



## Reducing Reoffending Third Sector Advisory Group (RR3)

Via videocall

Tuesday 1<sup>st</sup> December 2020

### Attendees:

Dee Anand, Together for Wellbeing	Paul Grainge, Recoop
Peter Atherton, Community Led Initiatives	Nicky Park, St Giles Trust
Martin Blakebrough, Kaleidoscope	Tina Parker, PACT
Rod Clark, Prisoners Education Trust	Laura Seebohm, Changing Lives
Richy Cunningham, Recovery Connections	Chris Stacey, Unlock
Lisa Dando, Brighton Women's Centre	Khatuna Tsintsadze, Zahid Mubarak Trust
Peter Dawson, Prison Reform Trust	Emma Wells, Community Chaplaincy Association
Will Downs, Clinks (notes)	Tracy Wild, Langley House Trust
Helen Dyson, Nacro	
Anne Fox, Clinks (chair)	

### Officials present:

Adam Bailey, Ministry of Justice  
George Barrow, Ministry of Justice  
Bettina Crossick, HM Prison and Probation Service  
Phil Douglas, Ministry of Justice

### Apologies:

Dez Brown, Spark2life

## 1. Reducing Reoffending Strategy

- 1.1. Adam Bailey introduced himself as the Deputy Director for Prisoner outcomes, resettlement and reoffending policy at the Ministry of Justice (MoJ). He has oversight of a range of policy areas, including older people, education, families and foreign nationals. He is also leading the work of the Reducing Reoffending Strategy team.
- 1.2. Anne Fox thanked him and his team for their engagement with the RR3 so far, including through the three meetings held in August on substance misuse, accommodation and employment. Adam Bailey thanked the RR3 for their engagement and said these meetings directly informed MoJ's discussions with the Treasury for the Spending Review.
- 1.3. Adam Bailey said the MoJ is still hoping to publish a Reducing Reoffending Strategy next year. The ambitions of the strategy will be different due to the spending review being changed to a one year review due to the Covid-19 pandemic. Tracy Wild said she welcomed the ambitions of the reducing reoffending strategy team, and was disappointed that such positive ambitions would be limited by the one year spending review. Adam Bailey

acknowledged the point, but said his team are looking ahead to how they can respond to a multi-year spending review in the near future.

- 1.4. Adam Bailey updated the group on a number of policy developments around reducing reoffending:
  - 1.4.1. A cross-government reducing reoffending board has been established. The board will be chaired by Jerome Glass, Interim Director General of Policy and Strategy and Dr Jo Farrar, Chief Executive of Her Majesty's Prison and Probation Service (HMPPS). The board will be attended by civil servants across departments to support cross-government working and will meet for the first time in December.
  - 1.4.2. A prison education service is under development.
  - 1.4.3. Homelessness Prevention Teams have been restarted during the second wave of Covid-19, and will continue in the short term.
  - 1.4.4. The £20m funding for the prison leaver's project has been reconfirmed in the spending review. Anne Fox has been appointed to the steering group ([see an overview of the prison leaver's project in the September minutes](#)).
  - 1.4.5. The Sentencing White Paper set out proposals around reform to criminal records, and in recent weeks, the Home Office has responded to the Supreme Court judgement on youth convictions, cautions and reprimands.
- 1.5. Peter Dawson asked whether service users would be represented on the reducing reoffending board for their first meeting in December. Adam Bailey said they wouldn't be involving service users in December, but his team are exploring how to ensure input from service users.
- 1.6. Rod Clark asked for more information on the plans for a prison education service. Adam Bailey said the prison education service was a manifesto commitment. The MoJ is currently working out how to design a programme of support and investment across the complex delivery landscape. The priority is to equip people with the skills they need for employment, but they are also looking at learning disability, the use of digital tools for education and education provision for people serving very short sentences.
- 1.7. Chris Stacey said it was disappointing that voluntary sector secondment opportunities to the Prison Leavers Project barred people with convictions from applying. He said the MoJ had an opportunity to lead by example by ensuring people with convictions can apply for roles in the department. Anne Fox said she will raise the issue with Jerome Glass.
  - 1.7.1. Adam Bailey said the vetting processes for central government roles are very complex, but he was looking into what more could be done around this. He said the Prison Leavers Project was recruiting people with lived experience via the Going Forward into Employment programme, but he recognised that this doesn't address the challenges around the vetting processes for secondments.
- 1.8. Richy Cunningham welcomed the approach from the reducing reoffending strategy team to explore the contributing factors of reoffending. He welcomed the establishment of the cross-government board and encouraged the board to take as wide a view as possible to reoffending, with the aim of enabling services to create bespoke care plans.
- 1.9. Adam thanked the group for inviting him and expressed his willingness to attend future meetings. Anne Fox welcomed this and made an offer for the RR3 to arrange meetings online in smaller groups, and co-opting additional expertise from the sector to inform the reducing reoffending strategy.
- 1.10. *Action: secretariat to share future RR3 dates and Adam Bailey and discuss future input of the RR3 into the work of the Reducing Reoffending Strategy team.*

## **2. RR3 Update**

- 2.1. Anne Fox invite members to approve the minutes from [the September 2020 meeting](#).
  - 2.1.1. Khatuna Tsintsadze suggested a correction under 1.3.1 and 1.3.2, which referred to meetings between Jess Mullen, Dez Brown, Khatuna Tsintsadze and the HMPPS probation review team to discuss the inclusion of black, Asian and minority ethnic (BAME) people specialist organisations in the reformed probation service. Khatuna wished to place on record the contribution of Charlie Weinberg, Safe Ground and Whitney Iles, Project 507 to these conversations.
  - 2.1.2. The group otherwise approved the minutes and confirmed all actions had been completed.
- 2.2. Anne Fox provided a short update on the work of the RR3 and the recent activity of the special interest groups into Covid-19 and probation.
- 2.3. Anne Fox informed the group that Rod Clark will soon step down from the RR3 as he is due to leave his role leading Prisoners Education Trust in the New Year. Anne Fox and members of the group thanked Rod Clark for his contribution to the RR3 and wished him well in future endeavours.

## **3. HMPPS update**

- 3.1. Bettina Crossick gave a short update on the personnel changes at HMPPS.
  - 3.1.1. The Safety and Rehabilitation directorate has become Central Operational Services directorate and is led by Michelle Jarman-Howe as Executive Director. Michelle has also assumed a Chief Operating Officer role for the prisons business area.
  - 3.1.2. The full remit of the new Central Operations Services Directorate include the current Rehabilitation Services Group, Psychology Group, Interventions and Operational Services Group and Education, Employment Group. Other critical support services that will join the Directorate are Employee Relations and Health, Safety and Fire teams.
  - 3.1.3. Diane Caddle is in a new Executive Director role where she will be undertaking a review of the prisons business area and its engagement with stakeholders.
  - 3.1.4. Richard Pickering is now Deputy Director for the Education, Employment and Industries Group as Ian Bickers who was the previous lead has moved to a new role of London Prison Group Director.
  - 3.1.5. Safety and Drugs is now part of the Prison Reform Directorate.
- 3.2. Diane with Phil Douglas will co-chair the HMPPS/MoJ Third Sector Strategic Board as a continuation of their work in leading the Third Sector Taskforce in response to Covid-19. HMPPS wants to build on and mainstream the strategic relationship between HMPPS, MoJ and the voluntary sector as both stakeholders and delivery partners. Bettina Crossick and George Barrow will manage the secretariat. Membership of the group will include senior officials from youth justice board, prisons and probation and voluntary sector representation and trusts and foundations. The board will meet for the first time in December to agree terms of reference, which will then be shared with the RR3.
- 3.3. Clinks, HMPPS and the Association for Charitable Foundations have agreed to meet to build relationship between HMPPS and trusts and foundations. Dr Jo Farrar, Phil Copple and Amy Rees will all attend.
- 3.4. Bettina Crossick said that HMPPS has made available a further £150k of grants for small organisations, to be distributed through Clinks by the end of the financial year. The money is intended for organisations with under 250k turnover.

3.5. Bettina Crossick suggested Tanya Robinson could attend a future RR3 meeting to provide an update on their work around race.

#### **4. MoJ update**

4.1. George Barrow provided an update on personnel changes within MoJ:

4.1.1. Mike Driver has started as Permanent Secretary

4.1.2. Jack Coles has been appointed as Director of Prison Reform.

4.2. George Barrow said that the MoJ continued to prioritise work around race, and has a race action programme underway. He suggested it would be useful for the RR3 to be updated on this work at a future meeting. He also said that MoJ has made funding available for capacity building for BAME specialist organisations, and that Clinks has been awarded £190k to develop the race and justice network and to enable BAME specialist organisations to access consultancy support around capacity building.

#### **5. Sentencing white paper- community sentences**

5.1. Anne Fox welcomed Phil Douglas. Phil Douglas made an apology for not engaging with the RR3 ahead of the white paper being published. He updated the group on the progress of community sentence commitments in the sentencing white paper:

5.1.1. The MoJ is planning to pilot five problem solving courts. These will be aimed at people with a high level of need and those deemed 'prolific offenders'. Pilot sites will be large crown courts with a wide range of clients, though the model could be applied to magistrate courts at a later date. Some legislative changes will be made around drug testing and breaches, and these will be brought forward as part of the sentencing bill.

5.1.2. There will also be a pilot of increasing the frequency and quality of pre-sentence reports. An alternative delivery model will begin to be rolled out to magistrate courts next year.

5.1.3. The out of court disposals framework will be amended into a two tiered model. The guidance will ensure that the lowest level of offences can be dealt with through informal community resolutions, and provide greater consistency for managing more serious offences.

5.1.4. A new form of robust community sentence, the Home Detention Order (HDO), is under development. It is still being decided who HDOs will be aimed at, what level of conviction they are appropriate for, and the different options for managing enforcement. There are political difficulties over the possible options.

5.2. Phil Douglas said that the MoJ plans to bring forward the necessary legislation related to the sentencing white paper in the New Year, in partnership with the Home Office. A crowded legislative timetable may affect the timetable.

5.3. Anne Fox asked how the voluntary sector could provide their expertise and advice to inform the work. Phil Douglas invited organisations to raise potential practical impacts that the MoJ may not have foreseen, share views on how particular policies might land, and to engage as much as possible.

*5.3.1. Action: RR3 members to contact Phil Douglas with specific concerns over the impact of community measures.*

5.4. Dee Anand asked whether the MoJ had considered how voluntary organisations could assist in the functioning of the problem solving court pilots, and how they would link in to current Liaison and Diversion schemes, voluntary sector link worker schemes, and interventions through Community Sentence Treatment Requirements.

5.4.1. Phil Douglas said the MoJ needs to engage with the voluntary sector to make a success of the problem solving courts. Regional National Probation Service (NPS) directors will

- be in charge of commissioning services and the pilots will need to be considered within the wider provision of services in each area.
- 5.5. Lisa Dando asked whether any of the problem solving courts would be focussed on women. Phil Douglas said this is being actively considered.
- 5.6. Laura Seebohm asked whether out of court disposals would be accompanied by diversionary activities, and whether there was an expectation that these would be funded by Police and Crime Commissioners or the MoJ. She asked if out of court disposals would be aimed at people with complex needs.
- 5.6.1. Phil Douglas said the measures proposed by the MoJ are supported by many police forces, and a two tier model has already been adopted by many forces. The MoJ intends to create a consistent approach through clear guidance about the extent to which disposals should be restrictive or rehabilitative, and at which point non-compliance leads to conviction of the original offence.
- 5.6.2. George Barrow said the MoJ is conducting an in-depth study on what is happening across police forces. The ambition is to establish a clear legislative framework that provides guidance but allows for police discretion. Police staff may be seconded to support the work.
- 5.6.3. George Barrow said out of court disposals require the admission of guilt, which might lead to some groups of people missing out. Some people do not admit guilt as they lack trust in the police and the criminal justice system, and where offences are gang related, people may be scared of admitting guilt in case they make themselves vulnerable to people in the community.
- 5.6.4. Laura Seebohm said the rehabilitative elements of out of court disposals often falls on the voluntary sector to deliver but these interventions are rarely funded fully.
- 5.7. Richy Cunningham said that problem solving courts are likely to generate demand for residential rehab and detox services. He asked whether the MoJ considered the practicalities of how access to residential services can be assured, and how those places will be funded and by whom. Phil Douglas said that coordination of services and funding at a local level will be crucial to the success of problem solving courts.
- 5.7.1. Martin Blakebrough said there was similarly a need for clear criminal justice funding streams for people nearing the end of their sentence to access residential rehab and detox services. It can be difficult to source such funding from health partners.
- 5.7.2. Phil Douglas said was impressed by the services at Willowdene in Shropshire, and the attitude of local courts and the NPS to work alongside the drug and alcohol services. Detox and rehab is by no means an easy option. Phil Douglas indicated his willingness to visit voluntary sector services in the community (where possible in the context of Covid-19). Members of the group made a number of offers.
- 5.7.3. *Action: RR3 members to suggest to Phil Douglas ideas for site visits of voluntary sector services.*
- 5.8. Khatuna Tsintsadze raised concerns around the impact of proposed changes in the sentencing white paper to minority ethnic communities. She said the equality impact assessment that accompanied the white paper stated that direct discrimination was unlikely, but Khatuna warned that equal treatment does not lead to equitable outcomes, and the measures in the white paper need to be understood in the context of existing and persistent disparities. BAME communities are concerned that the white paper will result in the same negative or worsened outcomes. Khatuna has collated a list of where detrimental impacts on BAME communities is likely and will share with MoJ.

5.8.1. Phil Douglas said the equality impact assessment recognises that some people with protected characteristics are overrepresented in groups, but that the policies were overall justified as legitimate. The MoJ remains committed to addressing disparities in the criminal justice system.

5.8.2. *Action: Khatuna Tsintsadze to advise Phil Douglas on key areas of concern where proposals from the sentencing white paper are likely to have a detrimental impact on BAME people.*

5.9. Khatuna Tsintsadze said measures to tackle radicalisation in prison were concerning. A lack of awareness amongst staff could lead to people who are engaging with their religion in prison to be wrongly perceived as becoming radicalised. She asked how the MoJ would ensure that any evidence of radicalisation is substantial, transparent and backed by experts.

5.9.1. Phil Douglas said these measures would apply to a very small number of people, and the parole board will be trained to make these judgements to ensure a large number of people won't be unduly disadvantaged.

6. Anne Fox thanked participants for their contributions to the meeting. The next RR3 quarterly meeting will take place on Tuesday 2<sup>nd</sup> March 2020.

**ENDS.**