

**Reducing Reoffending Third Sector Advisory Group (RR3)  
Via Zoom**

**Tuesday 7<sup>th</sup> September 2021**

**RR3 Attendees**

Jess Mullen, Clinks (Chair)  
Noori Piperdy, Clinks (Secretariat)  
Franklin Barrington, Clinks  
Alasdair Jackson, Recycling Lives  
Carolyn Houghton, Rethink Mental Illness (co-opted)  
Dez Brown, Spark2Life  
Emma Wells, Community Chaplaincy Association  
Helen Dyson, Nacro  
Khatuna Tsintsadze, Zahid Mubarek Trust  
Laura Seebohm, Changing Lives  
Martin Blakebrough, Kaleidoscope  
Paul Grainge, Recoop  
Peter Atherton, Community Led Initiatives CIC  
Pippa Goodfellow, Alliance for Youth Justice (co-opted)  
Peter Dawson, Prison Reform Trust  
Rokaiya Khan, Together Women (co-opted)  
Tina Parker, PACT  
Tracy Wild, Langley House Trust  
Vicki Markiewicz, Change Grow Live

**Officials**

Chris Taylor, HMPPS  
Jack Cole, MoJ  
Julian Hosking, HMPPS  
Ruth Boyd, HMPPS  
Simon Marshall, MoJ

**Apologies**

Ellie McNeil, Liverpool and Sefton YMCA  
Francesca Cooney, Prisoners Education Trust  
Lisa Dando, Brighton Women's Centre

Bettina Crossick, HMPPS  
George Barrow, MoJ

**1. Welcome and introductions**

- 1.1. Jess Mullen, Director of Influencing and Communications, Clinks welcomed the group and gave apologies for Anne Fox, Chief Executive, Clinks.
- 1.2. Jess explained that Dee Anand has now left Together for Mental Wellbeing and therefore the RR3, she thanked Dee for his contribution to the group
- 1.3. Jess welcomed Pippa Goodfellow, Alliance for Youth Justice who has been co-opted to the meeting to provide expertise on youth justice
- 1.4. Jess welcomed Rokaiya Khan, Together Women who has been co-opted to the meeting to provide expertise on Women.
- 1.5. Jess welcomed Carolyn Houghton, Rethink Mental Illness who has been co-opted to the meeting to provide expertise on Mental Health.
- 1.6. Jess welcomed Jack Cole, Prison Policy, MoJ and Chris Taylor, Probation Reform and Commercial Team, HMPPS and invited a round of introductions from attendees.

**2. Prisons White Paper**

- 2.1. Jack explained that the Lord Chancellor is keen to set out a 10 year direction for the Prison Service. With the upcoming spending review and the current

circumstances coming out of Covid-19, the timing seemed appropriate to set out a 10 year plan. This was announced in the [Lord Chancellor's speech in July](#) and the commitment to criminal justice reform was also made in the [Beating Crime Plan](#).

2.1.1. Peter Dawson noted that running a prison is a morally charged job, and that to do this effectively a philosophy for the purpose of imprisonment is needed. With that in mind he asked whether the white paper will involve a philosophy or underlying principles?

2.1.1.1. Tracy also agreed on the need for a philosophical foundation for prison policy going forward.

2.1.1.2. Jack explained that the MoJ will be helping the ministerial team develop propositions for the prison system, which will amount to a philosophy detailing what prisons are for and what they should be doing.

2.1.2. Paul asked about the Lord Chancellor's messaging in his briefing on trauma based approaches in the female estate, and wanted to stress the importance of this approach for the male estate too. He added a whole prison approach would be ultimately beneficial for all and relates to staff culture and the need for a philosophy as other attendees have mentioned.

2.1.2.1. Jack agreed that staff culture is a key driver for this and anticipates that the White Paper will focus on staff retention, commitment, training and development.

2.1.2.2. Carolyn added that trauma informed approaches need to involve a two tier approach which includes proactive preventative models rather than just solely using firefighting models. She explained that this needs to be underpinned by policies focussing on mental health and wellbeing looking at and based on credible evidence, rather than tokenistic phrases which aren't leading to higher quality care provision for this vulnerable cohort.

2.1.2.3. Jack agreed that the term trauma informed needs to be taken seriously and welcomes engagement to ensure they take this work forward in an appropriate manner.

2.2. The 10 year plan will include; the long-term plan for the prison estate, in the context of a prison population that is due to increase. This includes the buildings that make up the estate, better use of technology (learning from the use of technology during the pandemic), strengthening the security response, reducing the entry of drugs into prisons, supporting the workforce, and the introduction of vaccine passports.

2.2.1. Emma asked about the rationale regarding expanding the prison estate, and commented on the already high number of people in prison in the UK in comparison to other countries.

2.2.1.1. Jack explained this is based on the projected forecast over the coming years so on that basis, the vision will need to look at how to accommodate everyone.

2.2.1.2. Laura asked for more detail on this forecast and whether the 20,000 more police officers influence this projection. She also asked if there was a forecast on the type of offences increasing, especially for women?

2.2.1.3. Jack explained that prison projection models take many factors into account, including the potential impact of the police,

potential offence mix trends, potential trends in sentence length etc. He wanted to reiterate that giving people the best possible chance when leaving prison and not returning will be a priority within the white paper.

2.2.2. Martin noted the ambition to reduce drugs coming into prisons and expressed concern about the wording of these statements and the usefulness of making such statements, as in this case, he doesn't see how they will ever be implemented.

2.2.2.1. Vicki agreed with Martin and wanted to know what would be different in this vision compared to the last 10 years. She asked if more radical options such as through the use of technology from the learnings from Covid-19 have been considered. She argued that further consultation with the sector is needed to reduce the demand for drugs in prison and the improvement of treatments rather than addressing the supply.

2.2.2.2. Jack agreed that the conversation surrounding drugs has been ongoing for a number of years and is open to hearing about any radical ideas from the sector.

2.2.2.3. Jess (Chair) followed up on Vicki's point and asked how much consideration has been given to addressing the demand of substances rather than the supply and reiterated the sector's concern that the demand is what needs to be addressed.

2.2.2.4. Jack explained that they have partnered with the Department for Health and Social Care and are looking at issues surrounding long-term substance misuse and treatment, so reiterated they are looking at both the supply and demand of drugs. Jack welcomed a further discussion on what they are missing to carry out this work effectively.

2.2.2.5. Martin further added that an integrated programme from prison to the community is needed for substance misuse regimes. He also noted the many innovative programmes in Wales that have led to a reduction in the number of drug related deaths compared to the rest of the UK, and questioned why the government haven't consulted with these service providers.

2.2.2.6. Jack acknowledged attendees concerns and although the white paper may not provide a complete answer for substance misuse, he is keen to carry on engaging with the sector on this topic.

2.2.3. Tracy questioned how the government plan to support the workforce and have better models of employment, including factors such as effective recruitment, job retention, succession planning, geographical challenges and hard to recruit roles.

2.2.3.1. Jack agreed that the factors that Tracy raised are very important, especially through providing support both at the start and during an employee's career, and the team will continue to keep thinking about these issues.

2.3. Jack explained that they hope to publish a document detailing this 10 year plan later this year, dependent on the spending review and budget announcement.

2.3.1. Jess (Chair) asked if once the proposals has been finalised, whether there are plans for formal consultation with the sector?

- 2.3.1.1. Jack explained that although this has been set out as a white paper rather than a green paper and therefore dependent on how the work continues, there may not be a formal consultation process. However, there is every intention from the MoJ to continue to engage up to, including and after publication, and they are especially keen to work with the sector to implement and deliver this strategy.
    - 2.3.1.2. Peter Dawson raised concern that this is not adequate consultation, and the sector needs to be consulted whilst the vision is being formed rather than after it has been formed.
  - 2.4. Jack said that they have been holding stakeholder forums on these ideas. So far, they have received feedback asking for a focus on better rehabilitation, staff development, mental health and technology. They have also been advised that there is more work to be done on addressing the differing needs of different cohorts, nurturing social bonds outside of custody and the prevalence of drugs in custody. Furthermore, they heard about the importance of fairness in the procedural justice in the prison estate. This feedback has led to internal discussions on regime design, especially in context of the impact of Covid-19 on the prison estate.
    - 2.4.1. Khatuna asked how much reducing racial disparity would be featured in this strategy, and what engagement will occur with the specialist organisations working to reduce racial disparity in the prison estate. She asks in the context of no engagement occurring presently with this specialist sector and the Lammy review where some outcomes have in fact worsened for racially minoritised prisoners, especially surrounding the youth estate. She noted Jack's comments on procedural justice and fairness, but asks for a stronger commitment and effective actions regarding reducing racial disparity.
      - 2.4.1.1. Jack explained that in the 10 year vision they will set out a regime that will be safe, productive, purposeful and fair for all, and agreed that without discussing these difficult issues this would be impossible to achieve.
- 2.5. Jack explained that they will not be setting out timescales in this plan, it will be focussing on the vision for the next 10 years that responds to the current challenges and opportunities seen in the prison estate currently. Once the 10 year vision has been published, then they will start to think about a step-by-step approach to achieve this.
  - 2.5.1. Pippa wanted to clarify that under-18s and the youth estate will not be in the scope of the white paper. She added that she would agree with this approach as the sector generally believes that children should be treated differently.
    - 2.5.1.1. Jack confirmed that under 18s would not be considered in this white paper.
  - 2.5.2. Pippa explained that due to Covid-19, there have been significant delays in the criminal justice process leading to many young adults that committed their offences as children but have been sentenced as adults and received custodial sentences as adults. She anticipated this to continue and asked if any provisions for young adults will be made in the white paper, specifically to for young adults up to 25 years old. She added that there's well-established evidence within the sector advocating for the differing needs of young adults.

- 2.5.2.1. Jack explained that the department are starting to discuss how different cohorts of individuals may have different needs and may be treated differently within the system, and added that he is currently giving thought to young adults and their experiences.
- 2.6. Jack thanked the attendees for their comments thus far and has noted points around consultation. He has noted the attendees concerns and will take this back to the team and has agreed to engage further in the future.

### **3. Richard Oldfield's report and HMPPS response**

- 3.1. Jess welcomed an update from Chris Taylor regarding [Richard Oldfield's independent review of the Dynamic Framework](#), for which the findings were made public on the 21<sup>st</sup> August. Jess explained Clinks have welcomed the report and are pleased to see many of the recommendations made by the RR3 Probation Special Interest Group, specifically around grants, echoed in the report. Richard wrote a [blog](#) for Clinks which is published on the website, which also highlighted Director General of Probation, Amy Rees' response to the review, in a letter addressed to Jess (as Clinks' Acting Co-Chief Executive and Director of Influence and Communications).
- 3.2. Chris started by thanking the attendees for their engagement with the review, and explained that as mentioned in the letter from Amy Rees, HMPPS welcomed the report including its findings and recommendations. He highlighted Richard's recognition of the work that HMPPS already have underway to address some of the challenges experienced by the sector in the Day 1 competitions. He explained that he would give an update on the three main recommendations made by Richard Oldfield.
- 3.2.1. Jess (Chair) appreciated that this work is already underway, but once the work has progressed further the group would welcome a formal feedback mechanism to provide input in to plans.
- 3.2.1.1. Chris agreed that would be useful once further progress has been made, but emphasised that he is conscious not to rush this process or create a trade-off. He agreed to either come back to the RR3 if the timings align for future meetings, or whichever other appropriate forum.
- 3.2.2. Dez asked if there is a list collated with organisations that have come on the framework, and if they record data such as sizes or specialisms. Dez explained, as he holds the seat for racially minoritised led organisations and organisations providing services to racially minoritised people, he is interested whether the recommendation to record this following transformation rehabilitation was taken up.
- 3.2.2.1. Chris explained that there is a list of organisations that have qualified onto the framework, including a list of those that have won contracts so far and who their supply chain partners are. He committed to sharing this information with the group. The commercial team will be looking at the success of contract awards that have been made and analysing the extent to which supply chain organisations are being used. Within this analysis they will look to identify racially minoritised led organisations, black led organisations, women's specialist organisation etc. He also committed to sharing this information with the group.

- 3.2.2.2. Jess (Chair) also agreed this information would be useful, as Clinks conducted initial analysis when announced. She further asked if this would be a public document.
- 3.2.2.3. Chris confirmed it would be a public document.

**Action: Chris Taylor to share a list of organisations who are on the dynamic framework and further analysis when available and to confirm when this will be published.**

- 3.2.3.
- 3.3. The first main recommendation advocated for the greater use of grants. HMPPS welcome this and have had discussions with the ministerial team to put this into practice. Chris explained that it may take time to do this effectively, due to the complexities involved in ensuring a process that fits with or alongside the framework. He explained they need to ensure they've got the criteria right against which they determine whether it is right to consider a grant to be a presumptive first choice funding mechanism. This work has just started in the last few weeks of August, including facilitating discussions with the MoJ grants challenge panel. Chris explained that they want to ensure this is done effectively and creates a process that is simpler for organisations to engage with and a simpler process for ongoing management. Chris agreed to continue to keep the RR3 updated as this process progresses.
  - 3.3.1. Emma disagreed with the idea that one of the downfalls of grants is the inability to compare and decide which is the best value for money. She explained that as the RR3 seat holder for small organisations, the sector has a more collaborative culture without duplication and are able to look at ground level for what's needed. She explained that grants give the opportunity to value something in its own merit, and should be more targeted and tailored to those specific contracts.
    - 3.3.1.1. Chris reflected on Emma's point, and expressed the view that from a process point of view there needs to be a practical decision made for when it is right to compete vs when it's sensible to make a decision in the form of a direct award. He explained that he hopes in practice, regional commissioning teams in The Probation Service will build relationships with small and specialist organisations in the area. But he agreed there is the need to develop a process that will give everyone in the department sufficient confidence and demonstrate value for money.
    - 3.3.2. Alistair highlighted the sector's experience of being used as 'bid candy' in larger partners bids. He wanted to know the extent that HMPPS are following up on the contracts given and what details are being checked to understand the role of smaller partners
      - 3.3.2.1. Chris explained this will form part of the analysis mentioned earlier, recognising that this can be an issue. Chris also noted however that organisations that have won contracts have the flexibility to decide how they deliver the services for which they are contracted. Chris encouraged attendees to provide any feedback around being used as 'bid candy' as it will help inform future decision making.
- 3.4. The second main recommendation focussed on increasing the opportunities available for small and medium sized organisations. Chris explained that HMPPS welcome this recommendation. He mentioned that Richard's recommendation was around require a percentage of contract value to go through supply chains in effect,

but HMPPS do not think requiring a certain percentage of contract value is the best way to deliver better outcomes for small and medium sized organisations. He explained that evidence from the cabinet office shows that this has constrained competition and led to perverse behaviour. He added, as set out in the report, that the ability within the regulations to ring fence certain competitions to certain sectors may be more effective. They are looking at this in closer detail.

3.4.1. Helen asked, based on what Chris previously mentioned in terms of local support for small organisations, what mechanisms there will be to escalate concerns where this doesn't happen?

3.4.1.1. Chris agreed to come back with a more informed answer. He expects that an organisation should have contact with the regional commissioning teams including the Regional Probation Director in the first instance. But if they are struggling to engage, then to their local Head of Community Integration. The new process has allowed probation regions to do things with less central control, but there will be some central commissioning roles that they are recruiting for at the moment. He advised that regional commissioning teams are not yet fully staffed and that in the interim, his team will be providing support for gaps on specific commissioning work where needed.

**Action: Chris Taylor to provide further information on the feedback mechanism beyond the regional probation teams.**

3.5. The third main recommendation focussed on an overall simplification of the framework. Chris explained that this work was always within the plan of recent probation reform, as highlighted in the report, for HMPPS to look at the lessons from Day 1 contracts. The commercial team have already conducted work on how to refresh the process, such as shortening the framework qualification documentation and the call off competition documentation. HMPPS are presenting at the Clinks regional Criminal Justice forums in September regarding this work. Chris also further emphasised the use of grant funding as it goes hand in hand with the simplification objectives.

3.5.1. Helen asked if there is updated commissioning guidance for Regional Probation Directors ahead of Day 2 Commissioning.

3.5.1.1. Chris confirmed there will be an updated document that they are hoping to share by October. This will therefore be in place for all the regions ahead of the work they're currently doing for post-Day 1 commissioning, and he hopes to see some post Day 1 commissioning lead to procurement activity in the future. One published, HMPPS hope to continue updating the document every few months.

**Action: Chris Taylor to share the updated commissioning guidance when completed.**

#### **4. Updates, Actions and Workplan**

4.1. Simon mentioned that the MoJ will be submitting an ambitious programme in the upcoming Spending Review. They hope to hear back in November, so it's likely that in the first quarter of next year they will have a clear idea what that might mean.

4.2. Simon explained that all Covid-19 related restrictions on regimes in probation have now ended.

- 4.3. Simon explained that for prisons, as of the 7<sup>th</sup> of September, 58 prisons and 4 youth custody sites are now at progressed to Stage 2 of the gateway. There is currently work undergoing around the guidance for Stage 1, which would be the removal for all remaining restrictions. From the previous meeting, he understood there were some queries for organisations that work across multiple sites, and what that means for organisations. As part of the refresh of the guidance for Stage 1 that's going out, there will be additional advice and requirements around consideration of activity that straddles multiple establishments. He asked that if any attendees from this group or the RR3 Covid-19 Special Interest Group have any further concerns they would like to share before that guidance is published, they are welcome to contact him directly.
- 4.4. The Police, Crime, Sentencing and Courts Bill is currently going through Parliament, there may be further amendments made in the Lords before it comes back to the Commons and the MoJ are keeping a close eye.
- 4.5. The MoJ are currently working closely with the Department for Health and Social Care on the introduction of Integrated Care Boards and Partnerships, and are ensuring there is a clear focus on the specific needs of those within the criminal justice system, especially regarding some of the local partnerships currently in place.
- 4.6. Julian gave an update on The Third Sector Strategic Board (TSSB). He emphasised that the TSSB is and will continue to be co-produced, and welcomes feedback from the sector. Since the first meeting, HMPPS have consulted with various members of the TSSB on the priorities for the first year, and how the RR3 can feed into that. They are conscious not to replicate the processes existing within the RR3, and once they've analysed this feedback and the TSSB has met again, they will come back to the RR3 with a more structured view of the board going forward. Simon agreed that they do not wish to replicate what the RR3 currently exists to do, and hopes the TSSB is able to take more of a horizon scanning approach than looking at current issues.
- 4.7. Jess (Chair) agreed and is working with Noori (secretariat) and the wider Clinks team on how the work of the RR3, looking at how discussions surrounding the current issues and debates can feed into the strategic element of the TSSB, and vice versa.
- 4.8. There was one carried over action for the MoJ and HMPPS to respectively share organograms with the group. A HMPPS organogram has recently been shared and Simon explained there have been various changes within the team which has led to the delay in providing this. Simon agreed to follow up on this and share with the group as soon as possible, and in the meantime, he advised to come to him, Julian or Bettina to signpost to relevant officials.

**Action: Noori (Secretariat) explore sourcing up-to-date organisational charts for stakeholders of the MoJ.**

- 4.9. There are a few outstanding actions with Chris Gunderson, who Noori (secretariat) will facilitate contact with and gather the relevant information.

**Action: Noori (Secretariat) to explore outstanding actions with Chris Gunderson**

- 4.10. There was one action partially met regarding facilitating contact between the HMPPS regime reform programme and front-line substance misuse workers.
- 4.10.1. Vicki agreed this was partially met, she has organised a roundtable to gather these views but would like to discuss with Chris Gunderson / whoever is most appropriate on how this information can be fed back.
- 4.10.2. Simon agreed to facilitate contact between HMPPS and Vicki

**Action: HMPPS to make contact with Vicki Markiewicz to feedback views from frontline substance-misuse workers.**

- 4.11. The group approved the minutes from the previous meeting
- 4.12. Jess informed the group that they had put the recruitment for the Youth Justice seat on hold due to recently vacated Mental Health seat, and we plan to go out for recruitment for both of those seats together in due course.
- 4.13. Jess invited the RR3 members to stay for a closed work planning session.

5. Close

- 5.1. Jess thanked the officials for their attendance and welcomed their future engagement with the RR3.