

# What does recovery look like?

The post-Covid-19 landscape for delivery of services by voluntary organisations for people in the criminal justice system

The chair for the Reducing Reoffending Third Sector Advisory Group and its secretariat is provided by Clinks. Clinks is hugely grateful to consultant Russell Webster for his work in drafting this paper in consultation with voluntary organisations.

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# Introduction

## This document

The Ministry of Justice/HMPPS Third Sector Task Force asked the Reducing Reoffending Third Sector Advisory Group Covid-19 Special Interest Group (RR3 SIG) to produce a think piece presenting the sector's views on the possible future landscape for delivery of services by voluntary organisations for people in the criminal justice system 12 months from now, in a potential recovery phase following the worst of the Covid-19 crisis. This document presents the group's views and those of organisations in their networks, as well as information gathered from Clinks' engagement with over 850 people through 85 online events in the past few months.

## The three questions

The MoJ/HMPPS have highlighted three key issues on which they wished to hear the sector's views:

1. What will the impact of the Covid-19 crisis be on the sector?
2. How will the sector respond to different needs as well as potentially different perceptions of its work a year from now? What, if any, of the modifications made to how the sector works might stay, or could be kept with some changes, to provide better outcomes than previous services, in prison and community? What barriers and challenges might the sector face in doing this and how might these be resolved?
3. How can we empower people in prison to do more in terms of managing their own support and engagement with services?

## Key principles

Before setting out our response to these three questions, we wish to highlight six key principles 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. These are:

1. A full and equal partnership between the criminal justice voluntary sector and the MoJ and HMPPS, which enables all of us to act as critically constructive friends.
2. Our belief in the importance of transparency on both sides (please see the section on the importance of communication below).
3. The importance that both the emergency responses to Covid-19 and the construction of a new normal within the criminal justice system that reflects the detailed and continuing input of people with lived experience of that system.
4. The importance of a holistic approach across government departments and sectors, particularly around issues relating to physical and mental health, employment, benefits and housing. We salute the efforts of civil servants across government and our peers in other sectors who have been rising to the challenge of Covid-19 and wish to highlight the successful initiatives to protect vulnerable groups, such as those who have been sleeping rough, which have the potential to revolutionise the quality of post-pandemic services.
5. Consistency across the prison estate and the national probation landscape. We acknowledge that Covid-19 will provide different challenges in different establishments and areas, but wish to make it clear that our experience over many years is that there is a wide disparity in the way that prisoners, people under supervision and voluntary sector organisations working for their benefit are treated by different establishments and probation services, including those with the same role and similar resources/environments. This is regrettable and avoidable. We regard the current crisis as an opportunity to level up the services and regimes provided to prisoners across the estate and people under supervision across probation areas.

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6. Recovery is an opportunity to learn how to make the system work better for the men, women and children it works with.

We wish to acknowledge the substantial progress that the MoJ and HMPPS have made in tackling a range of long-standing substantive issues such as technology and digital access and family ties and resettlement planning via numerous initiatives and pilot schemes in parts of the estate. However, the sector is disappointed that this progress has been, in the main, piecemeal and tentative. In relation to ICT in particular, the pandemic has exposed the failings of the prison system to provide the benefits of digital access for prisoners, staff and partner organisations. We urge ministers to create a post-pandemic penal system that is more humane, fairer and brings the benefits of new technology now commonplace in other sectors. A proper digital infrastructure would exponentially improve prisoner experiences of healthcare and education as well as helping to re-build and maintain family ties so critical to successful resettlement.

## Communication is crucial

There was a consensus that the voluntary sector working in the criminal justice system needs prompt and, where possible, direct access to the latest information on a range of key issues including:

- Regularly updated coronavirus infection rates for both prisoners and staff on an individual prison establishment level in order to enable provider organisations to plan service delivery (this is something the Scottish Prison service already does<sup>1</sup>).
- MoJ/HMPPS recovery plans – especially operational information relating to plans for the return of non-operational staff including VCS and others to establishments, social distancing, expectations around PPE etc. and information on when establishments are moving to the step down regime level according to the published framework.
- Facilitating communication between voluntary sector organisations and their service users. Many organisations expressed their frustration at being formally obstructed from undertaking assessments of the Covid-19 related needs of their service users by MoJ/HMPPS deciding to classify this key activity as research and banning it. We regard this issue as a classic example of an inadvertent culture clash that impinges on the ability of the sector to provide the best possible service. A concerted effort by HMPPS to facilitate remote communication between voluntary sector providers and people in prison in their cells would not only greatly improve the prolonged experience of solitary confinement, but would also relieve pressure on prisons and prison staff through providing a much greater range of advice, information and support.
- An ongoing partnership between prisons, probation services and voluntary sector organisations in order to foster a continuing dialogue with people in prison and subject to probation supervision so that all parties understand developing areas of unmet need and responses to meeting these. We also encourage HMPPS to test out proposed components of the recovery process with both the sector and service users in order to secure feedback in advance of implementation and fine-tune plans to maximise their likelihood of success.

Although RR3 Special Interest Group members value Clinks' direct line of communication with both the MoJ and HMPPS, it was felt that much of this information could be made publicly available online in order to streamline communication. Many smaller black, Asian, and minority ethnic (BAME) organisations<sup>2</sup> report feeling extremely isolated, often with no communication received from prisons that they have worked with for many years.

# What will the impact of the Covid-19 crisis be on the sector?

## Context

Over 1,700 voluntary organisations work in the criminal justice system. They range from volunteer-led groups to large, multi-million pound organisations with thousands of staff. Many have both paid staff and teams of volunteers. Some only work in their local community, whilst others serve larger areas, including the UK and beyond. To understand the impact of Covid-19 on the sector, it is helpful to establish some key facts<sup>3</sup> about the way criminal justice promptly sector organisations are funded:

- Government is the largest source of income for voluntary organisations in the sector
- Small specialist justice organisations are particularly reliant on government grants (as opposed to contract)
- The smaller the organisation, the more reliant they are on grant funding from charitable trusts and foundations
- A majority<sup>4</sup> of organisations have been subsidising contracts because they cannot achieve full cost recovery since 2017
- Specialist criminal justice organisations receive more funding from local than central government
- Criminal justice organisations have fewer reserves on average (1.4 months) than the UK voluntary sector as a whole (6.3 months)
- The majority of BAME charities are smaller and more vulnerable to the financial impact of Covid-19.

## The impact of Covid-19

The impact of the pandemic on the criminal justice voluntary sector has been profound. Clinks has been surveying organisations in its network regularly throughout the lockdown and has established that organisations are struggling to maintain service provision remotely and less volunteers are available to support them. At the same time, organisations are grappling with the uncertainty around their financial stability and the long-term implications of the pandemic. Many organisations have found themselves ineligible for financial support from the government. Key trends include:

- Most services (61%) have had to decrease their service provision and some (18%) have had to stop delivering services altogether.
- Most organisations (87%) are able to continue delivering their services to some extent remotely.
- Those able to continue with their services to at least some extent are primarily supporting people in the CJS through telephone or video contact. Just over half (51%) are continuing with case work via telephone or video conference, 38% are running a telephone advice line and 33% are providing resource packs to people in prison.
- Volunteers are a vital backbone for many organisations,<sup>5</sup> but 44% report that the number of volunteers supporting their organisation has decreased since the Covid-19 pandemic.
- Front-line staff are struggling to do their jobs remotely. 21% of organisations say their front-line staff are not able to work at all in the current environment and 28% say their front-line staff can only do their jobs remotely to some extent.
- A large proportion of organisations (40% plus, 18% who are unsure of their situation) have had to use their reserves to cope with the pandemic.

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- Just one in seven (14%) survey respondents are able to deliver on their grant and/or contract requirements completely, although they report that grant and contract managers have generally been flexible.

Voluntary organisations and Clinks predict a number of significant challenges resulting from the pandemic:

- Public funding cuts following the cost of the pandemic and the need for government to repay exceptional levels of borrowing, which follows immediately after a long period of austerity for a field already subsidising most of its work.
- The drain on, and likely changes to, the funding behaviour of charitable trusts<sup>6</sup> – while many trusts have turned on the taps to help voluntary sector organisations survive, this is clearly not a sustainable approach. If there are cuts in public expenditure, we know that most trusts have, historically, been reluctant to fund what they perceive to be mainstream public services. Several charitable trusts have told organisations that they will not be funding new organisations or projects next year but will be focusing on supporting the organisations they already fund.
- Many organisations essentially subsidise government contracts by raising other income via social enterprises or other forms of trading. In many cases these other income streams may have either ceased or been greatly reduced. A key example of this is that many family support services for prisons are underfunded with providers generating the missing income by running the food and drink concessions at visitor centres, currently not operational. While there is funding being provided at the present time there is currently no clarity as to how long that will continue and in some cases it may not cover the total amount.
- The users of very many criminal justice voluntary sector services have experienced additional needs throughout the pandemic, which require further resources to address. Examples include increased mental health needs from isolation, increased support needed through not being able to receive services from statutory providers such as probation, lack of access to key staples such as food and toiletries, increased levels of domestic abuse and high numbers of people released from prison homeless.
- The lockdown in the prison system is likely to extend much longer than that in the general community. We know that both financial and other forms of government support will start tapering off in the near future to reflect the lifting of lockdown restrictions which will not apply across the prison estate. Many voluntary sector organisations face the real prospect of going out of business without a prolonged period of dedicated financial support.

## Structural issues

Voluntary organisations working in the criminal justice system report that many of the charitable trusts that fund them have been responsive, proactive and supportive, making new funds available and reassuring providers who have had to modify service delivery. Most organisations report a very different experience from criminal justice statutory commissioners at both a central and local level with very limited communication and, where some forms of assistance were offered, these were often subject to bureaucratic and time-consuming processes. Some organisations reported frustration at the lack of coordination and an apparent can't do culture, where offers of help from the sector (including from many women's centres) were declined or ignored. There are also concerns that, given the disproportionate impact of coronavirus on BAME people, any MoJ/HMPPS pandemic-specific funding should include BAME specialist organisations and should not be limited to those already in contractual relationships with government.

# The new normal – problems, solutions and barriers

Presenting a comprehensive picture of all the diverse challenges created by the pandemic at every stage of the criminal justice system, complete with a range of adaptations to these problems and identification of the remaining obstacles, is clearly beyond the scope of such a short document as this.

Nevertheless, we have sought to provide as many examples of good practice and key issues to be overcome as possible. There follows a series of grids that summarise key issues and problems, give examples of solutions/best practice, identify the enablers which have made this best practice possible and the barriers obstructing it, along with the names of organisations delivering best practice to enable MoJ and HMPPS officials to follow up in detail issues falling within their individual areas of responsibility. We have constructed six separate grids covering the following areas:

- Safe working practices to protect workers, volunteers and service users from Covid-19
- Work in prisons (including both group work and one-to-one work)
- Work with the families of prisoners
- Through the gate work
- Work with people subject to probation supervision and community (including access to accommodation and employment)
- Work with groups who are medically vulnerable and at particular risk from Covid-19.

The examples illustrated in the grids were provided from over 50 providers (Appendix one) and are also informed by a large number of surveys, consultations and conversations undertaken by organisations in the Clinks and RR3 SIG members' networks with their service users with current experience of being under lockdown in prison and/or the community. Input from four virtual roundtable events with 26 voluntary sector organisations held by the Criminal Justice Alliance broadened the reach of our consultation. Inevitably, there could have been many more organisations included as examples of best practice, those highlighted should be considered as merely a first port of call with the RR3 SIG able to provide more varied and detailed contact points. Finally, readers should be aware that a number of problem areas were identified which have yet to be addressed.

Although the grids enable us to provide brief and pertinent information on a wide range of issues, they do of course have limitations. In particular, they can seem to simplify complex issues and militate against our ideal of a more coordinated and joined up justice system. In particular, we wish to highlight the impact of Covid-19 on individuals who are affected by multiple disadvantages, often compounded by discrimination on the basis of race, gender, sexuality, disability or other protected characteristics.

## The impact on BAME people in contact with prisons and/or probation

The Lammy Review exposed the extent of racial disparity across the criminal justice system. We also know from the Office of National Statistics that the risk of death involving coronavirus among some ethnic groups is significantly higher than that of those of white ethnicity. The ONS has found<sup>7</sup> that when taking into account age in the analysis, black males are 4.2 times more likely to die from a Covid-19 related death and black females are 4.3 times more likely than white ethnicity males and females. People of Bangladeshi and Pakistani, Indian, and mixed ethnicities also had statistically significant higher risk of death involving Covid-19 compared with those of white ethnicity.



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It may not yet be clear why the danger of contracting Covid-19 and subsequent mortality rates are higher for BAME people. However, it is clear that a bespoke health and wellbeing offer should be developed and rolled out for BAME staff and service users. This health and wellbeing offer needs to be modified in line with ongoing reviews into the impact of coronavirus on BAME communities.

The sector was disappointed that the disproportionate impact of Covid-19 on BAME people is not mentioned in either the National Framework for Prison Regimes and Services or the Probation Roadmap to Recovery and that there appears to be no equality impact assessment of either document. Given the ongoing racial disparity in the criminal justice system, MoJ/HMPPS inactivity on diversity issues to date has compounded existing perceptions of institutional racism for many voluntary sector organisations and their service users.

There are also concerns that those foreign nationals who had no recourse to public funds before the pandemic and who relied on having their needs met by faith groups and other voluntary sector providers were doubly vulnerable in areas where these organisations' operations were disrupted by Covid-19.

Other groups whose needs appeared to have been overlooked include Gypsy, Roma and Traveller people and care leavers (many of whom lack family members who are able to support or advocate for them).

## The impact on women in contact with prisons and/or probation

Voluntary organisations working with women reported that the network of Women's Centres has been working extremely well together, coordinating activities on priorities such as providing information packs for prisoners pre-release and organising to fill the gaps left by statutory organisations. Several organisations reported that their experience of local probation services was that their capacity to help women under their supervision was substantially reduced. Organisations attributed this to an Exceptional Delivery Model, which meant that probation offices were mainly closed or only open on a skeleton basis with most staff were working from home. Consequently probation staff were largely unable to facilitate access to fundamental key services such as food banks, whereas the voluntary sector was more agile in mobilising communities support and developing solutions. There were concerns that statutory organisations had not considered mainstream women's issues in their emergency planning. For instance, there were numerous examples of plans to house released women prisoners in mixed-sex accommodation, which would be inappropriate for most women, a large proportion of whom have experience of domestic abuse.

Domestic abuse was a priority issue highlighted by several organisations that reported that women felt trapped in abusive relationships during lockdown. Several organisations have developed proactive publicity campaigns (often in a range of languages) aimed at their service users to inform them of their rights and encourage them to access support around issues relating to domestic abuse. These campaigns often used encrypted social media channels such as WhatsApp both to communicate using platforms preferred by service users and to safeguard women in this situation.

On a positive note, many women's organisations found that the new remote services they were offering had engaged large, and in some cases greater, numbers of individuals. Although this was partly attributed to the fact that many women were locked down at home, several organisations were planning to go forward with a blended approach of face-to-face and online services.

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## Safe working practices through the pandemic

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
<b>Disproportionate impact of Covid-19 on BAME individuals including staff, service users and volunteers.</b>	Risk assess all vulnerable people and make appropriate arrangements.	NHS guidelines Information about availability of tests and PPE for BAME staff. Staff at higher risk to work remotely.	Assumption that equality means treating everyone the same.	<ul style="list-style-type: none"> <li>BAME-led organisations involved in providing collective feedback for this paper, published on Clinks website<sup>8</sup></li> </ul>
<b>Understanding of prison requirements for vol sector staff working inside.</b>		Clear national policies. Clear communication of these policies.	Conflicting information from governors and CRCs.	<ul style="list-style-type: none"> <li>Nacro</li> <li>St Giles</li> </ul>
<b>PPE issues.</b>			Lack of availability. Lack of clarity about who provides and pays for PPE. Providers told to fund and provide it themselves (impossible for many small organisations). Many prisons have been slow to agree social distancing protocols, particularly in airlock areas.	
<b>Wing-based interventions.</b>	Social Inclusion activities / DIY Activity centre	Wing based reps/ Buddies	Funding for implementation	<ul style="list-style-type: none"> <li>Recoop</li> </ul>
<b>Safe accommodation for released prisoners in vulnerable groups.</b>		Access to helpline and responsive probation service. Willingness to be flexible over licence conditions and undertake rapid Home Circumstances Reports to explore alternatives. Socially distanced housing assessments possible in some prisons (HMP Wealstun).	Approved Premises not appropriate for people in vulnerable groups. No Covid-19 testing for released prisoners, there were reports of prisoners placed in shared accommodation despite apparently having been released with the virus.	<ul style="list-style-type: none"> <li>Prisoners' Advice Service</li> <li>St Giles</li> <li>Anawim and Trevi House provide safe accommodation</li> </ul>
<b>Released prisoners not informed or equipped to deal with community lockdown requirements.</b>		Information about requirements. Testing prisoners before release would facilitate support workers meeting discharged individuals at the gate.	Released prisoners not given masks to wear when needing to undertake discharge journeys by public transport or Uber.	



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## The future of voluntary sector work in prison

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
<b>The mental health impact of prolonged restricted regime through Covid lockdown.</b>	In-cell activity distraction pack. Prison TV. Wing-based buddy support. Digital access and helplines.	Wing based staff. Way-Out TV has partnered with providers. In-cell phones.	Funding. Plethora of different helplines, no co-ordination.	<ul style="list-style-type: none"> <li>• Very many organisations have provided in-cell packs</li> <li>• Way-Out TV</li> <li>• Recoop</li> </ul>
<b>Isolation, loss of contact with families.</b>		Virtual visits. Email a prisoner. In-cell phones.	Inconsistent access. Many prisons don't have reply function. Costs passed onto prisoner.	
<b>Access to bereavement support.</b>	Many prisoners will have lost family and friends to Covid.	Chaplaincy and chaplaincy volunteers.	Restrictions on volunteers entering prisons.	<ul style="list-style-type: none"> <li>• Cruse Bereavement Care</li> <li>• The Wallich</li> </ul>
<b>Access to resettlement services.</b>	Peer-led programmes supported remotely or by one member of staff. New ways of working involving partnerships with prison staff. Remote access from voluntary sector.	Allow approved numbers of providers to call into cells.	Some prisons encouraging, helpful and accommodating, others resistant and unhelpful. Restrictions on incoming call and phone credit.	<ul style="list-style-type: none"> <li>• Recoop</li> <li>• St Giles</li> <li>• Irene Taylor Trust</li> </ul>
<b>Access to education.</b>	Sharing of resources for in-cell use. PET Freephone Advice Line for those wanting to start education.	Co-ordination by PLA. Willingness of staff to download, print and distribute physical resources. In-cell phones.	Staff engagement varies considerably between establishments. 40% prisoners lack access to in-cell phones.	<ul style="list-style-type: none"> <li>• Prisoner Learning Alliance Activity Hub</li> <li>• Prisoners' Education Trust</li> </ul>
<b>Digital discrimination. ICT varies across the estate; prisoners with in-cell tech have much more contact with outside agencies.</b>		Expedite digital infrastructure. More capacity for video-link. Closed visits with screens.		
<b>Prisoners' access to confidential legal advice. Particular concerns for women who tend to prefer face-to-face advice.</b>	In-cell phones best solution.	Could Relay emails protected by Rule 39 enable confidentiality?	Email a prisoner speeds up process but Rule 39 does not apply.	<ul style="list-style-type: none"> <li>• Prisoners' Advice Service</li> </ul>
<b>Building on improved staff-prisoner relationships.</b>				<ul style="list-style-type: none"> <li>• Prison Reform Trust</li> <li>• Spark Inside</li> </ul>
<b>Poor communication between prisons and voluntary sector services.</b>		Prison-link workers.		

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## The future of voluntary sector work with families of prisoners

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
Lack of communication about regimes and Covid prevalence in individual establishments.	Good use of social media by individual governors.			<ul style="list-style-type: none"> <li>New Leaf Initiatives, who undertook consultation with 215 prison visitors post-lockdown</li> </ul>
Lack of consistency in messages from Centre and individual prisons.			Some prisons more proactive than centre, others lagging behind. Difficulties for organisations dealing with several establishments.	
Lack of information to families about when visits will re-start and how.	Pact is developing Safer custody toolkit.		No information about how prisons intend to keep visitors safe from Covid-19.	<ul style="list-style-type: none"> <li>Pact</li> </ul>
Many families will struggle to visit without recourse to public transport.				
Current contracts are unsustainable without subsidy from running visitor centre canteens.				
Problems furloughing staff funded by tea bar income.				
Concerns about next round of commissioning which is imminent.		Fast decision-making, promptly communicated.		

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## The future of voluntary sector Through-The-Gate work

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
Access to prisons	Re-balance TTG teams with more staff in community.		Permission from HMPPS for local variation of contracts.	<ul style="list-style-type: none"> <li>Nacro</li> <li>St Giles</li> </ul>
Lack of guidance re: how safe access to prisoners will be reintroduced.		Technology. PPE.	Lack of central guidance re: social distancing, PPE, etc. Lack of access to phones association etc. in prison.	
Access to prisoners.	Departure lounges.			<ul style="list-style-type: none"> <li>St Giles</li> </ul>
Resettlement planning.	Getting discharge lists in advance from prisons. Distance learning. Information packs.	Prison education.	Basic custody screening tool not being completed resulting in needs not being identified.	<ul style="list-style-type: none"> <li>Nacro</li> <li>St Giles</li> <li>Pecan and many others</li> </ul>
Difficulty accessing drug, alcohol and mental health services on release.	Registration with GP, treatment arranged prior to release.	Targets set and measured before release. Consistent plans.	Last minute changes. Lack of accountability.	
Access to safe (not communal) accommodation.	Maintaining family ties pre- release so that family is an option. Recent use of hotels.	In-cell phones.		
Ensuring ID, banking and benefits advice systems are accessible Resettlement grants insufficient.	Partnerships with local Job Centres.	Better working relationships in some areas means providers do not need to contact central DWP Universal Credit helpline. Enable all prison leavers to access emergency grant ahead of first UC payment. Increase discharge grant.		<ul style="list-style-type: none"> <li>Nacro</li> <li>St Giles</li> <li>RR3 submission to the reducing reoffending board on universal credit and access to banking<sup>9</sup></li> </ul>
Enhanced remote support on release.	More frequent support and checking in.		Client access to phones. Clients ability to use technology and charge phone, etc.	<ul style="list-style-type: none"> <li>Nacro</li> <li>St Giles</li> <li>Community Chaplaincy Association</li> <li>Footprints Project</li> <li>Hibiscus</li> <li>Pecan</li> </ul>

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<p><b>Lack of employment support pre- and post-release.</b></p>		<p>DBS process has speeded up throughout pandemic, great to expedite access into jobs.</p>	<p>Skills shortages and concerted work by voluntary and statutory sectors had increased employment opportunities for people with convictions over recent years. Fears that Covid-19 recession will reverse this and people with convictions will be “back at the end of the queue”.</p> <p>Little or no direct communication from New Futures Network to sector.</p>	
<p><b>Reversal of decisions to grant HDC because of Covid-19.</b></p>	<p>Access to legal advice via in-cell phones.</p>			<ul style="list-style-type: none"> <li>Prisoners’ Advice Service</li> </ul>
<p><b>Concerns about prisoners being released with Covid-19 are reducing accommodation options (including with family members).</b></p>		<p>Test prisoners pre-release and share results (with consent) to prospective housing organisations/families.</p>		
<p><b>High numbers of prisoners being released homeless.</b></p>	<p>Welsh Government has committed to £20m emergency housing funding following on from initial emergency funding.</p>	<p>Many local authorities have been more flexible and helpful using emergency central government funds.</p>	<p>Several examples of released prisoners told by local authority to get a sleeping bag and tent.</p>	
<p><b>‘Everyone in’ initiative becoming less effective as many councils start to insist that recipients can prove ‘priority need’.</b></p>				

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## The future of voluntary sector work with probationers

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
Concerns that remote telephone contact, as sole means of supervision, does not promote desistance.				
Not all service users have access to phones.		Voluntary sector organisations issuing phones to contact their clients in community.	Cost of technology. Quality of empathy via technology.	<ul style="list-style-type: none"> <li>Community Chaplaincy Association</li> <li>Footprints Project</li> <li>Hibiscus</li> <li>Pecan</li> </ul>
No additional funding for extra work during the pandemic in the context of most organisations already subsidising value of work for CRCs.	Use of other income streams to offset loss such as CIC local fundraising.	Technology – attitude of local and potential donors.	Distrust of contracts from small organisations.	<ul style="list-style-type: none"> <li>Community Chaplaincy Association</li> </ul>
Remote working by probation staff means service users are denied help with many practical, critical tasks.	Voluntary sector has mobilised local communities to help.		No funding provided.	
Under-use of community sentences keeps prison population high.	Any prison diversion scheme.	Community volunteers to support statutory services.	Punitive culture. Funding to grow alternatives to prison.	
People (mainly women) at risk of domestic abuse trapped during lockdown.	Information campaigns to alert people of their rights and encourage engagement with services.	Using secure platforms with messages translated into common local languages.		<ul style="list-style-type: none"> <li>Muslim Women Network</li> <li>Women in Prison</li> </ul>
People on the sex offender register are denied access to the Internet, which creates both practical problems and isolation during lockdown.	No known examples of work to address this.			<ul style="list-style-type: none"> <li>Unlock</li> </ul>

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## The future of voluntary sector work with Covid-vulnerable people

Problem	Example of Solutions/ Best Practice	Enablers	Barriers	Contact details for examples of good practice (lists not known to be exhaustive)
Up-to-date information on Covid-19, what to do if symptomatic	A number of prison-specific coronavirus helplines have been discussed. It is not clear which, or indeed any, are operational.	Access to phone. Promotion by prisons.		
Disproportionate impact of Covid-19 on BAME-led organisations, aggravated by existing structural racism.	Protective policies and procedures need to be developed, including testing and PPE.			
Disproportionate impact of Covid-19 on BAME service users, aggravated by existing racial disparity throughout CJS.	Protective policies and procedures need to be developed, including testing and PPE.			
Disproportionate impact of Covid-19 on prisoners & probationers who already experience health inequalities.	Protective policies and procedures need to be developed, including testing and PPE.			
Concerns about prisoners being released with Covid-19 were reducing accommodation options (including with family members).		Test prisoners pre-release and share results (with consent) to prospective housing organisations or families.		



## **Empowering people in prison to do more to manage their own support**

Most voluntary organisations expressed disquiet about the form of this question, which they felt risked making service users responsible for their own support and resettlement at the exact time when access to almost all support services had been removed from them. There was also concern that talking about service user empowerment for many groups with protected characteristics that were systematically disempowered by the criminal justice system was insensitive and could undermine the development of a more positive approach. There was a consensus that input from people with lived experience of the criminal justice system was absolutely essential to any empowerment and that the prison system in particular often actively obstructs contributions from people with lived experience. The continued inconsistent application of vetting is an ongoing concern. It remains the case that many individuals with lived experience of the criminal justice system, but whose last conviction was very many years ago, are routinely barred from delivering services in prisons. We recommend meaningful involvement with people in prison and under probation supervision as a priority for HMPPS in future recovery planning and in development and review of Exceptional Delivery Models.

Nevertheless, it was felt that MoJ/HMPPS could make a big difference in enabling people in prison to be more active players in their resettlement planning by building on the emergency provisions to make in-cell communication in particular a priority. Mainstreaming video visits, improving access to free/low cost family contact by technology and allowing secure Internet access were all thought to be vital components of a more effective new normal. Again, the sector wished to advise MoJ/HMPPS that, given the enormous deprivations imposed on people in prison to manage Covid-19, any decisions to end video visits or access to phones for family contact once normal visits are re-introduced would be seen as both mean spirited and counterproductive.

It was felt that, both overall prisoner wellbeing and equality issues, should be on an equal footing with safety and security in the prison and probation roadmaps to recovery and that this was not yet the case.

We are aware of examples of improved staff/prisoner relationships in many prison establishments and see this as a critical factor to build on to create not only a new normal but a better normal. We recommend that HMPPS considers rolling out programmes that foster better staff/prisoner relationships.

### **The views of people with lived experience**

There was not sufficient time to commission direct input from people in prison and who were being supervised by the probation service throughout the penal and community lockdowns and this group would not be best placed to do that work. However, several voluntary sector organisations actively sought the views of their service users to contribute to the issues highlighted in this document. Before turning to this input, we wish to restate our belief that ongoing, independently commissioned input from people of current lived experience of prison and probation will be critical to successful recovery from the pandemic and this should be a priority for HMPPS and MoJ.

The MoJ and HMPPS will already be aware of the rapid review of prisoners' experiences under Covid-19 published by the Independent Advisory Panel on Deaths

## What does recovery look like?

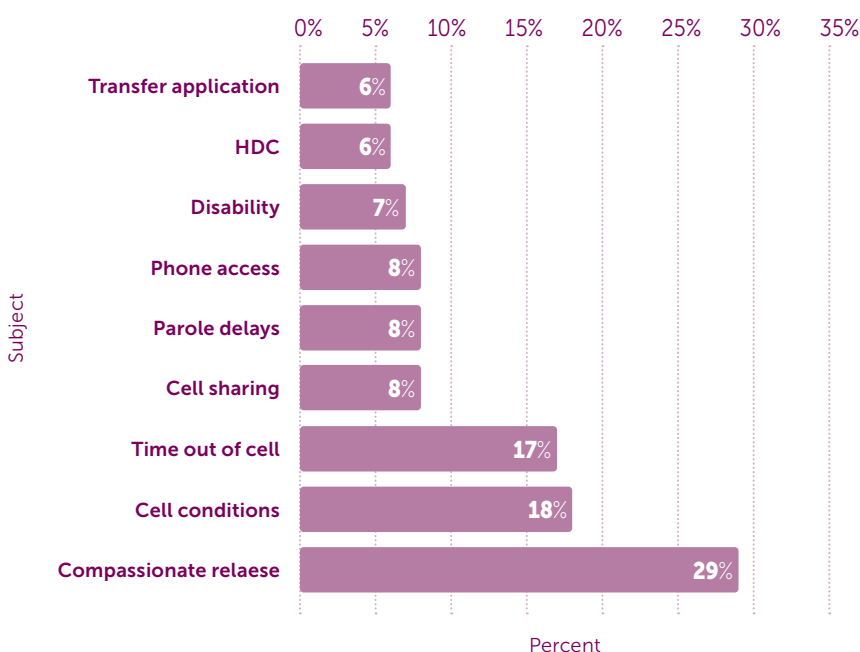
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in Custody<sup>10</sup> based on messages to National Prison Radio from 200 prisoners across 55 prisons which highlighted the importance of “clear, accurate information and good honest communication” and emphasised how critical phone, video and email communication with families and friends was to prisoners’ emotional wellbeing.

The Prison Reform Trust (PRT) analysed data from 316 prisoners and family members who contacted the organisation via its Freephone Advice and Information Line, by letter or email during the lockdown period. The most common enquiry subjects are shown in the chart below:

### Enquiry subjects relating to coronavirus



PRT identified a number of key issues from their analysis of this information including:

- Immediate and regularly updated communication about social distancing, shielding, the vulnerability of BAME individuals and the use of PPE in prison – and the rationale for differences between these arrangements and requirements in the community – both to prisoners and their families. There was considerable praise for governors who have used regular video messages via in-cell television to communicate to prisoners and/or social media question and answers sessions to communicate with families.
- The ongoing and worsening impact on prisoners’ mental health of prolonged cell confinement makes the restoration of access to mutual aid, chaplaincy and other support services increasingly critical.
- Clarity about plans for both the early and compassionate release schemes.
- The importance of facilitating contact between prisoners and their families by all means necessary including virtual visits, in-cell telephony and email contact and the re-introduction of physical visits.
- The importance of Freephone numbers and email to enable prisoners to contact external scrutiny, legal and helping agencies.
- Extending the successful use of remote technology for parole hearings to tele-medicine and group work resettlement programmes as well as contact with community probation staff.

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Unlock ran an online survey asking people with criminal records about their experiences of Covid-19 and social distancing rules. 25 of the 67 (37%) respondents were on some form of supervision under the probation service. Over half of respondents who had been released from prison since 16 March 2020 reported difficulties with finances, such as opening a bank account or claiming benefits. They reported a variety of problems including finding somewhere to live, physical or mental health problems that they needed help with, and anxiety or depression that they had not experienced before. Practical difficulties using a mobile phone or smartphone and with transport from the prison were also reported. All but one of the respondents subject to probation supervision said that the frequency of their contact with probation officers was either the same or more. Two thirds of respondents were required to sign the sex offenders' register and these individuals reported a number of problems related to changing supervision arrangements. These included lack of clarity about what would happen with visits, police/PPU coming to their address in full PPE, making them highly visible to neighbours, anxiety about the possibility of additional restrictions being imposed and feelings of isolation due to lack of contact with supervisors.

Other problems included being unable to use the internet due to restrictions on owning devices, feeling more visible due to not being on local social media groups or being unable to volunteer, abuse from neighbours exacerbated due to everyone being at home more often, feeling isolated and anxious.

## ICT in prison

For most people in lockdown across the UK, the use of digital technology has been the factor that has most enabled us to find out about how to manage our own health, maintain communication, manage our own wellbeing and continue to use our time purposefully through study and work. With a few exceptions, prisoners have simply not been able to make use of the potential of technology to do any of these things. The result has been a stark contrast between what has been possible in the prison estate compared to the general population.

The benefits of digital in a custodial environment are many and varied:

- Digital learning material can be tailored for individual student needs and allows rapid electronic feedback to help students quickly to address barriers to understanding. It also allows prisoners to develop the digital skills essential to modern living as a fully functioning member of society and to a modern workforce.
- Tele-medicine (which became commonplace almost overnight in the community throughout the pandemic) enables prisoners to get prompt expert healthcare diagnosis, advice and treatment and potentially saves enormous prison service resources by obviating the need for many community consultations.
- Remote support with mental and emotional health, addiction issues and resettlement planning have also become mainstream in the community in the last three months and could also be offered to all prisoners with very substantial long-term benefits as well as a way of resolving the immediate challenges of continued lockdown.

The sector is frustrated that despite considerable investment in a wide range of digital infrastructure and services over the last ten years, most prisoners do not have access to digital services. MoJ/HMPPS has responded imaginatively to enable virtual visits across the prison estate and we welcome the planned rollout of this model. We are aware of a range of wired and wireless approaches which maintain the required level of security and which could be implemented at pace to catapult the prison system into the 21<sup>st</sup> century, massively improving the experience of imprisonment and the capacity for effective resettlement.

## Conclusion

We would like to conclude this paper by recognising the outstanding efforts of the MoJ and HMPPS in mobilising against coronavirus so quickly and preventing the very high levels of infection and related deaths and illnesses predicted by so many.

It is our view that the next stage of tackling Covid-19 within the prison estate in particular may be even more challenging. We believe that a stronger and more honest partnership between HMPPS, ourselves as the criminal justice voluntary sector and those people living through the experience of lockdown in prison and on probation will be critical not only to tackling the pandemic but in creating a fairer and more effective criminal justice system.

As a sector, we feel it is disappointing that the government has not prioritised the reduction of the prison population as the primary means of protecting those living and working in prisons from Covid-19. In our view, it cannot be right that on 29 May, more than one third of prisoners were still sharing cells<sup>11</sup> and unable to socially distance. We are extremely concerned that ongoing solitary confinement and isolation from the community will become accepted as the new normal for people in prison.

We wish to return to our earlier theme of the critical role of communication. This is one area where we feel there is real room for improvement by the MoJ and HMPPS if we are to optimise the potential of the sector in and after recover. It is our strongly held view that too often central communication processes announce both insufficient information and prioritise the wrong issues. In our view, there have been two major communication errors during the lockdown period. The first was the announcement that as many as 4000 prisoners would be released early, inappropriately raising the hopes of prisoners and their families and organisations primed to support them – the reverberations of which still continue. The second was the announcement of the estate-wide implementation of PAVA spray at the same time as prisoners had been in conditions very close to solitary confinement for a period of over 11 weeks, especially in light of some of the findings from the pilot.

We are reluctant to end this paper on such a critical note, but feel that a more effective and honest relationship whereby both the voluntary sector working in the criminal justice system and the MoJ and HMPPS speak more openly and constructively would be to the benefit of all parties, and, most particularly, to our service users and the general public.

We hope that despite the very real damage and harm (including, of course, the deaths of both prisoners and prison staff) inflicted by Covid-19, the crisis provides a real opportunity to significantly improve the way in which our country responds to people in contact with the criminal justice system. We wish to work in partnership with the MoJ and HMPPS to grasp this opportunity in the same way as our colleagues working with rough sleepers have worked so effectively alongside the Ministry of Housing, Communities and Local Government.

To set out how we feel this might work best we recommend six courses of action be taken to embed the six principles we set out at the start of this paper.

We look forward to working with HMPPS and MoJ to ensure that people in the criminal justice system get effective high quality support at this critical time in our society.

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Principles	Recommendations for HMPPS & MoJ
1. A full and equal partnership between the criminal justice voluntary sector and the MoJ and HMPPS, which enables all of us to act as critically constructive friends.	1. Make sure the sector still exists after all this. Understand the threats to financial sustainability and have plans in place to address this with and on sector's behalf.
2. Our belief in the importance of transparency on both sides (please see the section on the importance of communication below).	2. Communicate honestly and openly with organisations in a consistent manner so they can do the work they're founded to do. Consult on and publish operational information about what you're doing as first principles.
3. The importance that both the emergency responses to Covid-19 and the construction of a new normal in the criminal justice system reflects the detailed and continuing input of people with lived experience of that system.	3. Consult people with lived experience of being in prison and under supervision in the community during the pandemic through your networks and ours, following good practice guidance. Pay for that work if there's a cost.
4. The importance of a holistic approach across government departments and sectors particularly around issues relating to physical and mental health, employment, benefits and housing. We salute the efforts of civil servants across government and our peers in other sectors who have been rising to the challenge of Covid-19 and wish to highlight the successful initiatives to protect such vulnerable groups as those who have been sleeping rough which have the potential to revolutionise the quality of post-pandemic services.	4. Use this as an opportunity to understand how all those who work with the system have experienced the crisis. Focus on the transition points in a person's experience of the CJS.
5. Consistency across the prison estate and the national probation landscape. We acknowledge that Covid-19 will provide different challenges in different establishments but wish to make it clear that our experience over many years is that there is a wide disparity in the way that prisoners and voluntary sector organisations working for their benefit are treated by different establishments including those with the same role and similar resources/ environments and that this is regrettable and avoidable. We regard the current crisis as an opportunity to level up the services and regimes provided to prisoners across the estate.	5. Recovery plans need to take the opportunity presented here to level up services and regimes available to individuals in prison and on release, learning from good practice and innovation, especially on digital access for rehabilitative services. Improvements made in coping with this crisis should not be rolled back on. HMPPS also needs to ensure in its probation planning and recovery work that there's a clear understanding that the roadmap applies to CRC as well as NPS delivered services.
6. Recovery is an opportunity to learn how to make the system work better for the men, women and children it works with.	6. Every opportunity should be taken to learn about the response to Covid-19 and this learning should inform future service delivery.

## Appendix: Contributing organisations

Advance	Prison Advice and Care Trust
Anawim	Prisoners Advice Service
Baco	Prisoners' Education Trust
Brighton Women's Centre	Prison Radio Association
British Quakers	Prison Reform Trust
Care Leavers' Association	Probation Institute
Change, Grow, Live	Project 507
Clinks	Recoop
Community Chaplaincy Association	Recovery Connections
Community Led Initiatives	Restore Support Network
Criminal Justice Alliance	Revolving Doors Agency
The Footprints Project	Spark 2 Life
Geese Theatre	Spark Inside
Hibiscus	Standing Committee for Youth Justice
Himaya Haven Ipswich & Suffolk	St Giles Trust
Council for Racial Equality	St Mungo's
The Howard League for Penal Reform	Switchback
The Independent Advisory Panel on Deaths in Custody	The Wallich
Kaleidoscope	TiPP
Khidmat Centres (Bradford)	Together for Mental Wellbeing
Langley House Trust	The Traveller Movement
Mary Magdalene CIC	Unlock
Muslim Women in Prison	Unlocking Potential
Muslim Women Network	Voyage Youth
Nacro	Women In Prison
Pathways to Independence	Working Chance
Pecan	The Zahid Mubarek Trust





**Clinks supports, represents and advocates for the voluntary sector in criminal justice, enabling it to provide the best possible opportunities for individuals and their families.**

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Block C, 5<sup>th</sup> Floor  
Tavistock House  
Tavistock Square  
London WC1H 9JJ  
020 7383 0966  
info@clinks.org  
@Clinks\_Tweets  
[www.clinks.org](http://www.clinks.org)

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## End notes

1. Scottish Prison Service, (2020). *COVID-19 Information Hub*. [online] Available at: [www.sps.gov.uk/Corporate/Information/covid19/covid-19-information-hub.aspx](http://www.sps.gov.uk/Corporate/Information/covid19/covid-19-information-hub.aspx) (last accessed: 20 July 2020)
2. Eight BAME-led criminal justice voluntary sector organisations produced a coronavirus briefing which Clinks has published: [www.clinks.org/sites/default/files/2020-06/BAME-led%20Sector%20Feedback.pdf](http://www.clinks.org/sites/default/files/2020-06/BAME-led%20Sector%20Feedback.pdf)
3. All facts are taken from Clinks' most recent *State of the sector* report published in November 2019.
4. Only 28% of the 245 organisations that responded to the Clinks 2019 *State of the sector* survey said they achieve full cost-recovery on the contracts they deliver.
5. For more detailed information on the value of volunteers in prison see: Clinks (2016) *Valuing volunteers in prison: a review of volunteer involvement in prisons*: [www.clinks.org/publication/valuing-volunteers-prison-0](http://www.clinks.org/publication/valuing-volunteers-prison-0) (last accessed: 20 July 2020)
6. Clinks' latest *State of the sector* report estimated that income from charitable trusts represents approximately 17% of total income for specialist criminal justice organisations with annual income under £500,000.
7. Office for National Statistics, (2020). *Coronavirus (COVID-19) related deaths by ethnic group, England and Wales: 2 March 2020 to 10 April 2020*. [online] Available at: [www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronavirusrelateddeathsbyethnicgroupenglandandwales/2march2020to10april2020](http://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronavirusrelateddeathsbyethnicgroupenglandandwales/2march2020to10april2020) (last accessed: 20 July 2020)
8. [www.clinks.org](http://www.clinks.org)
9. Clinks (2019). *The Reducing Reoffending Third Sector Advisory Group's submission to the Reducing Reoffending Board on Universal Credit and access to banking*. Online: [www.clinks.org/publication/reducing-reoffending-third-sector-advisory-groups-submission-reducing-reoffending-board](http://www.clinks.org/publication/reducing-reoffending-third-sector-advisory-groups-submission-reducing-reoffending-board) (last accessed: 20 July 2020)
10. Independent Advisory Panel on Deaths in Custody (2020). *"Keep talking, stay safe": A rapid review of prisoners' experience under COVID-19*. Online: <https://static1.squarespace.com/static/5c5ae65ed86cc93b6c1e19a3/t/5ed117bbbad4847443d43567/1590761408122/20200529+IAP-NPR+-+a+rapid+review+of+prisoner+experiences+under+Covid-19+-+FINAL+CLEAN.pdf> (last accessed: 20 July 2020)
11. An answer to a written parliamentary question asked by the Lord Bishop of Gloucester given by Lord Keen of Elie on 16 June said that 35% of the prison population were sharing cells on 29 May this year.