

# Time to invest in families

**Representation to the Spending Review 2021**



**Our response**

Submitted September 2021

# About Clinks

Clinks is the national infrastructure organisation supporting voluntary sector organisations working in the criminal justice system (CJS). Our aim is to ensure the sector, and those with whom it works, are informed and engaged in order to transform the lives of people in the CJS and their communities. We do this by providing specialist information and support, with a particular focus on smaller voluntary sector organisations, to inform them about changes in policy and commissioning, to help them build effective partnerships and provide innovative services that respond directly to the needs of their users.

We are a membership organisation with over 600 members, including the voluntary sector's largest providers as well as its smallest. Our wider national network reaches 4,000 voluntary sector contacts. Overall, through our weekly e-bulletin Light Lunch and our social media activity, we have a network of over 15,000 contacts.

In July 2016, the Ministry of Justice (MoJ) commissioned Lord Farmer, in partnership with Clinks, to lead a review which investigated how engagement with families in the adult male prison estate across England and Wales could reduce reoffending and address intergenerational crime. Clinks also sat on the expert group for Lord Farmer's subsequent review into the importance of relationships to women in prison.

## About this representation

This representation has been informed by and developed with voluntary sector organisations currently delivering a range of services and advocacy to support those affected by parental and family imprisonment. The representation is endorsed by the following organisations supporting prisoners and their families:

- Choices
- Criminal Justice Alliance
- HALOW (Birmingham)
- Jigsaw
- Lincolnshire Action Trust
- Nepacs
- Ormiston Families
- Pact
- POPS (Partners of Prisoners and Families Support Group)
- Porticus
- Prison Reform Trust
- Spurgeons Children's Charity
- Women in Prison



# Executive summary

Voluntary organisations supporting families of people in the criminal justice system call on the government to 'build back better' in the prison system and provide sufficient investment to deliver on its promises to implement Lord Farmer's recommendations.

Lord Farmer's first report, *The Importance of strengthening prisoners' family ties to prevent reoffending and reduce intergenerational crime*,<sup>1</sup> published in 2017 (followed in 2019 by a review specifically about women,<sup>2</sup> conducted in support of delivery of the Female Offender Strategy, 2018), was heralded by the government as a 'landmark' review. The Justice Secretary at the time, Rt Hon David Lidington, welcomed the recommendations, agreeing that family relationships are key to reducing reoffending and stated that the government was committed to transforming prisons into places of safety and reform and recognised the need to provide those in their care with stable environments.<sup>3</sup>

Despite this commitment and some welcome progress towards implementing the recommendations, Lord Farmer's call for MoJ/HMPPS and governors to fund this area of work adequately<sup>4</sup> has failed to be actioned. Rather than increasing investment, real term spending on commissioned family work in prisons has fallen by around 24% over the past decade.

**This representation therefore recommends that the Ministry of Justice matches its commitment to strengthening prisoners' families ties with appropriate and adequate investment that enables effective delivery of family work in prisons. It calls for a family services commissioning budget of between £150 and £200 per head for the male estate and an appropriately higher per head budget for the female estate to respond to women's specific need for additional support and interventions. This investment would take into account the 'real' cost of family work, an understanding of its economic and social value (particularly in the context of Covid-19) and the minimum service delivery requirements within the prison estate.**

# Introduction

Relationships with family and significant others have long been identified as an essential element to effective rehabilitation and resettlement. The annual economic and social cost of reoffending by adults is estimated at £16.7 billion.<sup>5</sup> Resourcing family work in prisons to support rehabilitation and reduce reoffending is therefore an effective and necessary use of public funds. The Ministry of Justice currently commissions 11 voluntary sector organisations to deliver family work across the prison estate and a range of other organisations provide support for those affected by family imprisonment funded through other resource often from charitable trusts and foundations.

In 2008 Ministry of Justice research found that receiving family visits was associated with reduced chances of prisoners reoffending after release.<sup>6</sup> In 2014 a joint thematic review by HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted concluded that “an offender’s family are the most effective resettlement agency,”<sup>7</sup> citing evidence that families play a significant role in achieving positive outcomes in both education, training and employment as well as accommodation – key factors in reducing reoffending.<sup>8</sup> For women, many of whom will be primary carers of children, the role of family plays an even more important role. Lord Farmer identified in his second review, “issues around women’s relationships directly affect their likelihood of reoffending significantly more frequently than is the case with men.”<sup>9</sup>

The Covid-19 pandemic has further served to bring the importance of family relationships into stark relief, with Lucy Frazer QC MP, former Minister of State for Justice highlighting that “family contact and relationships ... are paramount to [prisoners’] wellbeing.”<sup>10</sup>

Lord Farmer’s ‘landmark’ reviews identified family practice as an essential element of rehabilitation that should run consistently across the estate as a ‘golden thread’ through all aspects of prison delivery.<sup>11</sup> The recommendations, accepted and welcomed by the government, have given notable impetus to prison reform in this area, supported by the work of charities, officials, governors and prison staff. The IMB’s annual report (2019-20)<sup>12</sup> identified that “there were indications of more work being done to support family links, following the 2017 Farmer Review”.

The publication of the *Strengthening Prisoners Family Ties Policy Framework* (2019)<sup>13</sup> has required prisons to ensure that family work is prioritised, and staff understand its importance in reducing reoffending, and mandates that all establishments develop and publish local Family Strategies. The introduction of the Family and Significant Other Measurement Tool (2019-20) has also provided a resource to encourage prisons to review, develop and demonstrate their family practice.

As Lord Farmer stated, prison reform in this area requires ongoing, cultural change and his recommendations “will not be possible without the additional money and staff that have been promised to the prison system.”<sup>14</sup>

Investment is required both in the commissioning of family services but also in prisons to enable these services to be delivered effectively. Progress has been made, but there is still a significant way to go before Lord Farmer's vision of consistent and cohesive family practice across the estate is realised. The re-commissioning of family services (new contracts to commence October 2022) marks the first opportunity to reflect, embed and adequately resource Lord Farmer's recommendations in the new family service contracts (the 2017 Review was published after the current contracts had been awarded).

We set out below key areas of consideration to do this effectively.

## **The real cost of maintaining family ties**

We understand that the budget for family work across the entire prison estate has remained the same for the past decade, at approximately £5 million a year. Lord Farmer described the national family work commissioning budget of £64 per head for male prisoners as woefully inadequate and disproportionate when compared with other resettlement pathways .

There is a clear need to increase investment in family service provision and ensure that contracts are index linked, while recognising:

### **The budget has decreased significantly over the last decade**

The £5 million budget, set a decade ago, is now worth £3.8 million in real terms , representing a decrease in budget of £1.2 million (24%). In addition, the family services budget originally provided resource for approximately 60% of the public prison estate. The last commissioning round (2017), to develop parity of provision across the estate, extended contracts to the remaining 40% of prisons, while maintaining the £5 million budget – resulting in a decrease in budget (and therefore service) for many establishments. Furthermore, the budget has not been increased in response to the introduction of the mandatory Living Wage or mandated automatic enrolment of workplace pensions, both of which have been implemented in the last decade.

## Examples of current family service specifications

It should be noted that these examples provide detail of what prisons ‘asked for’ in their specifications rather than what could be delivered within the budget envelope. In both cases the budget has not allowed the specification to be delivered in its entirety.

<b>Establishment type</b>	Cat B prison with population of around 800 men
<b>Family work budget</b>	c £40,000 per annum
<b>Family work specification</b>	<ul style="list-style-type: none"> <li>• Casework</li> <li>• Family/relationship courses</li> <li>• Extended visits (such as family visits)</li> <li>• Enhancement activities (such as weekly baby groups)</li> <li>• Play provision in visit hall</li> <li>• Visit centre provision (7 days a week)</li> <li>• Catering provision in visit hall (7 days a week)</li> </ul>

<b>Establishment type</b>	Cat C prison with population of around 440 men
<b>Family work budget</b>	c £28,000 per annum
<b>Family work specification</b>	<ul style="list-style-type: none"> <li>• Casework</li> <li>• Extended visits (such as family visits)</li> <li>• Play provision in visit hall</li> <li>• Visit centre provision (6 days a week)</li> <li>• Catering provision in visit hall (6 days a week)</li> </ul>

## Investment needs to match increased expectations

Current family work contracts were issued before the publication of the Farmer Reviews and the subsequent policy and guidance regarding family provision in the prison estate. Service specifications and budgets therefore do not reflect the increasing (and welcome) expectation that prisons further embed family practice across their establishments, as a golden thread through all prison activity.

HM Inspectorate of Prisons (HMIP) has also stated that its Expectations going forward will include a greater focus on the provision and impact of family work in prisons . Prisons therefore need to be resourced to be able to commission and deliver family work of a standard that is proportionate to the size and specific requirements of their establishment to meet policy, monitoring and inspection standards.

## Parity of investment is required across rehabilitation activities

The Farmer Review emphasised that family work should be the “third leg of the stool that brings stability and structure to prisoners’ lives” alongside employment and education, and yet the budget for family work remains incomparable to these activities. The existing budget for family services is equivalent to less than 5% of the budget currently allocated to prison education (£130 million). Given the importance of family ties, resource for work to support this should be in line with that for education and employment interventions.

## Investment in family work is investment in prisoner wellbeing and safety

Although the pandemic and the associated regime has led to a decline in prison violence, overall safety in prisons has deteriorated significantly during the last eight years with self-harm and deaths in custody remaining at historically high levels.<sup>17</sup> There is significant evidence highlighting the important role that families play in helping to safeguard prisoners and there have been repeated calls for the prison service to further improve gateway communication systems for families (*Harris Review, 2015; Farmer Review, 2017; IAP Keeping Safe Report, 2017*). The new *Risk Identification Toolkit* (HMPPS, 2021) for prison staff identifies ‘breakdown of family relationships, or children taken into care’ as a key piece of ‘risk information’ for prisons to be aware of and cites ‘an intimate relationship or significant other’ as a protective factor. The *Assessment, Care in Custody and Teamwork Guidance* (HMPPS, 2021) highlights the need to consider the involvement of families when undertaking care assessments and clearly states that ‘liaising with your third sector family support provider’ can support both prisoners and families in the process. Evaluations of family support have found that family work provided by external agencies (such as case work or first night care) plays a valuable role in safeguarding prisoners by facilitating communication between prisoners, their families and establishments.<sup>18, 19</sup>

## Invest in family work to save elsewhere

Families are a key agency in supporting effective resettlement and reducing reoffending. Not only can they play a significant role in reducing the costs of reoffending, but they also provide the opportunity to achieve long term savings for the taxpayer elsewhere. Investing in maintaining family relationships during prison sentences can result in:

- Prisoner motivation<sup>20</sup> to engage in education, training and rehabilitation programmes, thus supporting opportunities for **employment on release**<sup>21</sup>
- Increased likelihood of prisoner **accommodation on release**<sup>21</sup>
- Increased opportunities for parent-child relationships to be maintained: **improving outcomes for children** in the community and **reducing the cycle of intergenerational offending**
- Identification of and support for children of prisoners, an often ‘hidden’ group of particularly vulnerable children in communities,<sup>22</sup> contributing to **improved educational attainment and emotional wellbeing**
- Support for families of prisoners (who often struggle to access support and information in the community) thus building **community resilience and networks of support** for both prisoners and family members.

## Commissioning family services in the context of Covid-19

The Covid-19 pandemic has brought into stark relief the importance of maintaining family ties. Families and significant others provide valuable support for many prisoners, never more so than during periods of heightened anxiety and unsettlement. Public Health England ceased in-person prison visits in England and Wales on 24 March 2020, and despite a short re-opening of social visits during the Summer of 2020, a large proportion of families did not have any face-to-face contact for over a year. It is essential that the impact of the pandemic is considered in terms of the provision and resourcing of family work in prisons and recognises:

### **The need for family work to re-build and strengthen family/significant other relationships**

Although the introduction of additional PIN credit, locked mobile phone handsets for those without in-cell telephony and video-calls helped to mitigate the loss of social visits, many prisoners and their families have struggled to maintain contact during the pandemic.<sup>23, 24</sup> Now more than ever, family work is needed to support prisoners and their families to understand the value of relationships, how they can maintain contact with one another and to support the rebuilding of relationships where needed.

### **Family work plays a crucial role in prison recovery from the impact of Covid-19**

HMIP reported that “the most disturbing effect of the restrictions was the decline in prisoners’ emotional, psychological and physical well-being.”<sup>25</sup> A review of the impact of lockdown on the mental health of prisoners found that the lack of contact with family was the biggest cause for declining mental health amongst prisoners<sup>26</sup> and disproportionately affected mothers in custody and racially minoritised prisoners. Although the gradual opening of the regime is now allowing social visits (with restricted facilities and physical contact), for many the impact of Covid-19 will extend far beyond the duration of the pandemic and families can play a critical role in supporting wellbeing and safety.

HMIP has stated, “the challenge for HMPPS is how to manage prisoners’ behaviour effectively when restrictions are eventually lifted.”<sup>27</sup> It has long been known that family relationships can play a crucial role in the stability of prison populations: one of the key recommendations in Lord Woolf’s report following the prison riots of the 1990s was that there should be better prospects for prisoners to maintain their links with families and the community.<sup>28</sup> Lord Farmer’s Review echoed this, identifying that poor family relationships can be a major source of disruption in the estate. It is therefore essential that family work is considered a key factor in supporting the safe re-opening of prisons.

### **The need to build on the learning and innovation that emerged from the pandemic**

Despite the significant challenges of Covid-19, it has led to positive development and innovation within family work. HMPPS, recognising the importance of maintaining family ties during the pandemic, held fortnightly stakeholder meetings with family service providers to inform effective communication with families, discuss emerging challenges and reflect on examples of positive innovation. This contributed to supporting consistent practice across the estate and encouraged sharing of innovative practice – an approach that is important to maintain.

Innovation by family service providers has included (amongst many other examples): the introduction of virtual family support groups as well as online 'Meet the Governor' meetings for families, the development of New Baby Booklets that provide fathers in prison with a diary record of the first 12 weeks of their new babies' development, and quizzes and activities for use on video calls to support parent-child interaction. It should be noted however, that these activities are time consuming to deliver and as regimes and visits re-open much of this innovative practice may be lost as family provider organisations are drawn back to their contracted family work obligations.

The pandemic has also created time for reflection and as regimes and social visits have begun to re-open both prisons and family service providers have reflected on which elements of their practice must be prioritised to best meet the needs of their communities.

The roll-out of video calls was a significant move and expedited the implementation of Lord Farmer's recommendation to "harness the benefits of communications technology... by making virtual visits routinely available". It is important that the evaluation of this roll-out now informs how video calls can be used most effectively to support and maintain family ties, whilst ensuring the full re-establishment of social and family visits and other interventions which provide meaningful and emotionally fulfilling contact for the diverse range of families/significant others, are not unintentionally undermined by the availability of the technology.

## Matching resources to need

Lord Farmer called for prisons to provide a consistent standard of family service provision across the estate and described the landscape of family work provision in 2017 as patchy and inconsistent. The limited budget for family work to date has restricted the services that prisons can afford to procure leading to vast disparities in services across the estate. As a result, prisoners and their families continue to experience significant variation in family support from one prison to another. Despite the introduction of the Family and Significant Other Shadow Measurement Tool in 2019, more investment is required to ensure that families receive a minimum standard of provision across the estate.

### Recommended minimum expectations for family provision

- **Appropriately managed and staffed visitor centres with decent, well-maintained facilities for members of the public including children, elderly and disabled adults.**
- **Provision of one prison-based Family Engagement/Case Workers per 250 prisoner population (thus ensuring manageable caseloads and universal access to family support for all prisoners).**
- **Provision of on-site social worker (as recommended by Lord Farmer<sup>29</sup>) in all women's prisons.**
- **Relationship, Parenting and Family Learning programmes as core delivery within Education provision.**
- **Child services specialist with safeguarding and therapeutic play expertise and a brief to ensure visits are child friendly.**

- **Culturally competent services that understand and respond to the needs of racially minoritised prisoners and their families who are disproportionately represented within the prison estate.**
- **Services that are capable of effective multi-agency and cross-departmental working. Partnership working is essential for family work to be a 'golden thread' running through prison service delivery and to establish relationships with community-based organisations that enable joined-up, holistic support for prisoners and their families.**

As family work is quite rightly placed under greater scrutiny, so the evidence of what is needed to provide an effective service, tailored to the needs of an individual establishment, is more readily available. Lord Farmer recommended establishments should improve the use of evidence and data to inform their family work.<sup>30</sup> Specifications and budgets for family work should therefore ensure that they:

- Meet the needs of diverse communities including racially minoritised people which are significantly over-represented in prisons
- Respond to the specific needs of female prisoners whilst recognising that, for women, relationships are their most prevalent criminogenic need and that separation from their children is generally a much greater stressor than it is for men
- Respond to previous auditing of family work in their establishment
- Utilise the significant amount of data gathered by family service providers regarding the needs of prisoners and their families and 'what works'
- Respond to the current practice, policy and guidance regarding family and significant others within HMPPS (recognising the need to meet Lord Farmer's recommendations and the expectations within the new ACCT version 6 guidance that identifies that family service providers can often be important in supporting family relationships through imprisonment)
- Understand what family interventions are available, their 'real' cost and what outcomes they can achieve.

## **Recognising the added value of the voluntary sector**

The Farmer Reviews highlighted the value of the voluntary sector in supporting family work:

***"The voluntary sector has played an essential role in initiating change and their contribution has been immensely valuable, not just because of the vocational approach and personal commitment many staff members and volunteers bring to family work, but also because their approaches have been tried, tested and refined over many years."***<sup>31</sup>

While Lord Farmer acknowledged the valuable role that prison staff can play in supporting family relationships, he also emphasised the value of independent, non-uniformed staff,

citing research that stated 50% of prisoners found it easier to talk to non-uniformed staff from a voluntary organisation than with prison officers.<sup>32</sup> HMIP's annual report (2019-20) noted that much of the family work undertaken by prisons had been achieved by working closely with voluntary and community organisations to provide family support services, which were "mostly good – and in some cases, excellent."<sup>33</sup> In investing in family work, it is essential that commissioners recognise the added value that specialist family service providers contribute:

- **Relationships with external agencies.** Many provider agencies will also deliver services in the community, working in partnership with local authorities, Police and Crime Commissioners, probation and voluntary sector organisations. These relationships support and inform family work by facilitating referral pathways, supporting joined-up, multi-agency working and identifying potential partnership opportunities.
- **Independence.** The commissioning of independent agencies to deliver family contracts enables flexible and innovative approaches, the opportunity for prisoners and their families to develop trusting relationships with staff who are independent from the prison establishment and access to additional funding streams (including from other statutory sources and charitable funders).
- **Organisational knowledge and expertise.** As well as the skills, knowledge and expertise of working with families, provider organisations often bring valuable experience in volunteer recruitment and management, strategic and policy development, service user participation, child safeguarding, trauma-informed practice and multi-agency working.
- **Innovative approaches to family work implementing Lord Farmer's recommendations.** Voluntary sector organisations have been keen to respond to Lord Farmer's recommendations and have developed innovative programmes (outside of HMPPS family service contracts) such as: Routes2Change, prison-based social workers, the Visiting Mum programme and through-the-gate prisoner/family resettlement programmes. These programmes often rely on short-term funding arrangements that restrict their development or sustainability.
- **Added social value.** Commissioning family services from the voluntary sector will bring added social value, for example: joining together in-prison and community-based family support (as many organisations will provide services on both sides of the prison wall and have valuable relationships with organisations external to HMPPS); providing volunteering and employment opportunities for local communities including serving prisoners (via Release On Temporary Licence) and on release; and regularly advocating for and giving a voice to families of prisoners (an often 'hidden' and disadvantaged group in communities).

Investment in family work across the estate needs to recognise the value of external family service providers and identify budgets that enable them to support prisons to achieve the practical and cultural shift required to meet Lord Farmer's recommendations.

## Establishing the right level of investment

This representation presents a clear case for securing the right level of investment to keep delivering on the recommendations of Lord Farmer's reviews. The current budget, we believe, will not allow those recommendations (or the wider social and economic benefits of effective family work) to be fully realised.

Drawing on the minimum expectations for family work as identified in this representation, as well as a wealth of experience in delivering family service contracts and an understanding of the 'real' cost of delivery, voluntary sector providers recommend that the commissioning budget is significantly increased. Although previous HMPPS calculations of £64 per head for the male estate represent a crude measure, using these as a baseline, we estimate that the commissioning budget would need to be between £150 and £200 per head for the male estate, and an appropriately higher amount for the female estate to respond to women's specific need for additional support and interventions.

Clinks and the voluntary sector organisations we represent are happy to provide the government with any support or insight necessary to inform the 'right level of investment'.

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## Our vision

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

## Our mission

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

## Join Clinks: be heard, informed, and supported

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

Join our network of over 600 members. Clinks membership offers you:

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

Membership starts at just £20 per year and is free for organisations with little income.

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

Block C, 5<sup>th</sup> Floor  
Tavistock House  
Tavistock Square  
London  
WC1H 9JJ

☎ 020 7383 0966

✉ info@clinks.org

🐦 @Clinks\_Tweets

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Published by Clinks [Month] 2021

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