

Clinks' Submission to Cabinet Office Call for Evidence regarding Personalisation in Reducing Re-offending

About Clinks

Clinks is the umbrella body supporting voluntary and community sector organisations working with offenders and their families. Our priorities include:

- promoting the role of small voluntary and community sector organisations in criminal justice delivery;
- tackling racism and discrimination;
- promoting service user engagement;
- and building effective partnerships

We are pleased to have the opportunity to contribute to this important strand of policy development, and believe the role of voluntary sector staff and volunteers is critical to the progressive implementation of criminal justice policy.

How can the Third Sector offer real choice to citizens?

Offenders and their families do tend to be affected by a service environment that limits choice to a significant degree. To some extent, this is entirely understandable in that offenders are subject to penal sanction and cannot really choose their form of 'punishment'. However, third sector providers of resettlement (post-release from prison) and rehabilitation services could be freed from contractual constraints in order to provide genuine choice to offenders using their services. If offenders were given greater involvement in the preparation of their sentence plans and these were driven by offenders' needs rather than 'what was on offer' the third sector could then play to its strengths. The sector is defined by its innovative, flexible and user-focussed approach to service delivery; often achieving longer lasting outcomes for offenders.

If the sector is to continue offering real choice to offenders, there must be a greater degree of inter-agency co-operation between organisations in the sector, driven by an increase in organisational capacity and skills, in order to meet the needs of service users that cannot be delivered by individual specialist agencies. For example, a housing organisation needs to be able to recruit the services of a drug treatment agency to support tenants with substance misuse issues.

Third sector agencies must also be as free as possible from bureaucratic, process-driven, contractual requirements. Third sector organisations should be commissioned on the basis of outcomes, not outputs, and these outcomes should be defined on the basis of delivering social welfare solutions, not in relation to their contribution to reductions in re-offending. The prevailing orthodoxy represented by the 'What Works' agenda has tended to be prescriptive and limited the scope of service delivery to offenders. Third sector agencies have to some degree altered their approach to working with vulnerable people in trouble with the law, in order to conform to this orthodoxy as a means of securing contracts. A re-affirmation of the user-centred approach traditionally associated with the third sector would make a real contribution to the personalisation agenda.

How can the Third Sector deliver personalised early interventions?

Third sector organisations working with those at risk of offending can play a major role in diverting individuals away from the formal Criminal Justice System. To be effective this approach requires a significant reallocation of investment from custodial to community based provision, and a more strategic approach to support diversion at key points in the criminal justice process. The Youth Justice Board, for instance, spends about 75% of its budget on custodial provision, and only 5% of its budget on 'prevention'.

Third sector organisations are well placed to provide a variety of types of structured, yet flexible, interventions addressing issues such as leisure, access to education, arts activities, mediation and restorative justice, mentoring and support, etc. which can be built around the issues and needs of those at risk of offending. Again, it is important to develop the provision to meet a range of needs, and this will often be achieved through a partnership of different agencies with unique skills and expertise.

Key to success however is the provision of individualised support to help 'connect' the benefits of early interventions to successful outcomes in relation to family life, educational participation, increased participation, and general well-being. It is also critical to ensure that the recipients of these interventions are provided information about what is involved and where they could go to access similar services if they wanted.

The most effective way of measuring the impact/success of these initiatives is to collect aggregated information about crime and anti-social behaviour levels over time in those geographical areas where the interventions have been delivered. However, when assessing the effectiveness of the interventions provided by individual organisations it is important to restrict the criteria to much 'softer' indicators (e.g. improved self-confidence, improved diet, increased level of participation in positive activities).

Commissioners need to recognise these as important indicators in themselves and to commission these services in a way that supports their flexible delivery. In many cases, grant funding rather than contracts may be the most appropriate funding mechanism.

How can the Third Sector overcome organisational barriers to personalisation?

This is a real challenge for the voluntary and community sector, as organisations have been forced to configure their services in ways that meet the current contractual and procurement regimes of public funders. This has meant, for example, that a voluntary sector agency that works in prison to obtain stable accommodation for offenders post-release is unable to continue the work in the community as the commissioner will only fund certain 'process' activities such as completing a housing application. Even within this limited activity, the resource to assist the prisoner will be constrained by requirements to complete a defined number of applications, and the additional support to address related issues and needs is not 'funded'.

The third sector needs to configure business planning processes that build in high quality relationships in its delivery in order to influence commissioners that it is only personalised services that will deliver the outcomes that are being sought. Both third sector providers and commissioners can usefully adopt contract models that include enhanced payments for achieving higher level outcomes that would require greater quality in delivery. For example, a substance misuse provider could be contracted to deliver x number of assessments at x price, but to trigger further and higher payments the provider would have to demonstrate that a proportion of those that were assessed actually moved on through to access other parts of their service. This would help to address the problem of delivering personalisation within the context of a 'block contract'.

How can the Third Sector improve outcomes through service user participation?

Clinks delivered a Service User Engagement Task Force in partnership with Prince's Trust and the resulting report, *Unlocking Potential* is published on our web site (www.clinks.org). It contains a range of recommendations to help progress service user involvement in the Criminal Justice System. These include involving ex-offenders in delivering training, recruitment, and the design of services. It also recommends the use of ex-offenders and serving prisoners to deliver services including peer to peer mentoring. This would address the issue raised by prisoners and other offenders that they want help from people who have had direct experience of the Criminal Justice System.

There will be significant barriers to service user engagement in the Criminal Justice System as a result of the implementation of the Independent Safeguarding Authority (ISA), and the Vetting and Barring Scheme. Offenders in prison, and those subject to supervision in the community, will be categorised as vulnerable adults, meaning organisations and individuals who are involved in rehabilitation programmes will be covered by the legislation. The requirement to register with the ISA will mean that ex-offenders will be either de-motivated or actually 'barred' from registering due to having histories of substance misuse, or indeed if they have two or more convictions within the last ten years. Clinks is working with others to try to get the ISA regulations amended, or at least implemented in a flexible manner.

Other barriers to service user involvement include a lack of funding and opportunities to train ex-offenders to effectively contribute to service design, or to serve as trustees on voluntary sector organisation's management committees. This takes time and care to do effectively. There are also plenty of examples of ex-offenders working for third sector organisations who have been denied entry to some prisons on the basis of some unspecified risk. There is a lack of consistency in the way in which these assessments are applied which can be frustrating, especially if individual ex-offenders are granted entry to some prisons but not to others in the same region.

It is important to ensure that there are some mechanisms that allow for relatively 'unmediated' involvement of ex-offenders in consultation, etc.

Conclusion

There are some basic lessons that run throughout the personalisation agenda. For many service users it is the quality of the relationship with their worker as much as the availability of choice that is important. Personalisation across many sectors will mean a return of 'old-fashioned' social work values around respect for the individual, a client-centred approach, and a move away from the managerial approach to service delivery which is more about brokerage than about support. Service users want to have someone who will listen to them and at least initially relate to them on their terms. Coupled with this they want an approach which supports them in making choices about how they want services delivered to them. If third sector organisations are to deliver these kinds of services then commissioners must invest in the sector in a way that supports this kind of provision.

There is a growing body of research into what offenders say they need to desist from offending, with much of it focusing on services that respond to their hopes and aspirations, especially around relationships and a place in society. These objectives can only be delivered by services that are built around, rather than opposed upon, the offender.

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