



## **Reducing Reoffending Third Sector Advisory Group (RR3)**

**18<sup>th</sup> May 2017**

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

### **Present**

Beverley Williams – *Home Group*

Christopher Stacey – *Unlock*

Jacob Tas – *Nacro*

Jeremy Crook – *Black Training and Enterprise Group*

Linda Bryant – *Together for Mental Wellbeing*

Matt Wall – *Community Chaplaincy Association*

Mohammed Hanif – *Arooj*

Nicky Park – *St Giles Trust*

Peter Dawson, *Prison Reform Trust*

Riana Taylor – *Circles UK*

Richy Cunningham – *Fulfilling Lives, Newcastle Gateshead*

Rod Clark – *Prisoners' Education Trust*

Sarah Swindley – *Lancashire Women's Centres*

Anne Fox – *Clinks*

Oonagh Ryder – *Clinks*

Hazel Alcraft – *Clinks*

George Barrow – *Ministry of Justice*

Bettina Crossick – *HM Prisons and Probation Service*

Phil Bowen – *Centre for Justice Innovation*

### **1. Welcome and introductions**

- 1.1. Anne Fox confirmed that Chris Wright (*Catch22*) has now moved on from the group. The group noted their thanks to Chris for his work on the RR3.
- 1.2. Anne updated the group on the recruitment of three new members to the RR3 and welcomed Jacob Tas, Nicky Park and Richy Cunningham.
- 1.3. Apologies were received from Barbara Natasegara – *Safer Wales*, Diane Curry – *POPS*, Max Rutherford – *Barrow Cadbury Trust*, and Nathan Dick – *Clinks*

### **2. Update on RR3 work**

- 2.1. Minutes of the previous meeting agreed. No matters arising.
- 2.2. Oonagh Ryder provided an update on the actions of the previous meeting
- 2.3. The group discussed the possibility of inviting Danielle Hudson, Deputy Director for Data Driven Department & Culture Change, MoJ to the next meeting to explore data and evidence.

**ACTION 1:** Clinks to consider inviting Danielle Hudson to the next RR3 meeting.

- 2.4. Bettina Crossick sits on the group overseeing the Early Adopter voluntary sector grants programme. The programme has now finished but there will be 3 – 6 months spent looking at research, outcomes and recommendations resulting from this. This will culminate in a published paper.
- 2.5. The group suggested that learning on effective relationship building at a time of transformation in a prison would be useful to pull out from this programme. The group also emphasised the importance of the voluntary sector having relationships with prisons through grants.

ACTION 2: Bettina Crossick to update on the Early Adopter voluntary sector grants programme paper at the next RR3 meeting.

- 2.6. Bettina Crossick highlighted the changes in the way grants are used and managed due to Cabinet Office guidelines and the importance of the voluntary sector being aware of this. The group agreed that looking at the changes to grant funding for voluntary organisations would be a useful piece of work for the RR3.
- 2.7. The group suggested this could be a useful piece of work to take forward, particularly considering the reliance on grants in the voluntary sector working in criminal justice.

ACTION 3: Group to discuss possible piece of work on the changes in grant funding and how this affects voluntary sector organisations.

### 3. MoJ policy update

- 3.1. **Election:** The Ministry of Justice is now in pre-election mode and unable to make new announcements.
- 3.2. **Prison and Courts Bill:** The Prisons and Courts Bill did not progress through Parliament before the announcement of the election so has now fallen. It is likely there will be another Bill in the future.
- 3.3. **Voluntary sector secondments:** There has been some difficulty finding line managers for potential secondees. This means that the recruitment will happen in waves rather than as one group, with the next wave after summer recess. The young adult secondment position will be used to provide a proof of concept for the voluntary sector secondments. The group said it was disappointing that the secondments to the Lammy Review team would not go ahead in May as planned and emphasised the importance of a clear plan for implementation of the review's recommendations. The group discussed the possibility of offering RR3 members as mentors to the secondees, to support them with the cultural challenges of the role. The group also suggested that any secondees with lived experience of the criminal justice system may need additional support in the role.
- 3.4. It has been agreed by the MoJ that those with convictions should be able to take up the secondee roles. The group expressed their encouragement about this

ACTION 4: Anne Fox to discuss RR3 mentors for MoJ voluntary sector secondees with George Barrow.

- 3.5. **Prison reform:** The prison reform workstreams are still continuing, implementing the work announced in the White Paper on Prison Safety and Reform. At the forefront of this are issues around reducing violence, deaths and mobile phone smuggling. The rapid recruitment of prison staff has also continued. The spotlight on six prisons has now developed into a broader programme; all prisons should be run on a reform basis by 2020. Chris Stacey highlighted a cross civil service programme being led by the Cabinet Office, to look at why the prison population is rising and how this can be reconciled prison reform and sentencing.

ACTION 5: Chris Stacey to send more information about the cross civil service Cabinet Office programme on the prison population to Oonagh Ryder, Anne Fox and George Barrow.

- 3.6. **Probation:** The probation systems review started in October 2016. A green paper on probation had been mooted but is delayed due to the election. The group suggested an organisational chart of HMPPS would be useful. Anne Fox and Nathan Dick met with Jim Barton, Executive Director of Community Interventions at HMPPS and Matthew Wilson, leading on the National Probation Service at HMPPS. Jim and Matthew expressed that they

would like the NPS to have more dialogue with the voluntary sector and said that each NPS area would receive £100,000 to look at innovative projects. Anne and Nathan agreed to send the most recent *trackTR* report and raised issues with the voluntary sector's engagement with the rate card system.

**ACTION 6:** Oonagh Ryder to send out organisational charts of HMPPS and the MoJ to the group.

**3.7. Voluntary sector grants:** Four HMPPS grants have recently been advertised for the voluntary sector for: a whole prisons approach to working with young violent offenders (particularly with black, Asian and minority ethnic people), working with offenders with learning disabilities and autism to improve sentence planning outcomes, addressing the needs of people with brain injuries and working with people with a personality disorder. Two further grants will be advertised shortly: one for work with older prisoner and one focused on self-harm. HMPPS will work with Clinks to advertise these through Light Lunch. HMPPS is also working on a sports initiative, looking to showcase work on sports in prisons and in the community.

#### **4. Update on RR3 focused work**

##### **4.1. Special Interest Group on Commissioning Family Services**

4.1.1. Diane Curry outlined some of the challenges with the commissioning process. The specifications for services were due to be released on 2<sup>nd</sup> May but were not available until the evening of 3<sup>rd</sup> May. The deadline was originally supposed to be 2<sup>nd</sup> June, but is now 30<sup>th</sup>/31<sup>st</sup> May. Altogether, this means organisations have lost four days in the commissioning process. Organisations have struggled to contact the named member of staff for prison visits and where they have managed to make contact, have been given dates for site visits as little as two weeks before the deadline for bids. In many areas there is a lack of TUPE information from incumbent providers. Families' organisations are also very concerned about the levels of funding offered in the specifications. Clinks have fed these issues back to the MoJ/HMPPS commissioning team.

4.1.2. As discussed at the last meeting, the aim is for the group to produce a paper, reflecting on the commissioning process and putting forward recommendations for good practice in commissioning. This paper would be relevant for all commissioning processes under empowered governors. Oonagh Ryder will oversee this, with a view to having a draft ready for the next RR3 meeting in autumn.

##### **4.2. Special Interest Group on Suicide and Self-harm**

4.2.1. The group held two meetings and published a final paper in February 2017, making recommendations to the sector, the Ministry of Justice and other relevant parties.

4.2.2. Bettina Crossick suggested that the paper should be sent to Phil Copple, who is leading a group in HMPPS on suicide and self-harm.

4.2.3. Linda Bryant asked the RR3 group to promote the paper as much as possible in their day to day work.

**ACTION 7:** Oonagh Ryder to ensure that the Suicide and Self-harm SIG key messages paper goes to Phil Copple.

**ACTION 8:** RR3 group to promote the Suicide and Self-harm SIG key messages paper.

##### **4.3. Women's Networking Forum**

4.3.1. The last meeting went very well and attendees were highly engaged. They raised a number of issues facing their organisations at the moment.

- 4.3.2. Working with increasingly complex clients is having an impact on staff and volunteers, and organisations are actively recruiting volunteers to support clients as they can't afford to recruit staff. However, supporting volunteers can be resource intensive, especially if they have lived experience. In some cases, organisations are struggling to provide the support volunteers and staff need due to lack of resources. However, there were some good examples of where organisations had proactively worked to support staff and volunteers, and this was embedded in the culture of the organisation (they had award ceremonies for volunteers and yoga on a Friday afternoon for staff).
- 4.3.3. The issue of short term funding and the pressure funders put on organisations in terms of reporting back was highlighted. Organisations also said that they felt they had to change their service offer to respond to funders' requirements which in effect meant that the service was shaped by funders, not the staff or service users.
- 4.3.4. Organisations said that accessing funding opportunities remains challenging, and they felt that some grants and foundations are moving away from funding organisations that are contracted by CRCs. They also said that some CRCs aren't providing them with enough funding to support their service users, so they need to subsidise this with funding from other sources.

#### **4.4. Special Interest Group on Through the Gate Mentoring**

- 4.4.1. The group met once to raise issues with the quality of mentoring services contracted by Community Rehabilitation Companies and the difficulties faced by organisations outside of the probation supply chain.
- 4.4.2. Matt Wall, leading on the Special Interest Group, suggested it would be helpful to have another meeting of the group once any changes to probation are announced following the probation review.

**ACTION 9:** Matt Wall and Anne Fox to discuss the most appropriate way for the Special Interest Group on Through the Gate Mentoring to influence changes in probation.

#### **4.5. Roundtables chaired by Anne Fox on behalf of the RR3**

- 4.5.1. Roundtable on Through the Gate Services: Anne Fox chaired this roundtable as chair of the RR3. The MoJ invited through the gate providers and focused specifically on resettlement. The information provided will be used in the implementation of recommendations coming out of the probation review. The group suggested that it would be useful to know who attended the roundtable.

**ACTION 10:** Oonagh Ryder to add the names of the organisations that attended to the roundtable notes.

- 4.5.2. Roundtable on Women's Centres: This roundtable was held by the MoJ as part of the development of their female offenders' strategy and looked at the sustainability of women's centres. Anne Fox chaired this as chair of the RR3 and it was attended by women's centres around the country.

#### **4.6. Emerging work**

- 4.6.1. Accommodation: Clinks have had a request from Graham MacKenzie, MoJ to consult with voluntary sector organisations through the RR3 about accommodation for people in contact with the criminal justice system. Oonagh Ryder, Nicola Drinkwater (*Clinks*) and Beverley Williams (RR3) are exploring possible outcomes from the consultation with Graham and will meet with him during the coming weeks to look at options for consultation, perhaps through an RR3 Special Interest Group. The group noted that

some small organisations have begun to set up housing projects alongside their core work due to the lack of accommodation for their service users, so it may be useful to explore what the voluntary sector does independently.

4.6.2. Addiction/substance misuse: Anne Fox and Richy Cunningham discussed the possibility of convening a one-off roundtable of organisations supporting people in addiction and recovery, to explore opportunities and challenges in the sector. This could look at training, commissioning and what providers have to offer, as well as how commissioners can improve delivery.

4.6.3. Black, Asian and minority ethnic (BAME) people in the criminal justice system: The group raised the possibility of doing some RR3 focused work on Muslim prisoners. Bettina Crossick highlighted the current HMPPS grant for work with Muslim prisoners. Jeremy Crook suggested that the Young Review may be an avenue for looking at this. The Young Review team are holding a roundtable at the House of Lords this year with black churches and mosques. The group also suggested that equalities should feature more strongly in the RR3's Special Interest Groups, with each output from these groups including some analysis around equalities. Oonagh Ryder said she is working on some guidance for RR3 members and Clinks staff on running Special Interest Groups and this could include planning around equalities issues.

ACTION 11: Anne Fox and Mohammed Hanif to discuss potential RR3 work on Muslim prisoners.

ACTION 12: Oonagh Ryder to include equalities in guidance for RR3 members and Clinks staff on running Special Interest Groups.

## 5. Prison reform

### 5.1. Peter Dawson gave a short introduction to the progress of prison reform and an update on the involvement and experience of the voluntary sector in prison reform.

5.1.1. The RR3's 2016 paper *Prison reform and the voluntary sector* is a good paper with good recommendations. The RR3 should be pushing for improvements in prisons to be front and centre of ministers' agenda.

5.1.2. The Conservative manifesto included a commitment to legislate, meaning the Prisons and Courts Bill is likely to return. There is also a promise of a new community sentencing framework.

5.1.3. The review of the prison estate is crucial and will determine what prisons are like for the next 20 years, particularly due to their location. This process needs to be more transparent.

5.1.4. The review of release on temporary licence is also critical for the RR3's work. It's not clear whether or not this review has taken place.

5.1.5. There has been lots of talk about diversion from the system altogether. The RR3 group should be encouraging this and should also hold the Prime Minister to account for her support for mental health recognition.

### 5.2. Group discussion on next steps for the RR3:

5.2.1. The group suggested that the RR3 should write to the Secretary of State after the election, as well as the Minister for Prisons and Probation.

5.2.2. The letter should consider what we would want to do in the Secretary of State's position, such as look at recalls to prison, release on temporary licence and diversion.

ACTION 13: Rod Clark to draft a letter to the Secretary of State on behalf of the RR3, introducing the group and outlining the key concerns and offers.

## 6. Diversion and early intervention

**Linda Bryant gave an outline of the current Liaison and Diversion programme:**

- 6.1. **Background:** Liaison and Diversion (L&D) is a national programme, led by the NHS. It was recommended by the Bradley report in 2009 and began in 2014. It involved significant investment by the Department of Health in existing NHS schemes and in new areas. It is a very cross-departmental programme, involving the Home Office, Public Health England, the MoJ and others. The operating model includes a support worker element, to ensure people get to the services they are referred to and are able to engage. The Treasury aim to release the funding for roll out across the country by 2021.
- 6.2. **Challenges:** The data tells us we're seeing lots of repeat presenters through L&D and a significant number of these are people with very serious mental health disorders. We are now looking at working with Clinical Commissioning Groups and what community resources there are for these people. The role of the voluntary sector has been difficult as commissioners originally went to existing providers (NHS Trusts) to expand provision. There may be some opportunities around peer support and the support worker role for more voluntary sector involvement, as well as specialist services for women and BAME people. Opportunities for the sector can often involve partnering with NHS Trusts, which is challenging. The Crown Prosecution Service has been difficult to work with and getting cases discontinued is a challenge. There have also been issues with NHS Trusts asking for people to be remanded in order to have a mental health assessment. Information sharing is also a challenge, though it is possible for voluntary sector employees to gain access to NHS records. Relationship building with NHS Trusts is very important.
- 6.3. **Group discussion:** The group highlighted the importance of diversion from the criminal justice system entirely, to ensure that the individual isn't impacted by receiving a conviction. A good example of this is work in Manchester, encouraging shop staff to phone women's centres rather than the police in cases of shoplifting. The group suggested it could be useful to work cross-departmentally, for example with NHS England or with the Home Office.

ACTION 14: George Barrow to update on conversation with Katie Aston at Home Office about working with the RR3 on diversion.

## 7. Alternatives to custody

**Phil Bowen gave a short presentation on the evidence behind problem-solving courts**

### 7.1. Background

- 7.1.1. The Centre for Justice Innovation project Better Courts is about providing smarter community sentences for the 93% of people coming to court who don't receive a custodial sentence.
- 7.1.2. Problem-solving courts are part of a bigger theory called 'problem-solving justice'. They involve several key concepts: specialisation around the cause of arriving in court; having a team of staff around the individual; providing regular monitoring through the individual coming back to court; ensuring that the process is fair and is perceived to be fair; and focusing on achieving the best possible outcomes.
- 7.1.3. The evidence shows that adult criminal drug courts are very effective with people who have a high risk of reoffending. The evidence is also good for family drug and alcohol courts. However, the evidence shows that using this model for young people has a

negative effect as it over-treats young people who will often grow out of their offending behaviour. For women, problem-solving courts are often unnecessary where there are other diversion routes. Mental health courts have been seen to reduce reoffending but not to improve mental health outcomes. This demonstrates that problem-solving courts should be part of a wider suite of options.

- 7.1.4. Research on problem-solving courts has identified two main reasons for their success; their focus on procedural fairness encourages people to engage and comply with the court; and the relationship between the individual and judge also improves engagement. These elements could be utilised outside the model of problem-solving courts.
- 7.1.5. Problem-solving courts are also helpful for sentencers to gain a better understanding of what community sentences are and when they are effective, as well as to develop more realistic expectations of what conditions vulnerable individuals can fulfil.
- 7.1.6. There are some issues with problem-solving courts: net-widening can occur if they aren't clearly targeted at those at risk of a custodial sentence; they can overdose people with support and monitoring (benign overdosing); they cannot achieve large reductions in reoffending (usually only 4 – 5 %); and they do not reduce the prison population alone.

## **7.2. Group discussion**

- 7.2.1. The group asked if problem-solving courts were negative for all young people. Phil Bowen said they are effective if only used for young people at risk of custody. The group suggested that the Adverse Childhood Experiences (ACEs) framework is useful with children and young people in contact with the criminal justice system.

**ACTION 15:** Oonagh Ryder to send information on the Adverse Childhood Experiences (ACEs) framework to the group.

**ACTION 16:** Phil Bowen to send report on how to deliver problem-solving courts to the group.

- 7.2.2. Problem-solving courts do not have to cost a lot; they can often just require a better use of existing local resources.
- 7.2.3. Anne Fox discussed meeting a commissioner at the Multiple Needs conference and suggested he may be a useful person to work with.

**ACTION 17:** Oonagh Ryder and Anne Fox to discuss commissioning paper with Anne's contact from Multiple Needs conference.

- 7.2.4. The group suggested that it could be useful to apply the procedural fairness element of problem-solving courts to breach proceedings. Phil Bowen said that there is a Centre for Justice Innovation Project underway to look at this.
- 7.2.5. The group suggested that upstreaming funding towards diversion and pooling budgets could be potential solutions to the problem of restructuring services to make savings. Clinks could ask its membership what they do to keep people out of the system in order to demonstrate to ministers what resources already exist to do this.
- 7.2.6. The group highlighted that short-term prisoners often have more challenging needs and could be a good group to target intervention at to reduce the prison population.
- 7.2.7. The group agreed that producing a paper on what the RR3 thinks about diversion would be a good next step, with a focus on people receiving short sentences.