners to work with. This has meant we could not apply for funding to sustain our organisation. So staff will have to be made redundant.”

Survey respondent

Financial support schemes

Key finding

The financial support schemes put in place by the government have been primarily designed for businesses, leading to their limited use by the criminal justice voluntary sector.

Despite the urgent need for financial support amongst the sector, we found relatively low uptake of the financial support schemes provided by the government in response to Covid-19. Over a third of organisations that responded to our fifth survey did not apply for any of the schemes. In particular, the loans made available were rarely used with just 2% applying for a business interruption and bounce back loan.

The support measures put in place by the government were often designed with businesses in mind which operate in very different ways to voluntary sector organisations. This added to the confusion for charities about available support and made it challenging for organisations to apply for it. Our findings consistently show that organisations were not confident in their understanding of the available schemes and how they applied to charities working in the criminal justice system. In our qualitative engagement with the sector, we found this to be particularly challenging for smaller, community-led organisations who lacked the resource to navigate these schemes.

Restrictive criteria meant schemes weren't applicable and appropriate to organisations in our sector, leaving them excluded. In fact, our surveys consistently showed that eligibility criteria was the largest barrier to accessing government support schemes. Added to this were concerns about the repercussions for smaller organisations of using particular business measures.

Figure 21 | Applications for financial support schemes provided by the government

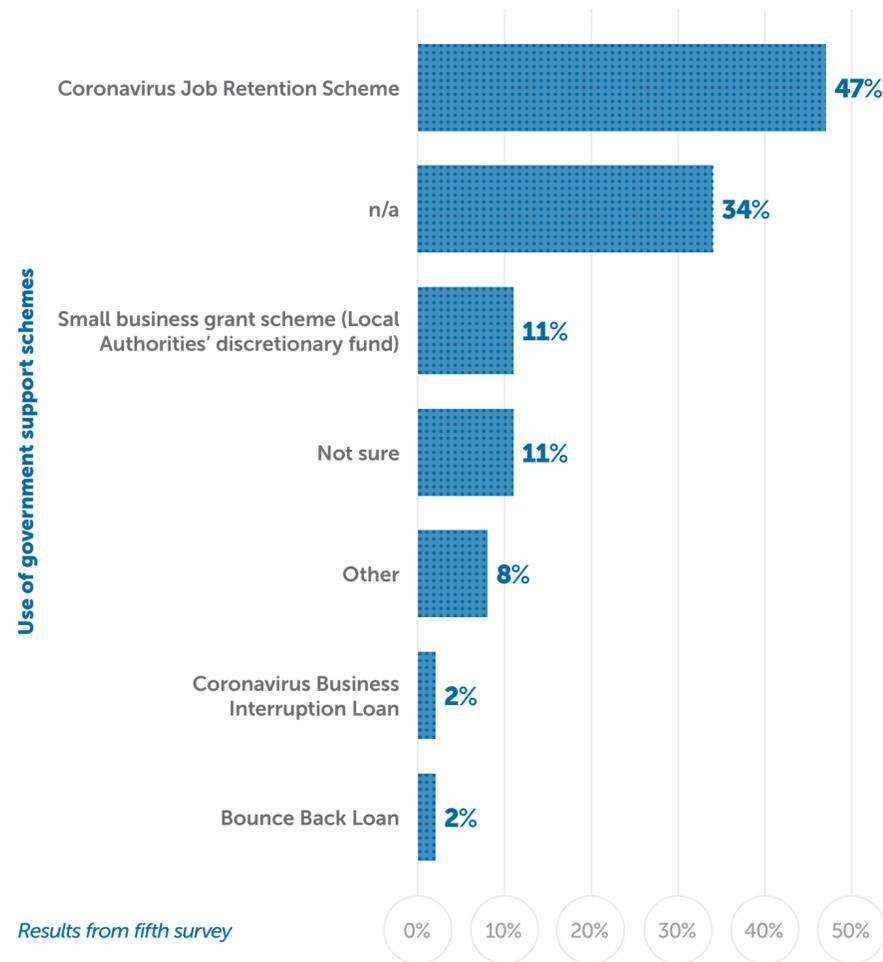
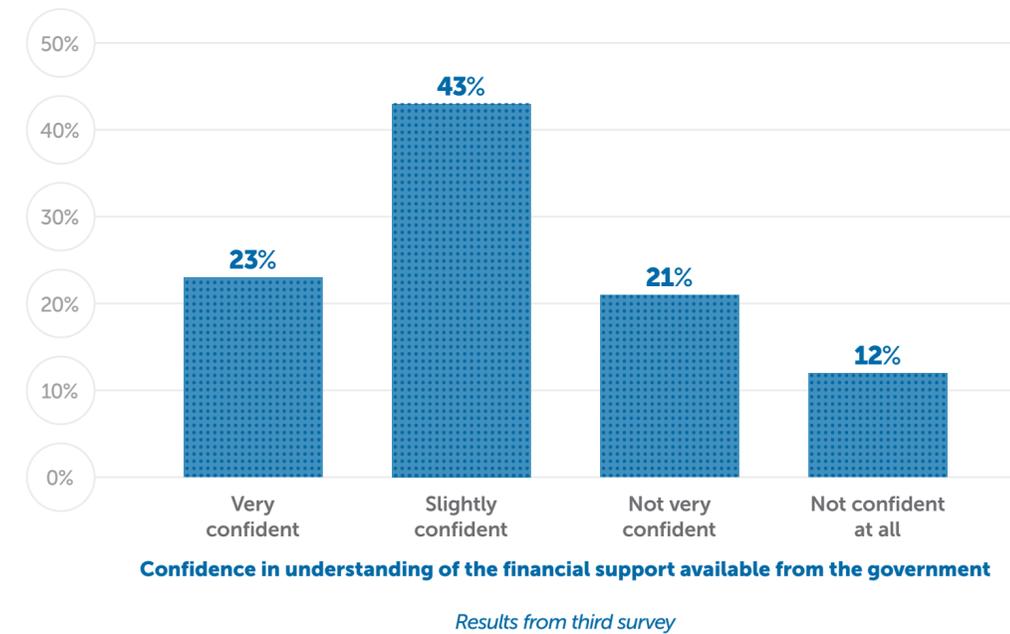


Figure 22 | How confident organisations were that they had a full understanding of the financial support available from the government



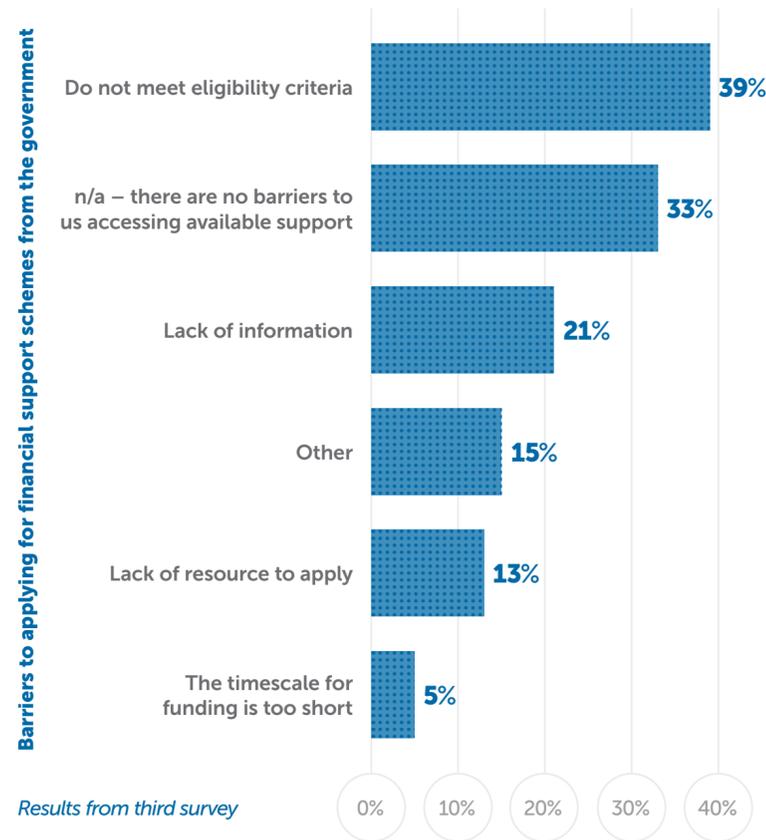
Furlough

Key finding

Organisations made little use of the government's job retention scheme with eligibility criteria being the largest barrier to accessing it.

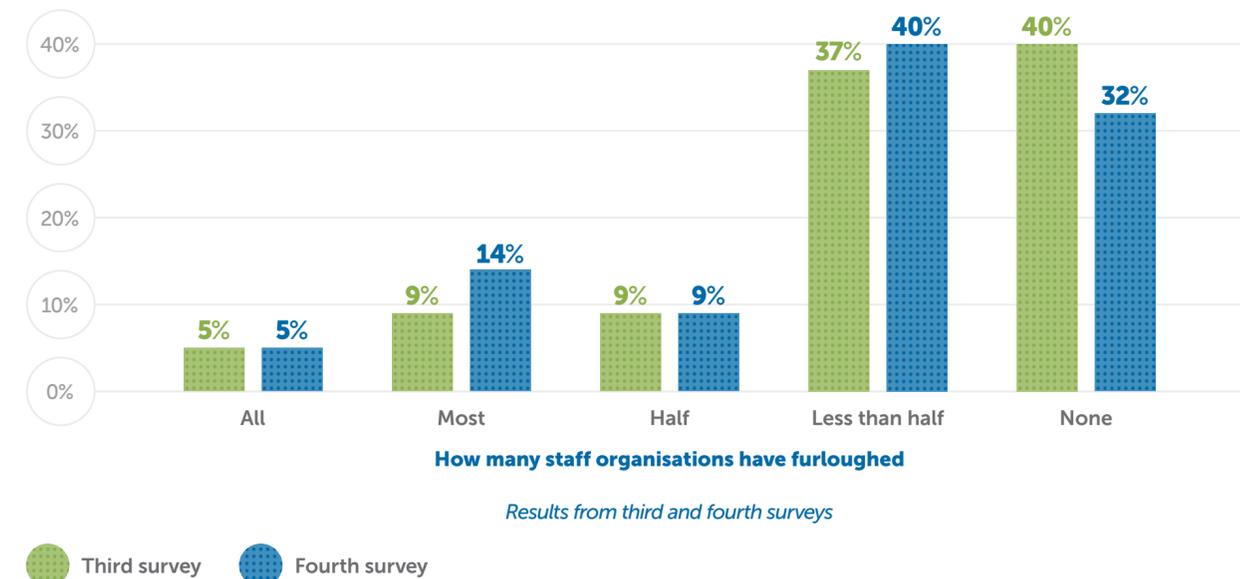
Use of the Coronavirus Job Retention Scheme has also been mixed. As figure 21 highlights, our fifth survey showed this to be the most accessed form of support from the government, with 47% of respondents telling us that they applied for this scheme. The findings of our final survey were similar: 55% of organisations (n=94) said that they had furloughed staff during the pandemic and 45% had not.

Figure 23 | Barriers organisations faced in accessing the financial support schemes made available by the government



Findings from our earlier surveys, where we asked organisations what proportion of their staff team they furloughed, suggest that those who did use the Coronavirus Job Retention Scheme used it to furlough small proportions of their staff team. For example, in our fourth survey 40% said they furloughed less than half their staff. This was 37% in our third survey. This is very different to findings by our colleagues at Voluntary Organisations' Network North East (VONNE) who found that in the wider voluntary sector, whilst overall there was a similar proportion of organisations that used the furlough scheme (57%), the majority of those used it to furlough over 75% of their staff.¹¹

Figure 24 | Use of the Coronavirus Job Retention Scheme during the pandemic



We found the limited use of the furlough scheme in the criminal justice voluntary sector as whole, and within individual organisations, to be primarily because:

- **Organisations were excluded by the criteria**

Organisations were unable to furlough staff whose posts were funded by statutory funding. This was a particular issue for organisations working in the criminal justice system, who are far more reliant on government funding than the wider voluntary sector – our State of the sector research finds that government funding is the largest source of income for criminal justice specialist organisations. Feedback from organisations highlighted that the guidance on this was too broad and not tailored enough to charities, causing confusion over eligibility for organisations with mixed funding streams. Many were in the position of being able to furlough some staff but not others due to funding arrangements.

| **"We have furloughed approximately 20% so far, who are not funded via government contracts."**

Survey respondent

| “Our trainers are on a government contract and cannot be furloughed.”

Survey respondent

- **The scheme was aimed at bridging issues of business interruption**

It therefore did not apply to many criminal justice organisations that faced high demand for their services during the height of the pandemic and who continued to operate during lockdown. In these cases, organisations had to retain their staff, and in some cases redeploy office staff to the frontline to respond to such pressures but simultaneously faced loss of income and increased costs.

- **A lack of flexibility for part-time working**

As highlighted earlier, many voluntary organisations adapted to deliver a pared-down remote service, but when lockdown was first announced the furlough scheme did not allow similar flexibility for part-time working. It was an all-or-nothing option, which is in part why use of the furlough scheme was particularly low at the start of lockdown. Though the furlough scheme was updated from July to enable employers to bring staff back on a part-time basis, which was welcome, organisations faced over two months of having to meet staff costs but run limited services. This created a financial burden for organisations, particularly those with limited reserves, and made it more challenging for organisations to be flexible to the crisis and recover.

The government Job Retention Scheme – which was initially scheduled to finish on 31 October 2020 – was extended to 31 March 2021 due to a second national lockdown being implemented in England during November and the possibility of further restrictions across England and Wales in response to further Covid-19 outbreaks. However, due to the eligibility issues that voluntary organisations working in the criminal justice system faced, it is likely that organisations will continue to struggle to access this important form of financial support.

Accessing emergency funding

Key finding

Criminal justice specialist organisations have had limited access to emergency grant funding from the government and have primarily turned to trusts and foundations for support.

In addition to schemes outlined above, the government pledged £750m to support charities during this crisis, £360m of which was distributed to government departments via the Department of Culture, Media and Sport (DCMS). However, the Ministry of Justice was not successful in its bid to DCMS for funds to support the voluntary sector working with people in the criminal justice system. This was highly disappointing and we believe shows a lack of recognition across the government given to the work of this sector and the needs of its beneficiaries.

Clinks was concerned throughout this crisis that without a specific fund directed at our sector, applicable to its breadth and diversity, organisations would again be excluded from the available emergency funding because of eligibility criteria and the significant levels of need across the wider UK voluntary sector.

We welcome that the Ministry of Justice and HMPPS were able to make £300,000 emergency grant funding available to support the voluntary sector working in criminal justice in its response to Covid-19. However, the total sum was not enough to meet the level of urgent need in the sector. The requirement for organisations to have a pre-existing relationship with HMPPS will have excluded many from the fund, particularly small, community-led specialist organisations. Clinks was responsible for distributing the grant on behalf of HMPPS, and received 202 applications for emergency funding for a total of £1,727,150.14. Clinks was only able to award 58 grants each for between £1,500-8,000.

Added to this, the sector does not have a particularly strong relationship with the National Lottery Community Fund, who were responsible for distributing the Coronavirus Community Support Fund. Historically, organisations have been told they are ineligible for these grant opportunities because of the National Lottery Community Fund's policy not to fund activity considered adjacent to statutory services, which means that it has not typically funded services in our sector that are often viewed this way.

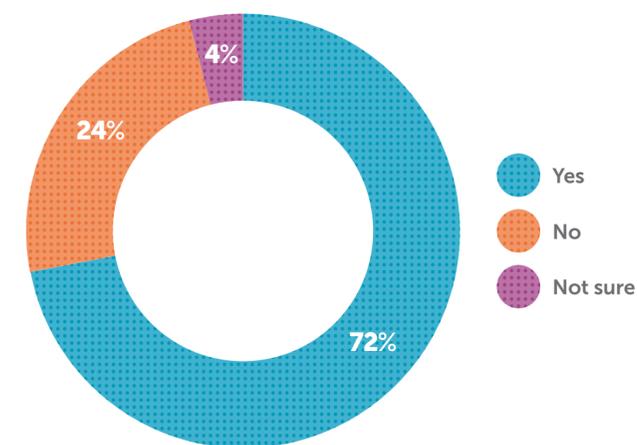
Engagement with organisations at our network meetings, and our surveys, confirmed our concerns about the difficulties of accessing emergency funding made available from the government. Whilst we found the majority of survey respondents (72%, n=93) did apply for emergency funding as a result of the pandemic, those organisations primarily turned to trusts and foundations for this support. 77% of those that said they applied for emergency grant funding applied to trusts and foundations compared to just 39% that said they applied to central government.

The primary reason for not applying for emergency funding was because organisations did not meet the eligibility criteria, rather than it being not needed. Of the 23 organisations in our latest survey that did not apply for emergency grant funding, 11 organisations said they did not meet eligibility criteria for the available funding. This finding is reinforced by feedback at our network events. For example, organisations that specifically work in health and justice spoke about being ineligible for emergency funding due to them being recipients of NHS funding and the annual income criteria.

We also heard that, as the situation evolved rapidly, applying for funding whilst keeping up with the changing operational and funding environment was challenging and required unique skillsets that not all organisations possess, particularly small ones who lack capacity and resource.

Figure 25 | Applications in the sector for emergency grant funding as a result of the pandemic

Applications for emergency grant funding



Results from sixth survey

Figure 26 | Where organisations applied to for emergency grant funding

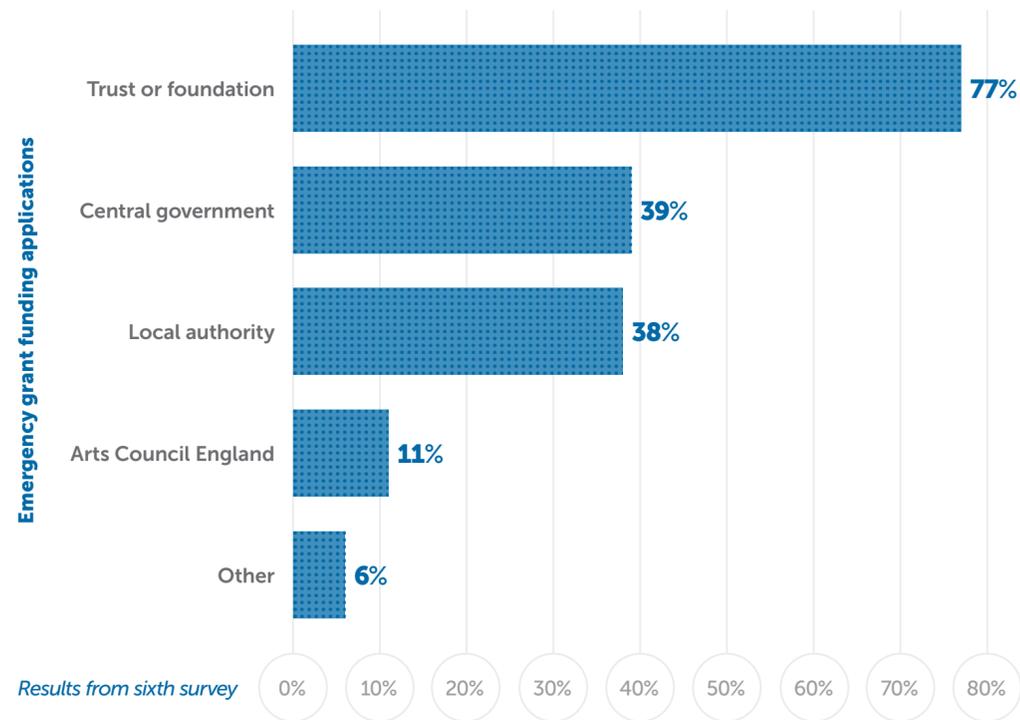
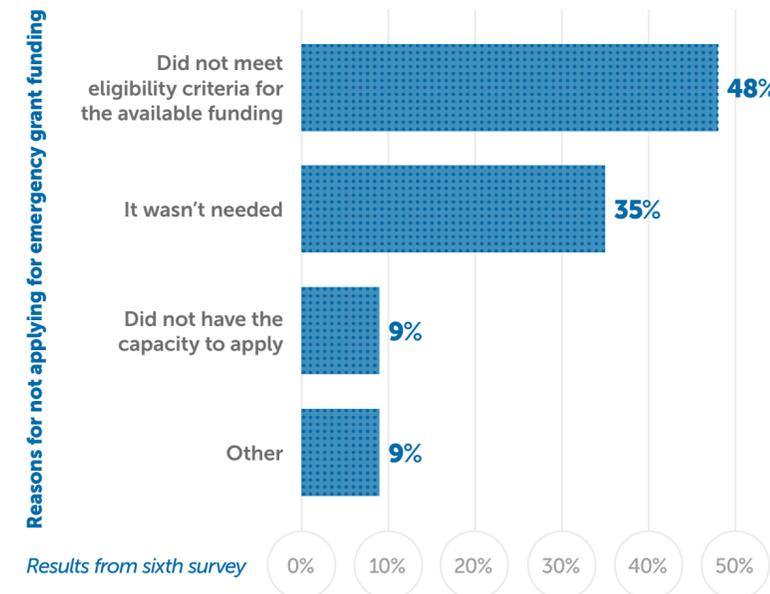


Figure 27 | Reasons for organisations not applying for emergency grant funding



Long-term sustainability concerns

Key finding

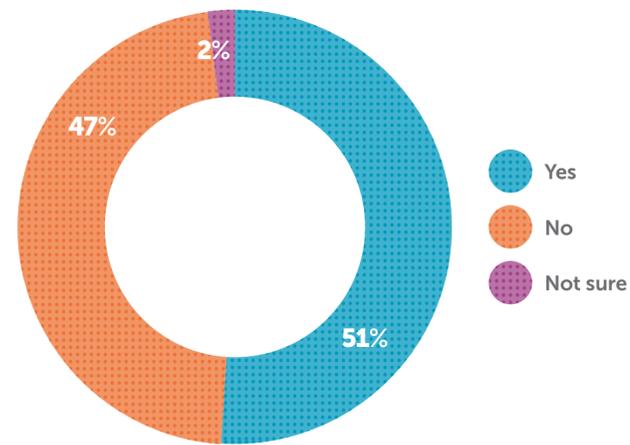
Some organisations will have to make staff redundant.

By August (over three months since the initial lockdown announcement), approximately half of the organisations that used the furlough scheme said they had staff still on furlough. Just over half of those organisations were, at the time, aiming to bring staff back from furlough in the next month.

However, with just two months to go until October when the scheme was originally due to end, many organisations were still anxious that they may not be in a position to be able to bring staff back from furlough. Some organisations have faced significant challenges in bringing

Figure 28 | Proportion of organisations with staff still on furlough as of the end of August

Organisations with staff still on furlough (as of August)



Results from sixth survey

staff back, particularly those experiencing acute funding difficulties. This has been especially problematic where organisations' ability to generate income to cover staff costs continued to be significantly hampered (e.g. through trading arms and social enterprises in prison).

A coalition of civil society leaders led by the Charity Finance Group and supported by Clinks, highlighted the perverse position this has put charities in and the risk this poses, as provision is left to mothball and mobilisation is prevented. Voluntary sector organisations in this position face a critical dilemma of either accessing the government's job retention scheme to save on salary costs (and thereby close or reduce vital services) or face continued financial distress, even risking potential financial collapse. The coalition has called for a time-limited scheme that enables not-for-profit organisations to furlough staff and allow them to volunteer their time and skills back to the organisation so they can continue to deliver their vital work that transforms lives.¹²

"We are navigating a careful balance between part-time returning to work and supporting salaries with no income. We want to start working again but need to remain very low in expenditure whilst we can't generate any kind of income."

Survey respondent

For other organisations, this decision is out of their hands. There still hasn't been enough work available for staff to deliver, meaning they cannot be brought back from furlough. This is the case for some organisations that cannot get access to restart services in prisons, or where the work has become more limited because they have to work with fewer people due to restrictions on group numbers and social distancing. There has been uncertainty and concern about what this means for the sustainability of those organisations. Although the furlough scheme has been extended to March 2021, we do not know if organisations will still be in the position of being unable to recover their services, due to restrictions in prisons, when the scheme ends.

Sadly, some organisations have to make redundancies.

"[The pandemic] has definitely had a negative impact and started to eat into our already unsubstantial reserves. We would not have survived without the furlough scheme but if we are unable to secure the income – grants and fees – over the next few months then we will definitely have to look at redundancies."

Survey respondent

"It appears that we may need to make our staff redundant and then raise funds for the organisation."

Survey respondent

Key finding

Organisations are not fully confident about their long-term sustainability and there is growing concern about the future availability of funding from trusts and foundations and cuts to government funding.

Whilst our surveys indicated that some organisations remain cautiously optimistic about their long-term sustainability, most are not fully confident. The responses we received, combined with the engagement we've had with organisations at our events, have shown that the sector is concerned that the full fundraising impact of Covid-19 will not be truly felt until further into the future. The impact of the pandemic will unfold over the coming months and years and there are significant fears of an economic recession impacting the future funding landscape. This could be particularly damaging for organisations that have had to use their reserves during this crisis.

- 65% of respondents from our most recent survey said they are only somewhat confident about their long-term sustainability
- A further 14% are not so confident and 2% are not at all confident.

Long-term impact on trusts and foundations

Long-term grant funding that covers core costs was already too few and far between. Predictions of an economic recession are exacerbating fears about the financial position of trusts and foundations as they also recover from the pandemic and the value of their endowments reduces. It has been estimated by the Institute of Fundraising and NCVO that overall there will be a 28% reduction in grants from foundations over the next 12 months.¹³ This leads to concern that accessing this important source of funding will become harder for the sector and drive up competition for criminal justice organisations against the wider voluntary sector who will also be facing more funding challenges.

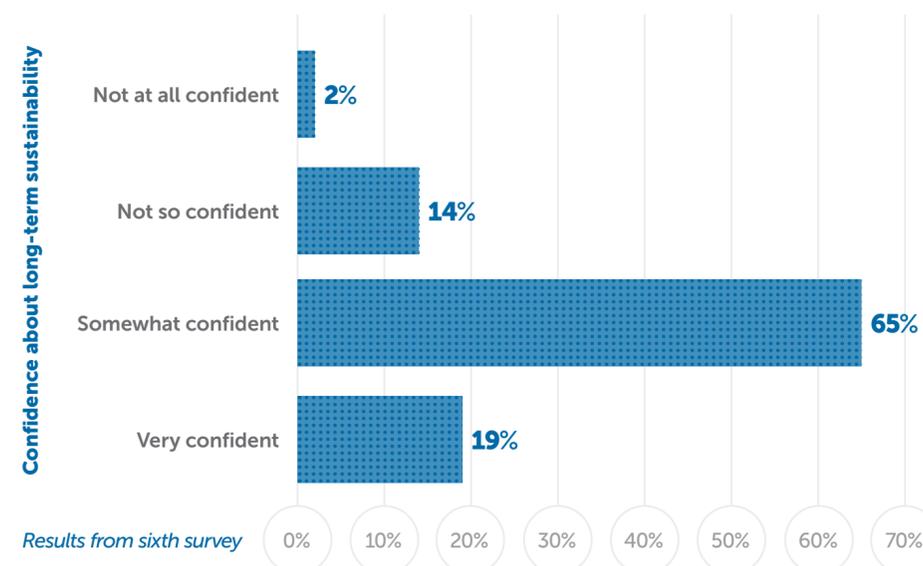
“Although we have been successful in obtaining some emergency funding, as a small organisation reliant on funding, we are concerned about the long-term financial ability of trusts and foundations to continue to fund all the charity’s work.”

Survey respondent

“We are also concerned about financial sustainability going forward because more charities will be applying for less money through grants, affecting financial security.”

Survey respondent

Figure 29 | How confident organisations are about their long-term sustainability as a result of Covid-19



National debt and the fear of austerity

As wider society and the criminal justice system recovers from the pandemic, there are concerns about the government tightening austerity measures to repay debt accumulated during the crisis. This will likely lead to further cuts to statutory services, limiting the support and funding available for the voluntary sector. Because the government makes up the largest source of funding for criminal justice specialist organisations, these cuts could severely impact the criminal justice voluntary sector.

“We fear the next financial year when the full impact on public funds and subsequent cuts are implemented.”

Survey respondent

“Inevitable austerity measures in the longer term mean that we will have to work harder to access less funds available.”

Survey respondent

“The pandemic had a positive impact on the business, however we realise that cuts will come due to the amount of expenditure throughout lockdown.”

Survey respondent

There is concern amongst organisations that support for people in the criminal justice system and the activities that support their wellbeing and desistance will be deprioritised.

Notes

- 11 VONNE (2020). *North East VCSE Sector Covid-19 Impact Survey*. Available at: www.vonne.org.uk/news/ne-vcse-sector-covid-19-impact-survey-report-published [accessed 12 October 2020]
- 12 Charity Finance Group (2020). *Civil society urges Chancellor to urgently make job scheme fit for purpose*. Available at: https://cfg.org.uk/charity_sector_urges_chancellor_to_make_job_scheme_fit_for_purpose#:~:text=Civil%20society%20urges%20Chancellor%20to,purpose%20for%20social%20change%20organisations [accessed 18 November 2020].
- 13 Institute of Fundraising and NCVO (2020). *Impact on the charity sector during coronavirus – research report June 2020*. Available at: www.institute-of-fundraising.org.uk/library/impact-on-the-charity-sector-during-coronavirus-research-report [accessed 28 September 2020].



Case study: Include Hub, Swansea

Include Hub Swansea is a community hub that provides trauma-informed, holistic wrap-around support for adults in contact with the criminal justice system and people with multiple and complex needs. The service offers a range of support including housing, welfare and debt support; health and wellbeing services; and training and education support.

How did Covid-19 and the lockdown impact the Include Hub and the people it supports?

Our members are some of the most vulnerable people in our community, living in socially deprived areas, facing structural disadvantage and health inequalities make them extremely vulnerable to the virus and the impact of lockdown. Many services relied on by our community closed and, as a result, we saw increasing demand for our services and increasing severity of crisis situations. We have most certainly seen unusually high levels of death, suicide, domestic abuse and drug use within our community.

We continued to provide support throughout the whole of lockdown. Digital exclusion is high amongst the people we support, particularly prison leavers, so alternatives to face-to-face support in many cases didn't work. Sadly we did have to close the doors to our Hub to all except emergencies. This meant stopping our usual open-door policy and instead offering more limited one-to-one support – with a reduced staff team – for our most vulnerable members.

In March, we quickly refocused the efforts at our Hub to respond to the crisis. Staff continued to work from the Hub. Our focus was on meeting people's basic needs and plugging the gap in other services. Food poverty became an even greater issue and accessing accommodation has possibly been the biggest challenge for our members during the pandemic (and still is). Many were also struggling with their mental health.

We quickly set up our community hub as a distribution centre, working with partners to distribute food and 'survival packages' with basic essentials and guides on Covid-19 restrictions. Over 1,000 of these have been given out, including 200 sent directly to the local prison. We found that prison leavers were not prepared for what to expect as they entered a community which looked so different to what they knew.

We have also been supporting people to sort out emergency accommodation and navigate other essential services, such as making welfare claims which they didn't have the means to do on their own remotely. We continued daily phone contact and email for mental health and emotional support, and support in crisis situations on a face-to-face basis following guidelines and measures.

What impact does the pandemic continue to have on the Include Hub? Have you been able to restart more services in person?

The pandemic continues to have a long-term and fundamental impact on our work, financial stability and ability to achieve our long-term ambitions.

Covid-19 has created anxiety in our team about long-term sustainability. With a reduced staff team, senior managers have had to put all their focus on delivering and maintaining frontline crisis support for our members. It has meant they haven't had the time to focus on funding applications and sustainability, impacting the growth we wanted to make.

The key principle underpinning the Include Hub is people – members, volunteers and delivery partners – in one safe place, coming together to achieve mutual goals. However, at the moment we still have to keep a closed door policy, instead taking an appointment-based approach which is not as successful in creating community cohesion and can be difficult for people to engage with.

Our ultimate aim is to support people to go from 'surviving to thriving'. In the pandemic the hub has not been able to achieve its full transformative potential because we've had to focus so much on providing essential support for survival rather than support for achieving people's long-term goals.

The space that the Hub provided for our community sometimes feels like a distant memory and we're concerned that it's not something that can be repaired overnight, especially now with the prospect of ongoing local lockdowns throughout winter. But we have engaged with our members about what they'll need from us over the coming months and have arranged a new timetable around this to maximise the hub as much as possible while under the current restrictions. This has allowed us to allocate times for activities and ensure that we are still able to offer support in all the areas that we used to, including some of the more long-term progressive support, even if that is virtual or restricted face-to-face interaction. We are also gearing up for more outreach work.

One positive thing to come out of this crisis is that we've seen a significant increase in the recognition of and demand for our expertise. Because of our position and connection within the local community, statutory services and other voluntary organisations have relied upon us for support and guidance. We've adapted quickly to support our community when they needed it most and we will build on the partnerships that we've established during this time to continue helping our members to survive at this time and work towards thriving.



The impact of Covid-19 on

the arts in criminal justice





Photo: Sounding Out, Irene Taylor Trust, Clinks conference © Ian Cuthbert

Art, design and creative provision in the criminal justice system can unlock untapped talent and be a vital springboard for positive change. It can enable personal development and foster positive relationships; engage wider audiences outside the criminal justice system to challenge stereotypes; and can support people's desistance journeys. Ultimately, art produced by diverse and unheard voices enhances art and culture for all.

The Covid-19 pandemic has had a profound and severe impact on the wider arts and culture sector. Institutions have had to close and in-person exhibitions, events, and performances have been cancelled or postponed indefinitely.

Whilst arts and creativity have for many people been important for coping through this crisis, fear is growing about how long the arts and culture sector will be prevented from returning to any sense of normality. There is concern about the long lasting impact this will have on arts and arts practitioners in society, especially given that they have faced encouragement from the government to retrain in other professions.

These challenges apply across the breadth of the arts and culture sector but are exacerbated for arts in the criminal justice system due to the closed nature of prisons and slower pace of recovery, meaning the impact could be even more acute.

Service delivery

Delivering arts services in a pandemic: balancing demand for virtual creativity and keeping the essence of arts and culture

Going into lockdown

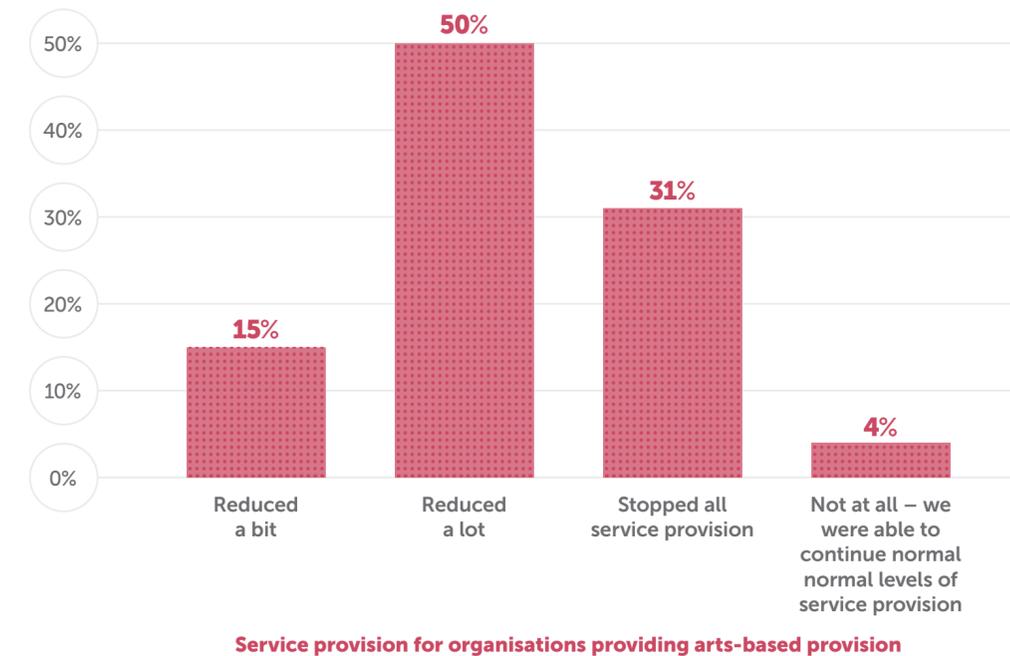
For most voluntary sector arts organisations working in the criminal justice system, their work has been traditionally rooted in face-to-face interactions with people. Examples of activity prior to the pandemic include group music workshops, group singing and creating theatre productions in prisons. The pandemic and restrictions put in place have had profound effects on the delivery of arts services like these.

“We used to deliver a lot of classroom-based workshops and due to covid-19 we have had to adjust to zoom [online] workshops. Due to this, our engagement levels dropped and we have had to completely change our approach to how we recruit new participants.”

Survey respondent, arts organisation

Overall, as with the wider voluntary sector working in the criminal justice system, arts organisations have been forced to reduce their services. In 2019-20 the annual survey conducted by the National Criminal Justice Arts Alliance (NCJAA) indicated that 78% of arts organisations in their network were either maintaining or expanding their services. Only 5% said they were reducing their services. After the Covid-19 pandemic hit, the results of Clinks’ second survey (conducted in April) indicated that the majority of organisations providing arts-based activities had to immediately decrease their service provision or stop service delivery completely. A stark contrast from only just a few months before.

Figure 30 | The impact of Covid-19 on service provision for organisations providing arts-based provision



Note: Figure 30 is based on Clinks’ second survey conducted in April which had an additional focus on arts in criminal justice. The data presented is based on responses from 26 organisations that said they provide arts-based provision. While not statistically significant due to the small number of organisations the data represents, the trend mirrors findings for the wider voluntary sector and reinforces qualitative evidence gathered through engagement by NCJAA with network members.

The barriers to remote arts

There are unique barriers in replacing artistic services with remote provision. Arts organisations working in criminal justice face many practical challenges to adapting their services into meaningful alternatives that do not compromise the purpose of, and vision for, their services. The barriers arts organisations have faced include:

- **Access and materials**

Several arts organisations tried to get arts and creative provision to people in prison to use in their cells whilst they were confined there for more than 23 hours a day. However, the ability to get materials to people in prison was inconsistent and reliant on pre-established relationships with prison staff. In particular, a number of arts organisations highlighted that it was challenging to provide materials that were not paper-based, such as musical instruments or audio recordings, due to practical and security issues getting them into prisons.

- **Lack of additional funding**

There are additional costs associated with obtaining the necessary materials and technology for adapted service provision, preparing activity packs and materials and distributing them. Organisations require funding to deliver these changes to their work. These unplanned costs could not be budgeted for and weren't always covered by existing funding arrangements. This put greater financial pressure on some organisations, particularly when also facing loss of income as a result of the pandemic. Yet despite this, some organisations found they were expected by prisons to provide additional in-cell materials and activity packs for free.

- **Fostering meaningful relationships**

For a number of arts organisations, delivering their work remotely was a challenge because it was not a simple matter of moving everything to online or paper methods. The artistic relationship between practitioner and participant is integral to the transformative power of creative activity. So even where activities could theoretically be adapted and delivered through, for instance, activity sheets, organisations also required a means of maintaining that two-way relationship. This was not possible for many, especially where there were digital barriers in prisons due to a lack of video technology or in-cell telephones, or where clients in the community were digitally excluded and did not have access to the necessary technology to stay in contact and engage with services.

“Our service was completely in-person with a group focus ... We have been unable to reach anyone, besides sending in some paper-based worksheets.”

Survey respondent, arts organisation

- **Loss of interactive group work**

Some organisations have found that certain arts interventions could not be adapted for in-cell activity. This was particularly the case for arts organisations whose work is usually highly interactive – specifically theatre, dance and performance-based activity – and who have therefore been concerned about the effectiveness of remote delivery or in-cell provision as an alternative. NCJAA has engaged with arts organisations that, when first going into lockdown, had decided not to deliver alternative activities for the time being for these reasons. As the pandemic endures, organisations have been forced to look at alternative, but in many ways less effective, delivery models.

“Our core work (weekly choir) supports and helps with mental health and isolation. This is desperately needed but currently impossible to recreate as we intend.”

Survey respondent, arts organisation

“There's no choice. It's a passion, a promise to deliver music collectively in the way we do ... that's what transforms lives ... and we can't put it online, it wouldn't work.”

NCJAA member

Three to six months in: thinking about remobilising

As this report highlights in the section on service delivery (page 16), some voluntary organisations have slowly started to be given access to prisons to reintroduce face-to-face services. Changes in restrictions in the community have also enabled some organisations to start remobilising their face-to-face services to varying degrees. However, inconsistent rules, guidance and implementation of policies across areas and in different prisons have made it challenging for organisations to navigate remobilisation.

Certain types of arts-based activities – such as singing and drama-based groups – face additional barriers to remobilising. Activities that rely on bringing groups together and interacting with each other have been less likely to be given access to prisons and restart services. These services can rely on group dynamics and it will not always be suitable to adapt them to one-to-one activities. Others will have to significantly change the way their sessions – for example drama activities – are run to maintain social distancing. Organisations that provide singing groups face issues with voices being projected, which increases concerns about the spread of Covid-19. It is not realistic for these to be done wearing face coverings and utilising outdoor spaces will be more difficult in winter. These activities are likely to remain restricted for longer than others.

“We are concerned about the longer term impact on organisations providing group arts activities in prisons ... It is not clear that the actual activities we do can really restart in a meaningful way. We can all continue to provide activity packs, CDs, correspond, etc. keeping contact and visibility with service users and prison staff but it is not why we exist and not what we think really makes the difference. In our case, we believe that singing together is what can change lives: it is at the heart of everything we do ... Can we find ways of delivering community music in a way that is meaningful and satisfies our purpose to meet the needs of our service users? Hopefully, yes! That or singing in full PPE!”

Survey respondent, arts organisation

“We have reduced the numbers we worked with face-to-face ... No singing ... Certain instruments not used due to an inability to clean them.”

Survey respondent, arts organisation

The lockdowns implemented in Wales in October and in England in November have further delayed the remobilisation of the arts and culture sector. Getting continued access to prisons for arts and creative activities (and being able to deliver them in community spaces) will likely continue to be a struggle in the winter months.

Innovation and creativity: delivering arts and culture virtually and its long-term implications

Despite the challenges, arts organisations have responded innovatively to the restrictions in place in the community and prisons and have used this opportunity to explore new creative options for supporting people whilst face-to-face activity has not been an option. NCJAA has received many examples of storytelling, radio projects, collaborative music making, letter writing and creative activity packs. These innovations are a vital lifeline to counteract the isolation and lack of activity, particularly for people in prison.

Positively, NCJAA has found that HMPPS and many establishments have recognised the value of creative activity to support wellbeing during this time. However, there is growing concern that the focus during the pandemic from prisons and HMPPS on distraction packs in cells is leading them to be seen as effective alternatives to in-person, collaborative activities. The innovative solutions that arts organisations have come up with to ensure that during lockdown there has been ongoing access to arts and creative opportunities are highly welcome. However, they should not be treated as replacements for the in-person, collaborative activities that arts organisations have worked tirelessly to deliver over many years and show they have the power to transform lives.

Staff and volunteers

The Covid-19 pandemic has also impacted staffing and volunteer opportunities for the arts sector working in criminal justice

- **Volunteering**

Along with the wider voluntary sector working in the criminal justice system, arts organisations have also faced a loss of volunteers. For some, this will impact their ability to adapt to current restrictions as they will not have the additional capacity needed to deliver alternative services. For others, the loss of volunteers does not have an immediate impact whilst organisations are prevented from delivering services. However, there is concern about the impact this will have on the capacity of organisations when remobilising their services as well as the long-term retention of skilled volunteers.

- **Furlough**

Our second and third surveys – which included a specific focus on arts in criminal justice – indicated a higher proportion of organisations providing arts-based provision were ineligible for the government’s job retention scheme, compared to the voluntary sector working in criminal justice. This has implications for the ability of arts organisations to retain staff and puts greater financial pressure on them. This impacts future sustainability and the ability of organisations to weather this crisis whilst also ensuring they have the staff skillset to deliver specialist arts services in the recovery from the pandemic. Changing workloads, and serious concerns about job security due to the impact on sustainability, could add to the emotional toll and anxiety facing staff. Such anxieties are likely exacerbated in light of the issues facing the wider arts and culture sector and current lack of opportunities.

- **Loss of freelancers**

Many arts organisations that work in criminal justice also rely on freelance artists and arts practitioners to facilitate and deliver creative sessions with participants. Freelance artists and arts practitioners have been hit hard by the pandemic. Without a safety net for them during this crisis, the long-term sustainability of their unique and highly impactful work is at risk. This in turn will impact the ability of arts organisations to continue delivering their specialist services in the criminal justice system and the pool of talent they can draw from.

Funding and finances

What Covid-19 and lockdown has meant for financial stability of arts in criminal justice

The additional challenges around remobilising arts services face-to-face during this crisis have had knock-on implications on the funding and financial stability of these organisations. A number of arts organisations cited concerns about using up substantial portions of their reserves to maintain themselves during this time, adding to fears around their long-term sustainability. Below we outline a number of concerns raised by arts organisations related to funding.

- **Loss of earned income and project work**

As with elsewhere in the sector, many arts organisations working in criminal justice have moved to a business model which draws the majority of their income from fee earning and contract project work commissioned by individual prisons, government departments and health trusts. Much fee earning project work has been restricted or stopped completely. This means they often have little funding for their core costs and makes them particularly vulnerable in the current crisis.

“Our fee-based income disappeared completely with lockdown (about 20% of our overall income – not for criminal justice work) and the grants we were planning to apply for have mainly been diverted to Covid-19 grants and we are not frontline enough to apply for a lot of these.”

Survey respondent, arts organisation

“Moderate impact so far, but looking forwards, it is likely to become severe in the latter months of the year. We have used up reserves to maintain position. With no ability to earn income, we can only maintain a holding position for so long.”

Survey respondent, arts organisation

- **Delivering on, and losing, current funding**

A number of arts organisations are contracted to deliver services in prison through the prison education Dynamic Purchasing System (DPS). Organisations have faced uncertainty about the ongoing impact on their contracts. One particular concern is of not being able

to deliver on contract targets because of the slow pace of recovery. The Cabinet Office instructed that contract relief come to an end on the 31 October 2020. Providers will need to deliver an alternative service around restrictions or their contract may be terminated. It is likely that tight restrictions will remain in place in prisons throughout the winter months. Arts organisations may find it particularly challenging to deliver a viable alternative service that is equivalent value for money to their contract and can deliver similar outcomes and educational attainment. Similar anxieties face organisations that are not likely to be able to deliver on grants for some time and who are concerned they may have to return the money.

“We have funding that we may or may not have to pay back because the projects are now not running.”

Survey respondent, arts organisation

- **Accessing new opportunities**

Some organisations face uncertainty about if and when services will be re-commissioned. For example, governors were not able to commission any services through the prison education DPS until lockdown in prisons eased. The impact of this is unclear for services commissioned on 12-month contracts that are coming to an end in the next six months. Many organisations will be facing this uncertainty because when the DPS was launched organisations could only be contracted for a maximum of 12 months. Looking ahead to at least the next financial quarter, new DPS competitions will be for services that can be delivered in a Covid-19 safe environment. This may disadvantage arts organisations specialising in interactive arts and creative activity. Similarly, organisations applying for grants are concerned about their ability to apply for new opportunities with no certainty on when they can meaningfully deliver their services.

“We cannot currently deliver our services in a way that we feel will, in the longer term, meaningfully allow us to meet the needs of our intended service users and our purpose. In the longer term we do not see how funders can continue to agree to release funds for outcomes that are never going to be delivered ... there are few new funding applications which can be made at the moment in a meaningful way.”

Survey respondent, arts organisation

The future of arts and culture in the criminal justice system

With funder budgets likely to be smaller in the future, there is concern that certain types of voluntary sector services like arts and creative activity will be deemed less essential. It is important to protect the diversity of arts organisations working in the criminal justice system in order to ensure the transformative power of arts and culture is not watered down or lost in the recovery from the pandemic and beyond. To ensure this, there must be:

- **Greater understanding of the availability and impact of arts and culture in criminal justice**

Prior to the pandemic, the Digital, Culture, Media and Sport (DMCS) Committee highlighted that, though the role of the arts in reducing reoffending had been recognised by the government, its activity in this area was far less developed than its work championing the role of sport in criminal justice. As such, the Committee recommended a review of arts in the prison estate. It isn't clear how or whether this work is currently being progressed in DCMS and the Ministry of Justice. It is important that the review is re-prioritised to ensure the positive impact of arts in criminal justice is not overlooked as the criminal justice system recovers from the pandemic and that the voluntary sector is engaged in this process.

- **Funding to support the sustainability of arts organisations working in criminal justice**

It is important that trusts and foundations continue providing funding in this space during the recovery from the pandemic in order to support organisations' long-term sustainability and diversity. The Ministry of Justice should also review the way in which it commissions arts and creative activity, recognising the challenges created by a contracting culture and by the prison education DPS. They should work with the Cabinet Office to ensure that, in the future, low bureaucracy grants that cover core costs can be made available to organisations working in the criminal justice system. There should be a particular focus on small and specialist organisations including those that deliver outcomes through arts and creativity.

“I am worried about the future of creative provision in criminal justice. If it is valued less, it likely means it is needed more.”

Survey respondent, arts organisation



Case study: Good Vibrations

Good Vibrations is a charity that uses communal music-making projects to change lives, working with people in secure settings and marginalised people in the community. It is best known for using the Indonesian gamelan – an instrument with gongs, metallophones and drums. Its team of facilitators supports participants to grow in confidence and motivation, deepen their communication and social skills and develop transferable life and work skills.

How did Covid-19 and the lockdown impact Good Vibrations?

When the lockdown was first announced in March we had to make the heart-breaking decision to stop frontline delivery in order to protect participants and team members from the pandemic. This meant most of our music projects in prisons, secure hospitals and the community had to be put on hold for several months.

While we couldn't deliver face-to-face work and collaborative group projects we used this as an opportunity to unlock our creativity. We worked with participants, our team and supporters to create innovative, thought-provoking and entertaining alternatives to help people stay well and creative and to keep connected with the communities we support.

With people in prison confined in their cells for 23 hours a day we were acutely aware that our work was more crucial than ever to support people through the isolation.

Throughout the crisis we have created online activities and produced an array of films, podcasts, blogs and radio to reach people in the community who are under probation supervision and were previously part of our projects. Reaching people in prisons was challenging because of the additional digital barriers and the challenges of getting creative materials into prison. However, we have been able to send in letters and resources and

use prison radio to broadcast programmes that could engage prisoners, and set artistic challenges for them. In response to this, people have produced a variety of songs and poetry that have been inspired by lockdown or previous gamelan workshops.

What impact does the pandemic continue to have on Good Vibrations? Have you been able to restart services in person?

In July, we were able to slowly start introducing face-to-face work again on a small scale. After having worked with partner organisations to assess and put in place careful plans to manage the risks, we restarted projects at three locations – including one prison – in a socially-distanced way.

Since July, we have been running small weekly group gamelan sessions in HMP Wormwood Scrubs' Inpatient Unit – one of the first activities to restart at this prison. The unit has been deemed a 'bubble' so those on the wing do not have interaction with the rest of the prison.

Each week, our facilitator works with two to five participants. The sessions have ranged from careful music-making as participants get used to the instruments to livelier sessions with improvisations that can take the music and the sessions in completely new directions. The sessions also allow a space for participants to chat and open up more about their lives. Facilitators have seen participants start to relax and smile more. We are confident that restarting the sessions brings considerable benefits to people's mental health and supports them to persevere with overcoming the challenges they are facing.

We hope that we can begin to reintroduce this work in more prisons. Our team of facilitators is confident in supporting vulnerable participants to feel safe enough to take a step back into creative, communal activity and in turn help improve their mental health and resilience in these uncertain times.



Photo courtesy of Good Vibrations

Of course, given the uncertainty around the pandemic, it's difficult for us to know what will happen over the coming months, whether we will gradually begin to do more face-to-face work in different settings, slowly start increasing group sizes, or if further lockdowns will mean we have to suspend all activity again. This makes it challenging to plan ahead but, whatever happens, we know we can be flexible and responsive to stay connected with people and support them during this time.

Looking to the future

**Working with the
voluntary sector**

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**Addressing
systemic
problems and
inequalities in
the criminal
justice system**

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Photo: Courtesy of Geese Theatre Company © Ian Cuthbert

How can we build a better system for people in the criminal justice system? It is clear that Covid-19 has inflicted very real damage and harm, not least in terms of the significant numbers of lives lost, which cannot be undone.

The lockdown in prisons and wider society, which has been vital for safeguarding lives, has also not been without repercussions. The impact of the pandemic on voluntary organisations working in the criminal justice system and the people they support has been profound and is likely to be long lasting.

For some time to come, organisations will be grappling with the uncertainty around their financial stability and the long-term implications of the pandemic. In the wake of this crisis and with the impact of prolonged lockdown and Covid-19 on wellbeing, people in contact with the criminal justice system will likely be among the hardest hit. Access to services, and the exacerbating effects of poverty and disadvantage, combined with the wider financial impact on society are all serious factors to consider. Added to this is the potential for tighter restrictions and further lockdowns in response to successive waves of Covid-19 (both at local and national levels) to impact organisations' ability to recover and respond to the heightened need.

In looking to the future and recovering from the pandemic, we have the opportunity to address longstanding, systemic problems facing the criminal justice system and the people within it. Below, we outline what the government needs to do to build a 'new normal' that creates a fairer and more effective criminal justice system, supports the delivery of services by the voluntary sector and significantly improves outcomes for people in the system and for the communities they are a part of. We highlight how Clinks will respond and continue to advocate on these issues.

Working with the voluntary sector

A key principle that we see as critical to responding to the challenges of Covid-19 and creating a fairer and more effective post-pandemic criminal justice system is a full and equal partnership between the voluntary sector working in the system and prisons, probation services and central government (in particular Ministry of Justice and HMPPS). Embedding this principle requires greater transparency, regular communication and active engagement with the voluntary sector in criminal justice to utilise its vast expertise to act as a critically constructive friend. Fostering this ongoing partnership will ensure information flow and a continuing dialogue so that all parties understand and can respond to developing areas of unmet need.

Clinks will...

Support the voluntary sector to thrive by improving opportunities for it to be seen and treated as equal partners, and for organisations' vast expertise to be utilised. To achieve this, Clinks will implement the 'Stronger voice' project, which aims to support the voluntary sector in strengthening its voice and influence, with a particular focus on improving the policy and operating environment for small, specialist organisations.

To achieve this, it is vital to ensure that the diversity of the sector survives in a post-pandemic landscape. Closure of organisations means a loss of vital services within the criminal justice system that improve people's lives, and at a time when they will be more needed than ever. In the wake of this crisis, statutory services alone will not be able to respond to the heightened need. Not only is additional funding needed that is dedicated to stabilising the long-term financial health of the sector, but some fundamental changes are needed to the procurement approach for public services. These should be based on the following key principles.

Social value

Procurement decisions, including the appropriate funding mechanism, contract size and length, should always be based on prioritisation of social value over value for money. As Children England has highlighted in its eight principles for commissioning and procurement, public services are not products to be bought and sold as short-term commercial transactions.¹⁴ Treating them as such creates obstacles both to sustainability and performance, especially in a field like criminal justice where progress is incremental and long-term.

Full cost recovery

Relying on subsidy provided by voluntary sector organisations in order to deliver any public service must be avoided as it creates an unsustainable position, not only for the voluntary sector provider but also for beneficiaries and ultimately the taxpayer. Public commissioners should therefore ensure full cost recovery as a standard.

Good grant making

Government departments should better utilise grants in commissioning services and ensure the availability of grants that cover costs. This reflects the commitments to 'Grants 2.0' set out in the civil society strategy. This would reduce the bureaucracy and complexity of commissioning processes and ensure a more light-touch approach, enabling greater involvement of the voluntary sector as it recovers from this crisis.

Clinks will...

Continue to help voluntary sector organisations working in criminal justice to explore alternative fundraising options and long-term funding opportunities by working closely with trusts and foundations and other philanthropic funders as well as advocating for grants with government commissioners.

We will also continue to prioritise the needs and experiences of the sector in the design of commissioning processes, especially the Dynamic Framework for the new probation system, the prison education Dynamic Purchasing System and the commissioning of family and significant other services.

Addressing systemic problems and inequalities in the criminal justice system

Our State of the sector work has highlighted that the needs of people in the criminal justice system have, over a number of years, continued to become more urgent and complex. This is due to a severe housing crisis, worsening prison conditions, welfare reform and cuts to statutory services. These are deep-seated and systemic issues that have shaped the impact of Covid-19 on people in the criminal justice system and exposed more people to the detrimental effects of the pandemic.

The criminal justice system also reinforces systemic inequalities faced by protected groups, especially racial and gender inequality. People with protected characteristics are often disproportionately represented and experience unfair treatment and unequal outcomes in the criminal justice system. These inequalities have affected the way some groups were impacted by the pandemic and this should be recognised and reflected in the recovery from the pandemic, both to address it and ensure an equitable approach in the future.

The growing size and complexity of these issues cannot be addressed meaningfully by small-scale change alone, especially during the Covid-19 pandemic. We need bolder action and greater investment if we are to see real and significant improvement. As we have already shown, previous austerity measures prior to the pandemic left people in the criminal justice system unable to access essential services. Covid-19 has exacerbated this and if there are further cuts during the recovery process these issues will only become more entrenched.

Accommodation and welfare

Prior to Covid-19, the government had made welcome commitments to ending rough sleeping. However, rough sleeping is only the tip of the iceberg of homelessness and accommodation issues. Housing services and criminal justice services have a legacy of siloed working and too often people in the criminal justice system are not seen as a priority for accommodation support. In many cases, this has proved too challenging to overcome in a crisis context. In the future,

there needs to be a strategy – with an appropriate level of resource attached – for securing long-term, stable accommodation for people in the criminal justice system and to ensure a joined-up response that meets the needs of some of the most vulnerable people in society.

There are also longstanding issues with access to bank accounts and Universal Credit for prison leavers which, in the context of recovering from Covid-19 and the financial impact on individuals, will be more important than ever to address. The government should ensure that people have access to sufficient income on release from prison to meet their basic needs by increasing the discharge grant and taking the necessary steps to remove the barriers in accessing Universal Credit and bank accounts as well as stopping Universal Credit sanctions.

Clinks will...

Continue to look for opportunities to influence change in the area of welfare and accommodation for people in contact with the criminal justice system. This has become an increasing area of focus for our policy work over the last two years.

We will also work with our members in the coming year to revisit our policy priorities outlined in our *Clinks Thinks* report to make sure we are responding to the needs and experiences of our members and the people they support, particularly in light of the Covid-19 crisis.

Prison conditions

During the research for our *State of the sector 2019* report, organisations told us that the poor conditions in prisons, overcrowding, combined with a lack of resources and staff, were creating an unsafe environment for people. The conditions in prisons were negatively affecting people's mental and physical health, creating potentially long-lasting and traumatising effects.

Long and indeterminate sentences are driving an ageing and overcrowded prison population. The impacts of such an overcrowded estate and the poor infrastructure in place has posed fundamental risks for people in prison during the Covid-19 pandemic, and created distinct challenges for organisations trying to deliver services in prison.

The government has recently published a white paper setting out a number of proposals for changes to sentencing in England and Wales which will likely lead to more people in prison, and for longer.

Clinks thinks that instead of increasing sentences, the Ministry of Justice should develop a clear strategy for reducing the number of people in prison. The government should achieve this by addressing sentence inflation, reducing the use of short prison sentences and increasing the use of community sentences as an alternative to custody.

Clinks will...

Continue to advocate for better use of community alternatives and in doing so will work alongside voluntary organisations and the Ministry of Justice to make the most of the opportunities presented within the recent white paper, especially around community sentences.

Our priorities also include health and justice policy in which we will work towards a system that better meets the mental health needs of those in contact with the criminal justice system – including supporting the rollout of Community Sentence Treatment Requirements – and supports the health and social care needs of older people in prison.

We will continue to provide practical support to organisations navigating the challenges of delivering in prisons and promote the learning from our Good prison project. A coordination model has been shown to improve joined-up working; the information about, and access to, services; and partners' knowledge of processes and procedures.

Tackling racial inequality

The government should prioritise work to address the systemic racism in the criminal justice system, reduce the overrepresentation of BAME people in prison and the wider criminal justice system, and address the discriminatory treatment they face. This requires a cross-government approach to tackling racial inequality that recognises the impact of structural racism and inequality in society on individuals. There needs to be a particular focus on supporting BAME people in the criminal justice system in the wake of the pandemic and improving their access to key services, especially health services and mental health support, and ensuring transparent accountability measures for disparity in treatment.

Clinks will...

Go further and take steps to become a truly anti-racist organisation in all we say and do, how we operate internally and externally. Tackling race inequality in the criminal justice system has, for many years, formed a part of Clinks' influencing work to create systemic change.

In our work to tackle racism, we recognise the agency of BAME-led organisations to create and drive change and will aim to continue working in partnership with, and as an ally, to them so that we amplify their voice, expertise and work.

We will engage with services that are led by and for BAME communities about the support they need and how we can provide it, and will be setting up a dedicated Clinks network to support them to continue delivering their vital services during and beyond the pandemic.

We will also continue to promote a better understanding of tackling inequalities in the criminal justice system amongst key stakeholders and decision-makers across the government and the voluntary sector.

Supporting women in contact with the criminal justice system

Moving into a post-Covid-19 world, priority – and sufficient funding – should be given to achieving the aspirations of the Female Offender Strategy as well as reducing the unnecessary use of prison against women, enabling a system that can better respond to such a crisis.

Clinks will...

Continue to advocate for a distinct approach for women in the criminal justice system and investment in voluntary organisations whose main purpose is to provide tailored support to women, including the need for a sustainable network of women's centres.

As well as our advocacy work, Clinks will continue to develop the support we offer to organisations providing tailored services to women to ensure they are able to flourish and can continue to provide their much needed services.

Clinks will continue to monitor how organisations in criminal justice are faring and track how they are adapting to and recovering from the pandemic. We will be launching our next State of the sector research activity in 2021.

Notes

¹⁴ Children England (2020). *Submission of written evidence to House of Lords Public Services Committee inquiry into lessons from coronavirus.*

Appendix: Methodology

Survey

The six surveys we ran were sent out to Clinks contacts and shared through multiple communication channels including ebulletins, our website, blogs and social media. The surveys focused on four main areas: service users, service delivery, staff and volunteers, and funding.

We had an average response rate of 118 to our surveys. The following table gives details of the dates each survey was open, their duration and the response rate.

Survey number	Dates	Duration	Response rate
Fortnightly surveys: March to May			
1	Thursday 26 March to Tuesday 31 March	5 days	171
2	Tuesday 14 April to Friday 17 April	4 days	128
3	Tuesday 28 April to Friday 1 May 2020	4 days	119
4	Monday 11 May to Friday 15 May 2020	5 days	77
Monthly surveys: June to August			
5	Wednesday 8 July to Wednesday 15 July 2020	7 days	98
6	Monday 17 August to Friday 21 August	5 days	112

As with all research, there are some limitations. As the sample for each survey wasn't identical because some different organisations took the surveys each time, we cannot fully compare the data. However, we are able to show indicative trends across them.

As the online survey was open to everyone, and as some organisations who completed the survey could not be identified because they chose not to leave their contact information, it is challenging to determine if the results are representative of voluntary sector organisations working in the criminal justice system. However, the samples in each survey are large enough to give robust results.



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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.

Join Clinks: be heard, informed, and supported

Are you a voluntary organisation supporting people in the criminal justice system?

Join our network of over 500 members. Clinks membership offers you:

- A voice to influence change
- Practical assistance to be effective and resilient
- Support from a community of like-minded professionals.

We are offering free membership to all voluntary organisations until March 2021, and to those with annual income less than £100,000 until the end of March 2023.

www.clinks.org/membership

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