

The new probation landscape

Why the voluntary sector matters if we
are going to reduce reoffending

A policy paper by the Centre for Social Justice

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THE CENTRE FOR
SOCIAL
JUSTICE

Contents

	About the Centre for Social Justice	2
	The CSJ's Criminal Justice Programme	3
	Acknowledgements	4
	Introduction	5
	Executive Summary	7
	Key Questions	10
1	Voluntary organisations and the criminal justice sector	11
2	The importance of the voluntary sector	15
3	The voluntary sector's perspective	24
	Conclusion	30

About the Centre for Social Justice

The Centre for Social Justice (CSJ) is an independent think-tank, established to put social justice at the heart of British politics.

Moved by shocking levels of disadvantage across the nation, it studies the root causes of Britain's acute social problems in partnership with its Alliance of over 350 grassroots charities and people affected by poverty. This enables the CSJ to find and promote evidence-based, experience-led solutions to change lives and transform communities.

The CSJ believes that the surest way to reverse social breakdown – and the poverty it creates – is to build resilience within individuals, families and the innovative organisations able to help them.

The CSJ's Criminal Justice Programme

Social justice and criminal justice go hand in hand. Not only does crime disproportionately affect poorer communities, but those who have committed crime are also far more likely to suffer from the causes of social breakdown such as drug abuse, poor literacy rates and worklessness.

Moreover, criminal sentences – whether prison or its alternatives – provide a unique opportunity to intervene in the often chaotic lives of those involved in criminal activity.

By creating a just society where crime rates are low and the public feel confident about their safety, community cohesion and pride in local neighbourhoods can flourish.

For these reasons, in early 2013 the CSJ launched a Criminal Justice Programme to find public policy solutions to entrenched criminal justice problems. The Programme will build on previous reports on police and prison reform, such as *Locked-up Potential*, *A Force to be Reckoned With*, *Rules of Engagement: Changing the heart of youth justice*, and *Dying to Belong: An in depth review of street gangs in Britain*.

If you want to contribute to the programme and are interested in supporting our work we would be delighted to hear from you. Please contact Edward Boyd, the Deputy Policy Director of the CSJ at Edward.boyd@centreforsocialjustice.org.uk.

Acknowledgements

The Centre for Social Justice would like to thank the many voluntary and private organisations who responded so enthusiastically to calls for evidence. In particular, we would like to thank Clinks and the Criminal Justice Alliance for sending out our survey to voluntary organisations involved in criminal justice, and the 173 organisations who took the time to complete the survey.

A number of voluntary organisations helped us further and were generous in providing case studies and insights into their work, of which we are extremely grateful. They were: Caring for Ex-Offenders, Circles of Support and Accountability, Together Women's Project, Inspire Partnership (Brighton Women's Centre), Westminster Drug Project, RECOOP, The Upper Room, Blue Sky Development and Regeneration, St Giles Trust, Only Connect and A Band of Brothers.

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Introduction

'There is no question of us paying only lip-service to the voluntary and community sector as we transform rehabilitation. I am determined to ensure these organisations are right at the heart of our approach, delivering it on the ground – working at every level, and forming genuine partnerships with other providers. I genuinely mean that.'

Secretary of State for Justice and Lord Chancellor, Chris Grayling MP¹

The Ministry of Justice is in the process of implementing an extensive programme of reform for the delivery of probation services across England and Wales. As part of this agenda, which is designed to reduce '*stubbornly high rates of reoffending*',² work with approximately 236,000 low- and medium-risk offenders will be contracted out to private and voluntary organisations and statutory support will be extended to prisoners on short sentences.³ Through the introduction of competition to this market and a 'payment by results' element to new contracts, it is hoped that service providers will find innovative and effective ways of reducing reoffending and cutting crime.

At the CSJ, we have an alliance of over 350 voluntary sector organisations who we work closely with to inform our research. We have seen some excellent examples of the ways in which these organisations can deliver the transformational services that will be critical if we are to successfully reduce reoffending. These voluntary organisations often bring something unique to the areas they work in, such as a strong connection with communities and an acute responsiveness to the distinct needs of individuals. As a result, the CSJ believes it is essential that the probation reforms develop in such a way as to facilitate the inclusion of the voluntary sector in order to make the most of the skills and experience the best organisations have to offer.

If these reforms are to be successful they will need to consist of strong and resilient

¹ Speech by Secretary of State for Justice and Lord Chancellor, Rt Hon Chris Grayling MP, *The Opportunities for the Voluntary Sector in Criminal Justice*, the Centre for Social Justice, 23 July 2013

² HM Government, Press Release, *12 Months Supervision for All Prisoners on Release*, 9 May 2013 [accessed via: www.gov.uk/government/news/12-months-supervision-for-all-prisoners-on-release]

³ Ministry of Justice, *Transforming Rehabilitation: A Strategy for Reform*, London: Ministry of Justice, 2013

partnerships between the private and voluntary sectors. Work is underway to help develop relationships between private and voluntary organisations through, for example, the Ministry of Justice's registration process for tier II and III potential partners, and the creation of the Cabinet Office funded Partnership Finder. However, more needs to be done to ensure that there is a good understanding of the make-up of the voluntary sector and what they are good at, for too little is known at present. This report is designed to help bolster that understanding, and sets out important details: the nature of the organisations that make-up the sector; why they're important; and what they think about the reforms.

The analysis in this report is based on evidence gathered through a review of existing literature; a wide-ranging survey of voluntary organisations working in criminal justice, which received 173 responses;⁴ and evidence gathering sessions with voluntary organisations and those who work with them.

We hope this short report will be of use to all those involved in these probation reforms. For organisations considering bidding as prime providers and the Ministry of Justice itself, we hope that the overview of the voluntary sector; their strengths and perspectives will inform thinking around partnership formation and the design of standard sub-contracts and market stewardship principles. For the voluntary sector we hope that by presenting their make-up, strengths and views, this paper provides a useful document to aid them in considering how best they can engage with these reforms and play a vital role in helping to reduce reoffending.

⁴ For details on how the survey was conducted please see chapter three

Executive Summary

Chapter One – Voluntary organisations and the criminal justice sector

- There are an estimated 1,475 charities, social enterprises and voluntary organisations whose main clients are offenders, ex-offenders and their families in England.⁵
- Of these organisations, there are a large number who are relatively small. Almost one in twenty (4.8 per cent) reported no income whatsoever, whilst more than half (51 per cent) reported an annual turnover or income of £150,000 or less. Just under a quarter (23 per cent) recorded an income greater than £500,000 and three per cent greater than £5 million.
- However this masks the fact that there are a handful of organisations with far larger incomes that deliver a considerable number of interventions in the criminal justice sector; for example CRI (income: £100m), Turning Point (£80m), Nacro (£71m) and Catch 22 (£48m).⁶
- Most voluntary organisations working with offenders, ex-offenders and their families have few employees. A quarter (24 per cent) said they had no full-time equivalent (FTE) employees; whilst 69 per cent reported having ten or fewer. Only four per cent reported having more than 100 FTE.

That the significant majority of voluntary organisations working with offenders, ex-offenders and their families are relatively small, have few employees and work locally, has significant implications for the probation reforms. If prime providers are to reduce reoffending rates successfully they will need to include the best voluntary organisations within their supply chains, regardless of their size. Primes will therefore need to ensure sufficient flexibility in their contracting to get the best out of the voluntary sector.

Chapter Two – The importance of the voluntary sector

If the probation reforms are to fulfil their potential, the voluntary sector will need to play a significant role. Their experience working with offenders, ex-offenders and their families, and the skills and ways of working that they bring to the table will be crucial to ensuring that the probation reforms reduce reoffending. They bring with them a number of strengths:

⁵ 2010 National Survey of Charities and Social Enterprises, Cabinet Office

⁶ Charity Commission [accessed via www.charitycommission.gov.uk]. Please note that 'Nacro' includes both 'Nacro' and 'Nacro Community Enterprises Ltd'

- Voluntary organisations have **strong links with the local community**, with 61 per cent of those working primarily with offenders, ex-offenders and their families doing so mainly at a local level:⁷
 - These roots have often grown through many years of working in the same location, and by being staffed by people who come from and live in the local community;
 - When commenting on this, some voluntary organisations suggested that they were effective at what they did because of *'strong partnerships with local authorities and providers of accommodation and support,'* and *'strong links with other social enterprises and charities,'* whilst another felt their links with the local prison were particularly useful.⁸
- Voluntary organisations are effective at **harnessing the power of volunteers**. One in five (21 per cent) of the voluntary organisations working primarily with offenders, ex-offenders and their families have over 30 volunteers:⁹
 - Not only do organisations benefit from the free time that volunteers give, but organisations also felt that the fact that volunteers were choosing to give up their time for free, rather than because of payment, often increased their effectiveness;
 - Volunteers *'can often bring a vast amount of skills and experience to an organisation'* that can be vital in helping to rehabilitate ex-offenders.
- Voluntary organisations have often led the way in the provision of **tailored support for each individual client**. This was the most common reason cited by our survey respondents in terms of what made them effective:¹⁰
 - The sector has a history of providing specialist services – such as women's centres – that meet the bespoke needs of particular cohorts of offenders;
 - Voluntary organisations cited that a relatively low level of bureaucracy in their service delivery allows them to be particularly flexible and client centred.
- Many voluntary organisations have also demonstrated a good track record of **innovating in service delivery**:
 - The smaller size of many voluntary organisations means that they tend to be less bureaucratic and hierarchical which can mean that they are less constrained when it comes to developing new ways to reduce reoffending;
 - The private sector also recognises this ability to innovate. For example, one of the private organisations we consulted with told us that voluntary organisations were often *'innovation generators'* who are *'unencumbered by bureaucracy.'*
- However it is important to ensure that by bringing VCSE organisations into delivering probation services that they aren't taken away from what makes them good at what they do:
 - The very nature of VCSE organisations taking on statutory services will mean that many ex-offenders will be compelled to receive support from them, and therefore they will likely be seen as less independent;

7 2010 National Survey of Charities and Social Enterprises, Cabinet Office. For the purposes of this report 'locally' is defined as including the following classifications from the National Survey of Charities and Social Enterprises: county council area, borough or district council area, local authority area or 'neighbourhood'. Whilst the question asked respondents to state just one area as their main geographic area of work, as some of the respondents filled in the survey via post, some were able to (and did) tick more than one area as their main area. As a result the responses to this question sum to 122 per cent rather than 100 per cent.

8 The quotations in this executive summary were provided anonymously to the CSJ survey of voluntary sector organisations working in criminal justice (May/June 2013), unless stated otherwise

9 This is based on data from the National Survey of Charities and Social Enterprises, 2010 and includes board and committee members

10 Centre for Social Justice survey of voluntary organisations working in criminal justice, May/June 2013

- This could have a significant impact as almost two-thirds (64 per cent) of organisations replying to our survey believed that 'being seen by clients as independent from government and the criminal justice system' was one of the top three critical reasons that made them effective at what they did, and 42 per cent thought the same for 'your clients chose you and your services.'¹¹

Chapter Three – The voluntary sector's perspective

- Overall, there were mixed views from VCSE organisations on whether they felt their organisation would benefit from the reforms:¹²
 - The majority (53 per cent) of larger organisations were confident that the reforms would benefit their organisation; whilst just 15 per cent of medium sized and a fifth (21 per cent) of smaller voluntary organisations were confident;¹³
 - Many were not sure: a quarter (24 per cent) of medium-sized organisations and 17 per cent of smaller organisations replied that they did not know. Indeed, some smaller organisations who stated they were 'not confident' in the reforms told us that they did so because they did not know enough of the detail in order to be confident.
- Just 13 per cent of voluntary organisations with an income of less than £500,000 had funding currently provided via a 'payment by results' mechanism.¹⁴
- In the new probation landscape, one big change for voluntary organisations will be that they are likely to be working with prime providers (including private organisations) for the first time. When giving evidence to the CSJ, there were a variety of views over whether they would benefit from this:
 - Some were confident they would benefit from working with private providers. One suggested that '*...working with a private sector prime may bring many benefits in terms of having their insight and support into your own organisation*' whilst another believed there were '*efficiency ideas*' to learn from them. One respondent noted that they would '*expect private sector partners to be able to provide better IT functions*;'
 - Other VCSE organisations were more concerned, for example one commented that their '*previous experience is that not enough work is given by the private sector to the third to make it a financially viable option to join in*;'
 - Many felt that whether they benefited from partnerships would depend '*on trust and fairness of financial distribution and risk*' and '*whether the prime shares our core values*.'

¹¹ Centre for Social Justice survey of voluntary organisations working in criminal justice, May/June 2013

¹² Ibid (note that throughout the survey, respondent's answers tended to be correlated with their annual income. To draw out how different sized organisations responded to the survey we have split organisations into three size categories: above £3 million, between £3 million and £500,000, and less than £500,000)

¹³ Ibid

¹⁴ Ibid

Key Questions

This research paper is designed to contribute to the current probation reforms, and the role of the voluntary sector within them. We do not take a view on the reforms themselves or indeed make suggestions for further reforms, as that is outside of the scope of this short piece of work.

That being the case, we do feel it is important to articulate the key questions that have presented themselves as a result of conducting this research in the hope that this is useful to all those involved in the reforms. Whilst many of these questions are fairly straightforward in nature, we believe that it is integral to the probation reforms success that they are addressed by each respective party.

The Ministry of Justice

- How can we better communicate to smaller VCSE organisations as to why they are integral to these reforms and how they can play their full part?
- Are the standard sub-contracts and market stewardship principles designed in such a way as to ensure smaller voluntary organisations, who can demonstrate their effectiveness, are not disadvantaged in their attempts to deliver probation services?

VCSE organisations

- Have we managed to succinctly and persuasively articulate why our organisation is effective at what we do and how we contribute to reducing reoffending? Do we need to adapt our model to take on statutory services?
- Are we prepared/able to take on financial risk in a 'payment by results' contract? If so, how much and on what terms?

Prime Providers

- How can we identify the best voluntary organisations to work with?
- How can we structure supply-chains that work well for good voluntary organisations of all sizes?
- How can we contract with VCSE organisations in such a way that does not undermine their strengths, but instead makes the most of them?

chapter one

Voluntary organisations and the criminal justice sector

For the voluntary sector to play a productive part in the probation reforms there needs to be a good understanding of the make-up of the sector. For partnerships with private providers (as well as other voluntary organisations and public sector mutuals) to be sustainable and productive, important details such as how many voluntary organisations there are, their specialisms, and where they operate, need to be well understood. This chapter seeks to inform both the Ministry of Justice's commissioning arrangements and those private and voluntary sector organisations involved in putting together supply chains to bid for probation contracts, by outlining some of these details about the voluntary sector:

Defining the Sector

For ease of understanding and to reflect the language used by the Ministry of Justice, we will be using the terms 'Voluntary, Community and Social Enterprise (VCSE) Sector' and 'voluntary sector' throughout this report. By this, we mean charities, social enterprises, community groups, clubs and societies, non-profit organisations, voluntary organisations, housing associations, trusts, cooperatives and mutuals, and faith groups.

Measuring the size of the voluntary sector working in criminal justice is not an exact science as it depends on how wide the net is cast. There are many organisations – from housing associations to community groups – that provide services to offenders, ex-offenders and their families but who would not necessarily class themselves as working in the 'criminal justice sector' because their primary focus is on another issue. This is largely because offending behaviour is heavily correlated with having a range of other issues, including homelessness, substance misuse and unemployment that often receive support from the voluntary sector.¹⁵

For the purposes of this paper we have focused on those voluntary organisations who state that their 'main clients/users/beneficiaries' are 'offenders, ex-offenders and their families,' using the

¹⁵ Social Exclusion Unit, *Reducing Reoffending by Ex-Prisoners*, London: Social Exclusion Unit, 2002; Prison Reform Trust, *Bromley Briefings*, London: Prison Reform Trust, 2013

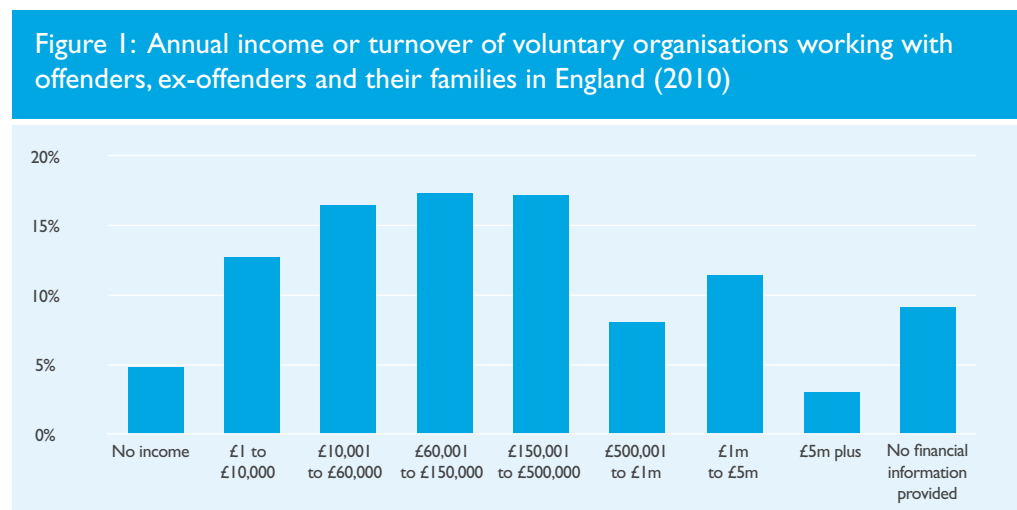
2010 National Survey of Charities and Social Enterprises (NSCSE) as our source.¹⁶ It is worth noting that the NSCSE covers only those organisations based in England, and not those in Wales.

The survey estimates there are 1,475 'charities, social enterprises and voluntary organisations' whose main clients are offenders, ex-offenders and their families in England.¹⁷ If we broaden this out to *all* such organisations who believe offenders, ex-offenders and their families are a client, user or beneficiary then the survey estimates there to be 13,586 organisations.

This has important implications, for it shows that there is potential for the voluntary sector to play a very significant part in the new probation landscape if a fraction of those who work loosely with offenders can be persuaded to play a more central role.

For the purposes of this paper we focus our research on the estimated 1,475 voluntary organisations who work mainly with offenders, ex-offenders and their families.

Of these organisations, there are a large number who are relatively small. One in twenty reported no income whatsoever; whilst more than half (51 per cent) reported an annual turnover or income of £150,000 or less. At the other end of the scale, just under a quarter (23 per cent) recorded an income greater than £500,000 and three per cent greater than £5 million.



Source: 2010 National Survey of Charities and Social Enterprises

This does, however, mask the fact that there are a handful of organisations with far larger incomes that deliver a considerable number of interventions in the criminal justice sector. This

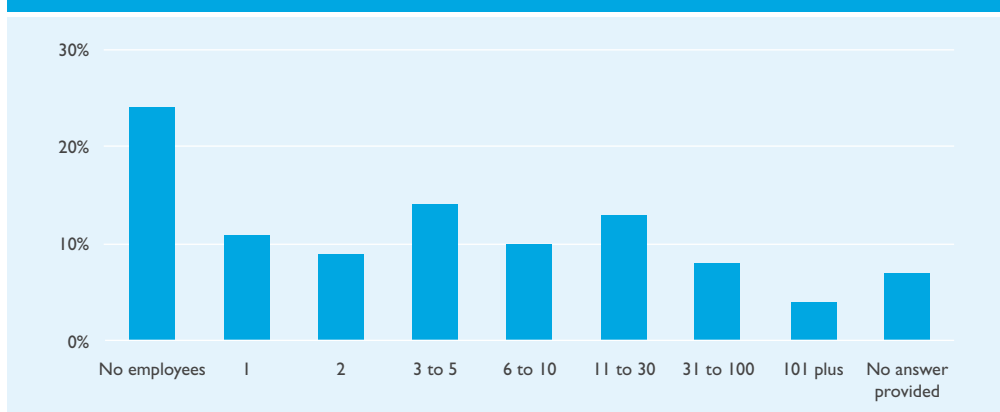
¹⁶ The NSCSE survey population was defined as charities, voluntary organisations and social enterprises across all 151 upper-tier local authorities in England. A database of these organisations drawing on the list of registered charities and registers of Community Interest Companies, Companies Limited by Guarantee and Industrial and Provident Societies in England, was the basis of this. Please be aware that any organisation not found on these registers could not be included in the survey. Of the population that could be defined, calculations were conducted to obtain the ideal number of organisations required to be asked to complete the survey to achieve robustness in each local authority area. In some areas a census survey was conducted and in others a sample of organisations were selected from within specific stratifiers. Organisation type (registered charity, CIC, CLG or IPS) was the main stratifier. Registered charities were further stratified according to income. As a result, at the national level, a sample, rather than the entire population, was surveyed. The results of this survey are therefore subject to sampling tolerances – which vary with the size of the sample and the percentage figure concerned. Furthermore, corrective weighting was applied to address any non-response bias.

¹⁷ Please note that the estimate is based on the survey responses and the application of an aggregate grossing weight, and the organisations replying to the survey could make up to three choices regarding their primary client group

includes organisations such as CRI (income: £100m), Turning Point (£80m), Nacro (£71m), and Catch 22 (£48m).¹⁸

Most voluntary organisations working with offenders, ex-offenders and their families also have a small number of employees. A quarter (24 per cent) even suggested that they had no full-time equivalent (FTE) employees, whilst 58 per cent reported having five or fewer. Only four per cent reported having more than 100.

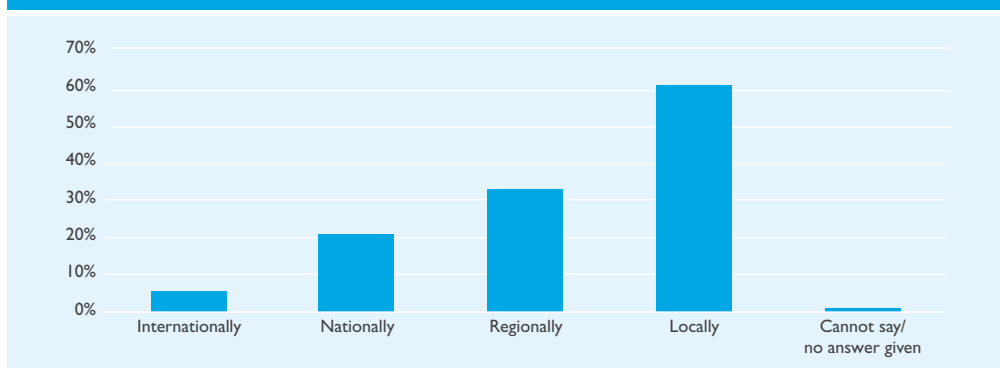
Figure 2: Number of FTE employees of voluntary organisations working with offenders, ex-offenders and their families in England (2010)



Source: 2010 National Survey of Charities and Social Enterprises

Given how many voluntary organisations have a low income and few employees, it is perhaps not surprising that a significant number (61 per cent) carry out their activities locally.¹⁹ This compares with six per cent who said their main service area was international, 21 per cent nationally, and 33 per cent regionally.

Figure 3: The main geographic area in which English voluntary organisations working with offenders, ex-offenders and their families carry out their activities (2010)



Source: 2010 National Survey of Charities and Social Enterprises

¹⁸ Note that 'Nacro' includes both 'Nacro' and 'Nacro Community Enterprises Ltd'

¹⁹ 2010 National Survey of Charities and Social Enterprises, Cabinet Office. For the purposes of this report 'locally' is defined as including the following classifications from the National Survey of Charities and Social Enterprises: county council area, borough or district council area, local authority area or 'neighbourhood'. Whilst the question asked respondents to state just one area as their main geographic area of work, as some of the respondents filled in the survey via post, some were able to (and did) tick more than one area as their main area. As a result the responses to this question sum to 122 per cent rather than 100 per cent.

That the significant majority of voluntary organisations working with offenders, ex-offenders and their families are small, have few employees and work locally has significant implications for the reforms to probation.

If prime providers are going to successfully drive down England and Wales' stubbornly high reoffending rates they will need to include the best voluntary organisations within their supply chains, regardless of their size. Primes will therefore need to ensure sufficient flexibility in their contracting to enable effective, smaller organisations to play their full part in delivering probation services.

It will also be important that primes ensure that they employ the services of voluntary organisations in their areas of expertise. As part of this piece of research we conducted a survey of voluntary sector organisations, which was sent out to a number of voluntary organisations in June 2013. We received 173 admissible responses.²⁰ One of the questions we asked voluntary organisations was 'Which of the following services does your organisation provide to ex-offenders?'²¹



Source: Centre for Social Justice Survey, May/June 2013

The largest number of organisations said they provided advice, guidance and/or signposting (73 per cent), whilst a significant number also provided education and training (61 per cent) and mentoring (56 per cent) services.

Understanding the make-up of the voluntary organisations who are working with offenders, ex-offenders and their families is crucial in ensuring that there are successful partnerships between voluntary organisations, the private sector and public sector mutuals. Further to this, it is also important to understand what the relative strengths of voluntary organisations are. We look into this in the following chapter:

²⁰ For details on how the survey was conducted please see chapter three

²¹ Please note that they were able to tick as many services as they wished and that of the 173 admissible responses to the survey, 139 replied to this question

chapter two

The importance of the voluntary sector

'I'm very clear there is a level of expertise to be found in the voluntary sector that cannot be found elsewhere... I want efficiency, I want a system that is not bureaucratic, but I do not want the private sector to come and own all of this. They haven't got the expertise to do it, they are not going to be able to do it without people who have been there and got some experience already.'

Secretary of State for Justice and Lord Chancellor, Chris Grayling MP²²

For the impending probation reforms to be as successful as possible, they will need to make full use of the particular strengths of the voluntary sector: However their involvement in the new probation landscape should not be due to anything other than merit. As we will set out in a forthcoming report on the voluntary sector, due later this year, voluntary organisations often work with people in an irreducibly relational and transformative way, which can make them incredibly effective at assisting individuals that require support to turn their lives around. The experience they have in working with offenders and ex-offenders, and the skills and ways of working that the best organisations bring to the table, will be a crucial component in ensuring that the probation reforms reduce reoffending.

In this chapter we explore some of the strengths of the voluntary sector in relation to delivering probation services. We draw on evidence gathered through a review of existing literature, our survey of the voluntary sector, and evidence gathering sessions with voluntary organisations and those who work with them.

There were four areas which were consistently identified as important strengths that the voluntary sector would bring to the new probation landscape, namely: strong links with the local community; tailoring support to meet individual needs; the use of volunteers; and the ability to innovate. Whilst there is some overlap between these strengths, there was a general consensus that each of these were significant strengths in their own right.

22 Speech by Secretary of State for Justice and Lord Chancellor, Rt Hon Chris Grayling MP, *The Opportunities for the Voluntary Sector in Criminal Justice*, the Centre for Social Justice, 23 July 2013

It is worth noting that whilst these should be considered general strengths of the sector, it does not mean they are strengths of every voluntary organisation, or indeed that these are the only strengths of voluntary organisations. As Chapter One highlighted, the voluntary sector is a heterogeneous group of organisations and as such there is significant variation within the sector.

Further to being able to identify and articulate their strengths, it is also important for voluntary organisations to do all they can to identify the specific effect their work has on ex-offenders' likelihood of reoffending. The Justice Data Lab²³ will be useful in this regard, however it could prove tricky to single out the specific contribution that one organisation makes towards a drop in reoffending relative to the contribution of other organisations that are likely to be working with each ex-offender. Whilst this issue is outside the scope of this short research paper, it is important that it is addressed as it will ensure the best voluntary organisations can be identified.

Strong links with local communities

'[The voluntary sector] have got the roots in the community [and] work with many of these offenders already..'

Secretary of State for Justice and Lord Chancellor, Chris Grayling MP²⁴

Voluntary organisations' work to reduce reoffending benefits from the roots they have into communities, with 61 per cent of those working primarily with offenders, ex-offenders and their families doing so predominantly at a local level.²⁵ Particularly well developed in smaller organisations, these roots have often grown through many years of working in the same location, and by being staffed by people who come from and live in the local community.

The importance of this is something voluntary organisations recognise themselves, with half of those who responded to our survey believing this to be one of the top three critical reasons that make them effective at what they do.²⁶ When commenting on this, some suggested that they were effective at what they did because of '*strong partnerships with local authorities and providers of accommodation and support*,²⁷ and '*strong links with other social enterprises and charities*,' whilst another felt their links with the local prison were particularly useful.

Nacro, a national criminal justice charity, explained to the CSJ how years of experience had taught them just how important it is to reconnect offenders with their local communities. Graham Beech, Nacro's Strategic Development Director, explained that for ex-offenders, '*developing a sense of community goes hand in hand with developing practical and interpersonal skills on an individual level*'

23 The Justice Data Lab enables organisations working with offenders to access official reoffending data. This service will provide vital information to organisations supporting the rehabilitation of offenders and help them assess the impact of their work on reducing reoffending. For further information see www.justice.gov.uk/justice-data-lab

24 Speech by Secretary of State for Justice and Lord Chancellor, Rt Hon Chris Grayling MP, *The Opportunities for the Voluntary Sector in Criminal Justice*, the Centre for Social Justice, 23 July 2013

25 *2010 National Survey of Charities and Social Enterprises*, Cabinet Office. For the purposes of this report 'locally' is defined as including the following classifications from the National Survey of Charities and Social Enterprises: county council area, borough or district council area, local authority area or 'neighbourhood'. Whilst the question asked respondents to state just one area as their main geographic area of work, as some of the respondents filled in the survey via post, some were able to (and did) tick more than one area as their main area. As a result the responses to this question sum to 122 per cent rather than 100 per cent.

26 In the survey we asked the question: "Which of the following is most critical in making you effective at what you do? (Please tick up to three)", and gave them the following options: 'ability to innovate', 'Ability to be flexible in tailoring support to each individual client', 'Strong links with the local community', 'Your clients chose you and your services', 'Use of volunteers to deliver services', and 'Being seen by clients as independent from government and the criminal justice system', and 'other'.

27 Quotations in this chapter were provided anonymously to the CSJ survey of voluntary sector organisations working in criminal justice, May/June 2013, unless stated otherwise

and that *'it is crucial that rehabilitation services are delivered in the heart of local communities'* where this can best be facilitated. He also suggested that for organisations to have a real impact on reoffending, *'time needs to be spent changing hearts and minds in local communities and developing concrete opportunities for education, employment and volunteering close to where offenders live.'*

Connectivity with the local communities has enabled many of the organisations we interviewed to build ex-offenders into positive networks – something we know is critical to reducing reoffending²⁸ – often through employing people from the local neighbourhood.

The VCSE organisation, Abandofbrothers, told the CSJ how important volunteers from the community are in helping build ex-offenders into local networks. CEO Nathan Roberts explained to the CSJ how *'this is the sort of organic, local network based work can really add value for participants'* and spoke of the practical employment benefits accrued to ex-offenders through being plugged into the networks in their local community:

'One volunteer persuaded a business contact to give his mentee a job as a fork-lift truck driver; he's still there four years later. Others have had the young men working alongside them on building sites, leading to sustained employment within the industry.'

Private sector organisations have noted the benefits of such local connectivity. For example one commented that *'the VCSE sectors are critical to the success of reducing reoffending particularly their expertise working within local communities.'* Another private organisation recognised that the voluntary sector *'often employ local people with similar backgrounds and experience'* to the offender/ex-offender cohort which *'enhances their integration within local communities.'*

Case Study I: Caring for Ex-Offenders

Caring for Ex-Offenders (CFEO) is a charity that works with approximately 200 prison leavers each year to help them successfully reintegrate back into communities.

The organisation capitalises on their strong links with local communities as a key mechanism for their work to support ex-offenders and reduce the chances that they will reoffend. CFEO explains that their work is *'structured entirely around a localised model of service delivery'* as the organisation strives to mobilise volunteers from local communities across the country to assist individuals returning from prison.

They do this by creating a link between prisoners and members of a local church in the area they are returning to. A mentoring relationship is established prior to an offender's release from prison, and then these individuals are met at the prison gate on the day of their release and are supported to address any problems they may come up against once living back in the community.

CFEO told us that their volunteer mentors provide a *'vital link to the community'*, and that they *'help to bridge the gap between those who have offended and their local community'*, making returning home and staying out of trouble a far simpler process for those leaving prison.

Having support on hand can be invaluable for individuals who may struggle with issues such as finding suitable housing, securing education or employment, managing their money and accessing healthcare services. Living in the same neighbourhoods as those leaving prison allows the volunteers to offer useful advice on these issues that is rooted in their knowledge of the local systems and procedures for accessing services. CFEO mentors are also able to make personal recommendations to others, such as local employers, which can be invaluable in getting members of the wider community to give ex-offenders a second chance to rebuild their lives.

28 For example see Social Exclusion Unit, *Reducing Re-offending by Ex-Prisoners*, London: Social Exclusion Unit, 2002

Tailoring support to meet individual needs

Being able to accurately assess offenders' needs and offer services that are appropriate and targeted is something that many voluntary sector organisations are proud of. Of the options given to our survey respondents, the 'ability to be flexible in tailoring support to each individual client' was most commonly cited as a critical reason that voluntary sector organisations thought they were effective at what they do, with 75 per cent of organisations placing it in their top three.

Voluntary organisations tend to benefit from being relatively free of bureaucratic processes. This allows them a significant level of flexibility which, when combined with what is often a 'client-centred' ethos, often leads to these organisations putting offenders at the heart of the services they deliver and to them tailoring their work around offenders' specific needs.

One example of where the voluntary sector has championed tailored services is the introduction of Women's Centres, which were first set up by the sector to specifically address the needs of female offenders.²⁹ These services pioneered the idea that the needs of female offenders are often distinct from those of male offenders, and service provision must be tailored to reflect this. The Inspire Partnership, based at Brighton Women's Centre, told us that their success '*lies with the effective service delivery model of wrap-around, woman-centred case work and support*' which sets them apart from mainstream criminal justice services. The success of voluntary organisations creating this more tailored and holistic response to women offenders has been recognised by the private sector: For example, one private organisation told the CSJ that they believe '*there is currently a quality VCSE sector led offer for women's offender services*'.

Case Study 2: Together Women Project

The Together Women Project (TWP) was established in December 2006 to offer a tailored, gender-specific community approach to women offenders and women at risk of offending. TWP received £3 million of funding from the Ministry of Justice to test this new approach to working with women, and following a successful demonstration phase, TWP became an independent charity in 2009.

TWP provides services across Yorkshire and Humberside, operating through seven centres and a number of outreach programmes including ones at Newhall and Askham Grange prisons. The project meets the individual needs of women through a holistic 'one-to-shop' approach to the provision of services. They do this by ensuring that each centre delivers a wide range of services, including life skills programmes, substance misuse services, counselling and group work, health screening, education and training courses.

Not only have TWP tailored their approach to the needs of female offenders, but they have ensured that each woman receives a '*bespoke assessment of their needs*' in order that the services provided are tailored to address the specific requirements of each individual. This allows TWP to concentrate on the multiple needs that women offenders often have, in a way that is flexible and responsive to their specific needs.

TWP emphasised to us that '*the needs of women offenders can vary quite significantly from those of men, and delivering tailored services therefore makes a substantial difference*'. They told the CSJ that they have found their approach to delivering services has allowed them to have a '*significant impact*' on both engaging women offenders, in particular gaining the confidence of those deemed '*hardest to reach*', and in reducing the likelihood they will reoffend.

29 New Economics Foundation, *Women's Community Services: A Wise Commission*, London: New Economics Foundation, 2012

Westminster Drug Project (WDP), a charity that specialises in drug and alcohol services, also told us how important they felt tailoring support is to clients. Stuart Campbell, CEO of WDP explained that *'seeing our clients as individuals with distinct needs allows us to build meaningful relationships with them as we work towards addressing substance misuse problems and the often complex issues that interplay.'*

Ex-offenders with substance misuse problems can be particularly difficult to engage and work with, but according to WDP they really value and respond well to the personalised approach the charity offers them. WDP believe that by carefully tailoring services, it is far more likely that ex-offenders will find services relevant and beneficial, and will build important relationships with practitioners that will ultimately lead to reduced reoffending.

Other organisations working in the sector have also specialised the services they deliver to better suit the needs of specific groups. For example, RECOOP provides specialist advice and support for older offenders (those over 50 years old) and tailors their work to meet the distinct needs of these individuals. RECOOP told us that their services specifically promote the resettlement and rehabilitation of older prisoners and that they *'provide expert advice and support for older offenders whose needs may be considerably different from the general prison population.'*

The use of volunteers

'They [volunteers] help people deal with very complex issues so that they can start to think of their future and start to navigate the complexities of the system they find themselves in, which is vital especially for those struggling with mental health issues, poor literacy or language difficulties.'

Paul Cowley, CEO of Caring for Ex-offenders

Volunteers are an integral part of the voluntary sector's workforce. More than one in five (21 per cent) voluntary organisations in England whose main client group is offenders, ex-offenders or their families have over 30 volunteers,³⁰ and overall 12.7 million adults volunteer formally at least once a month in the UK.³¹ People volunteer for a variety of reasons, for example because they want to make a difference to the lives of others, feel that an organisation is a worthy cause, or want to help address specific community needs.³²

The importance of this contribution from volunteers is recognised by the voluntary sector with over a third (34 per cent) of those who responded to our survey saying that 'use of volunteers to deliver services' was one of the top three reasons that was critical in making them effective at what they did.

The most basic way in which the voluntary sector is aided by volunteers is simply that it provides a workforce that gives their time free of charge. The CEO of the Caring for Ex-offenders puts it like this:

³⁰ This is based on data from the National Survey of Charities and Social Enterprises, 2010 and includes board and committee members

³¹ NCVO, *Civil Society at a Glance*, 2012 [accessed via: http://www.ncvo-vol.org.uk/sites/default/files/uk_civil_society_almanac_2012_section.pdf]. Formal volunteering consists of giving unpaid help through groups, clubs or organisations to benefit other people or the environment

³² Ibid

'These volunteers come from all walks of life and have the valuable commodity which is so precious: time.'

Furthermore, some organisations also noted how the very fact that ex-offenders knew that someone was choosing to give up their time for free, rather than because of payment, often increased their effectiveness. Danny Kruger, CEO of the voluntary organisation Only Connect, described how working effectively with offenders *'happens in and through relationships'* and that there was a potential for 'payment by results' to *'turn a relationship based on generosity and sympathy into one based on profit.'* He told the CSJ that this is *'why volunteers are so prized, because they're not being paid.'* Nathan Roberts, CEO of Abandonofbrothers told a similar story and explained that *'when one of our mentors is standing in front of a young man, the young man knows that the mentor is there not because they're being paid, but because they care about him.'*

By giving their time, volunteers can also *'bring a vast amount of skills and experience to an organisation'* that can be vital in helping to rehabilitate ex-offenders. These are often skills and experiences, such as in-depth knowledge of particular sectors of the economy, which are not held by those working with offenders full-time.

Finally, volunteers are also likely to play an important role in the Ministry of Justice's plans to ensure that short sentenced prisoners receive statutory rehabilitation support post-release. The CSJ will be looking into this topic in a subsequent publication later in 2013.

Case Study 3: Circles of Support and Accountability

The charity, Circles of Support and Accountability, offer a community based approach to reducing cases of sexual reoffending. Sexual offending is an extremely stigmatised crime and often creates widespread public condemnation. When these offenders are released from prison back into the community, it can be very challenging to reintegrate them into normal, everyday activities. This in turn can have the effect of increasing the likelihood that they will reoffend.

To address this problem, the charity has developed an approach of engaging members of the public who volunteer to form 'circles' around each ex-offender. Each circle consists of at least four volunteers who work together with one offender – the 'core member'. There are over 500 volunteers working for Circles across ten local projects, which have nearly 100 active 'circles' in operation.

The often difficult work of these volunteers involves building relationships with the ex-offenders who are usually ostracised from their local communities. They do this with a view to reducing the social isolation of these ex-offenders, with the wider aim of ensuring reoffending is reduced and the public are better protected.

Circles would not be able to operate were it not for hundreds of volunteers giving up around eight hours of their time a month to help support these ex-offenders. They are central to the Circles operating model, and provide a cost effective and innovative way of engaging ordinary members of the public in improving community safety. Circles Chief Executive, Stephen Harvey, told us that *'the role of 'ordinary' volunteers, who give their time and skills freely to someone so alienated, is of itself a powerfully motivating factor for those trying to lead offence-free-lives.'*

Ability to innovate

The Ministry of Justice's rationale for the commissioning out of probation services partly lies in their belief that new providers will be able to come up with innovative ways of working with ex-offenders that will reduce reoffending. The voluntary sector organisations that responded to our survey certainly believed that they would be able to bring this ability to a new market: 58 per cent believed that an 'ability to innovate' was one of the top three critical reasons that made them effective at what they did.

The make-up of voluntary organisations in this sector, as outlined in Chapter One, can often allow them to be more dynamic and innovative than other sectors. In working with our alliance of charities we have seen how the generally smaller scale of these organisations means that they tend to be less bureaucratic and hierarchical which can mean that they are less constrained when it comes to developing new ways to reduce reoffending. Working close to local communities also means that they are often well placed to identify gaps in existing service provision and devise solutions to address this.

The knowledge and expertise of many of those working in the voluntary sector is a key asset that will need to be capitalised on in order to ensure these reforms are a success. There is clear value in learning from the voluntary sector on how to respond to client need and develop innovative services that make a real difference to turning lives around.

In areas such as securing employment for ex-offenders, voluntary organisations have demonstrated their ability to innovatively find gaps in certain industries. For example, The UpperRoom has developed a programme that offers ex-offenders free driving lessons in exchange for volunteering hours at their Food Bank project (see the case study below).

Case Study 4: The Upper Room

The charity Upper Room has developed an innovative way of addressing what they believe to be the central challenge in reducing reoffending: getting ex-offenders into jobs.

Set up in 2009, the charity's programme – UR4Driving – provides a novel way of helping ex-offenders into jobs in the transport and warehousing industries. Having worked with ex-offenders over many years, Upper Room identified that 'many of our students found that there were available jobs in the transport and warehousing industries but that they were not qualified for them without a driving license.' They viewed a UK driving licence as a genuinely useful vocational qualification that could realistically offer those who have been involved in the criminal justice system a path to employment.

Formal driving and theory tests cost nearly £100 combined, and the AA estimates that the average learner will need to spend upwards of £1,000 on lessons in order to pass their test.³³ For many ex-offenders, this makes learning to drive and achieving a licence unaffordable.

However, rather than simply giving away free driving lessons, Upper Room designed the programme such that ex-offenders had to give something back to their community in order to receive the driving lessons. The programme requires participants to first complete 80 hours of voluntary work at the Upper Room's Food Bank. Whilst completing this voluntary work, participants also study for their driving theory test. Those participants who display 'sufficient reliability, honesty and team working skills' are then given free driving lessons.

33 The AA, *Counting the Cost* [accessed via: <http://www.theaa.com/driving-school/driving-lessons/learn-to-drive.html#tabview%3Dtab3>]

The UR4Driving Programme aims to help 30 ex-offenders obtain a driving licence each year. The UR4Driving project manager, Bruce Marquart, describes how the introduction of the programme has made such a difference to employability:

'By introducing the UR4Driving Programme we have found that not only are more of our students finding employment – almost all of those on the programme have gone on to get a job – but that they, and the local community, benefit from their service at our Food Bank. It really is a win win situation.'

Upper Room told the CSJ that of those who have passed their driving test, less than five per cent have gone on to reoffend.

The charity Blue Sky Development and Regeneration has also found an innovative way to get offenders into employment. The organisation carries out commercial contracts for local authorities and private companies, in areas such as waste management, grounds maintenance and catering, and then employs teams consisting solely of ex-offenders to complete the work. Blue Sky employs ex-offenders on a six-month contract in entry-level positions (so lack of experience is not a problem), and offers a tailored package of support for each ex-offender consisting of training, housing support and onward job brokering. Blue Sky told us that since 2005 they have employed 735 offenders, and only 15 per cent have reoffended and nearly half have moved on to sustained employment after leaving Blue Sky.

Other successful innovations by voluntary sector organisations include the proactive recruitment of ex-offenders as staff and mentors. Proponents of this model maintain that the personal experiences of ex-offenders are key to engaging offenders with their services and preventing reoffending. For example Rob Owen, CEO of St. Giles Trust, explained to the CSJ that *'what makes us effective is our ability to use uniquely credible and engaging ex-offender staff who go that all important extra mile.'*

This model is also advocated by The Secretary of State for Justice and Lord Chancellor, Chris Grayling MP, who commented *'that former offenders gone straight are some of the best people out there to persuade a younger, newer offender that it's time to turn their lives around.'*³⁴

The private sector also recognises this ability to innovate. For example, one of the private organisations we consulted with told us that voluntary organisations were often *'innovation generators'* who are *'unencumbered by bureaucracy.'*

Further considerations for the new probation landscape

It is important to consider how the introduction of the new probation landscape, and voluntary organisations involvement within it, might affect how effective VCSE organisations are at reducing reoffending. Foremost amongst those considerations needs to be the shift towards voluntary organisations providing mandatory services. Many voluntary organisations suggested that the non-coercive and independent nature of the services they delivered were significant strengths of theirs, when asked in our survey of the sector. In the survey, further to the four strengths we outlined above, we asked the voluntary sector whether they considered

34 Speech by Secretary of State for Justice and Lord Chancellor, Rt Hon Chris Grayling MP, *The Opportunities for the Voluntary Sector in Criminal Justice*, the Centre for Social Justice, 23 July 2013

the following as strengths of theirs: 'being seen by clients as independent from government and the criminal justice system' and 'your clients chose you and your services.'

Almost two-thirds (64 per cent) of organisations believed being seen as independent was one of the top three critical reasons that made them effective at what they did, and 42 per cent for their clients choosing them and their services. Danny Kruger, CEO of Only Connect described to the CSJ why he felt this mattered:

'Rehabilitation is built on trusted relationships between the client, professionals, and a wider supportive community. This means a minimum of coercion and a strong sense that the organisation is there to help the client, not simply to monitor and manage the risks he poses.'

Whilst we do not have scope in this short paper to explore these issues in detail, the CSJ believes it is important that prime providers are mindful of these concerns. They need to try and ensure that where they work with voluntary organisations that they do not take them away from what made them effective in the first place. Furthermore, voluntary organisations should take steps to identify how best they can adapt to the new landscape and the opportunities it offers.

To fully understand these strengths and concerns it is important to listen to the voice of voluntary organisations working with offenders and ex-offenders. In the following chapter we draw out some of the views of the voluntary sector on the probation reforms to help prospective partners understand their perspective across a range of issues.

chapter three

The voluntary sector's perspective

In this section we set out the views of voluntary organisations on a number of topics related to the probation reforms. These results came from a survey sent out by the CSJ that received 173 responses from voluntary sector organisations.³⁵ Further to this, we also took the views of private sector organisations working in the criminal justice sector:

What are the probation reforms?

After two significant public consultations, the Ministry of Justice has embarked on a major programme of probation reform. The need for reform has been driven by very high rates of prisoner reoffending: in 2010 almost half of those released from prison went on to reoffend within a year. The reforms aim to address this costly and ineffectual area of the criminal justice system through a number of new initiatives:

- Short sentenced prisoners will now receive statutory rehabilitation support;
- The prison estate will be restructured to facilitate 'through the gate' resettlement support;
- The market will be opened up to new private and voluntary sector providers to deliver rehabilitation services for low- and medium- risk offenders (approximately 236,000 ex-offenders);
- The payment mechanism will include a 'payment by results' element for these new providers, designed to incentivise reductions in reoffending; and
- There will be a new national probation service that holds primary responsibility for protecting the public, assessing risk and reporting to the courts.

The successful bidders are due to start delivering these probation services from autumn 2014.³⁶

³⁵ The survey was sent out to a large number of voluntary organisations through Clinks, the Criminal Justice Alliance and the CSJ's own alliance of 350 voluntary organisations. Links to the survey were also tweeted by CSJ and others. The survey was first sent out on 29th May 2013, with the closing deadline of the survey being 19th June, 2013. It was requested that the survey was completed by a senior management representative of the organisation in an attempt to standardise the responses. Having filtered for duplicate and inadmissible entries (for example, such as non-voluntary organisation responses), there were 173 admissible responses to the survey. Information from the Charity Commission website, Companies House, voluntary organisations' accounts and other sources (such as emails and telephone conversations with voluntary organisations) were used to augment the data from the survey.

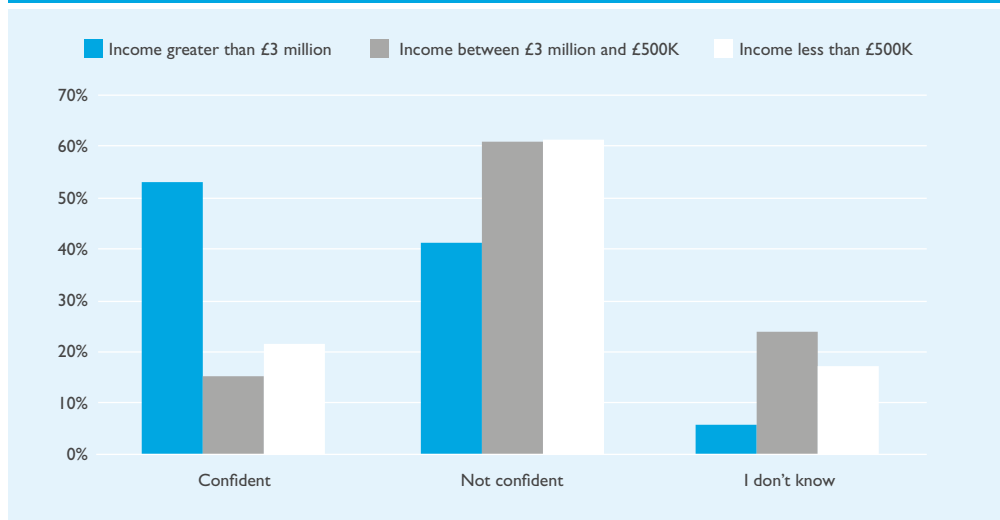
³⁶ Ministry of Justice, *Transforming Rehabilitation: A Strategy for Reform*, London: Ministry of Justice, 2013

What do voluntary organisations think of the probation reforms?

Overall, there were mixed views from voluntary organisations on whether they felt they would benefit from the reforms.

The majority (53 per cent) of respondents from larger organisations were confident that the reforms would benefit their organisation; whilst just 15 per cent of medium sized and a fifth (21 per cent) of smaller voluntary organisations were confident.³⁷

Figure 5: “How confident are you that your organisation will benefit as a result of the Ministry of Justice’s probation reforms?”



Source: Centre for Social Justice Survey, May/June 2013³⁸

Many were not sure: a quarter (24 per cent) of medium-sized organisations and 17 per cent of smaller organisations replied that they did not know.

Indeed, some of the smaller organisations who responded that they were not confident told us that this was the case because they did not know enough of the detail in order to be confident. Further to this, many smaller organisations were concerned that they would be left out of the reforms – hence not thinking they would benefit.

Some of the smaller organisations that responded commented that they expected *‘the bigger players to hoover up the majority of the opportunities’* and wondered whether they will *‘even feature when it comes to commissioning.’* Another commented that they were *‘fearful that only largest voluntary sector organisations will succeed.’*³⁹

³⁷ Throughout the survey, respondent’s answers tended to be correlated with their annual income. To draw out how different sized organisations responded to the survey we have split organisations into three size categories: above £3 million, between £3 million and £500,000, and less than £500,000.

³⁸ Note that of the 173 admissible responses to the survey, 150 replied to this question (34 with an income above £3 million, 46 with an income between £3 million and £500k, and 70 with an income less than £500k)

³⁹ Please note that the quotations in this chapter were provided anonymously to the CSJ survey of voluntary sector organisations working in criminal justice (May/June 2013), unless stated otherwise

There was some uncertainty expressed by respondents as to how they would be financed in the new probation landscape, with some organisations being nervous about the levels of financial risk they might have to take on. For example one respondent said: *'if it is purely based on PbR we, as a modest sized organisation, will have significant difficulties engaging in the process.'* Another felt as though *'the deciding factor will be whether we can deliver a service of quality at the price available.'*

There were, however, many voluntary organisations that were confident that they would benefit from the probation reforms. One saw hurdles but felt *'extremely confident'* as they believe *'concerns can be dealt with,'* whilst another commented that:

'Negotiation with primes will be very new for us - we are confident that our services will be very useful and that primes will be interested, but are unsure how the matching process will work.'

Others felt that *'it's a little early to say, but we are optimistic...'* and were enthused at the possibility of using their expertise to good effect as part of the new design:

'...mentoring offenders on release is one of our core services and we have lots of experience and expertise to offer.'

There was recognition from a private sector organisation that they would need to *'engage and contract with a vibrant and diverse eco system of VCSE providers.'*

Working with Prime Providers

In the new probation landscape, one big change for voluntary organisations will be that they are likely to be working with prime providers (including private organisations) for the first time. Given the size of the 21 contract package areas, the need for such partnership working will be inevitable. When giving evidence to the CSJ, opinions were divided on the matter:

A number were confident they would benefit from working with the private sector in a prime/sub-contractor relationship. One suggested that *'...working with a private sector prime may bring many benefits in terms of having their insight and support into your own organisation'* whilst another believed there were *'efficiency ideas'* to learn from them. One respondent noted that they would *'expect private sector partners to be able to provide better IT functions.'*

Some organisations felt that whether or not they would benefit depended *'on trust and fairness of financial distribution and risk'* and *'on whether the prime shares our core values,'* with organisations making comments such as:

'We have a very specific ethos and we are not prepared to compromise on the basis of trying to achieve funding.'

Other VCSE organisations were more concerned, with one commenting that their ‘previous experience is that not enough work is given by the private sector to the third to make it a financially viable option to join in.’ Others felt that in order to ensure they benefited from contracting with primes the government would need ‘to ensure transparency when tendering for service delivery contracts.’

Financial Risk and ‘Payment by Results’

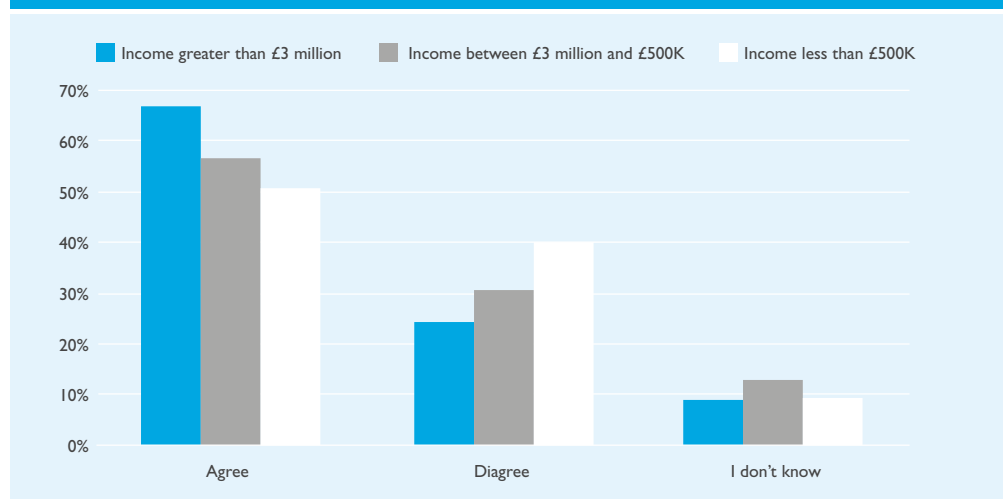
In general, VCSE organisations replied that they were relatively confident that they had access (whether internally or externally) to expertise that would enable them to accurately model financial risk and secure sustainable contracts. Nearly seven out of ten (67 per cent) larger organisations, 56 per cent of medium-sized organisations and half (51 per cent) of smaller organisations were confident of this.

Many VCSE organisations commented that help from external initiatives – such as the Investment Contract Readiness Fund – were very helpful in ensuring that they had access to the necessary expertise. One organisation was less concerned ‘about the skills and expertise’ but more concerned about ‘the financial infrastructure to be able to model the financial risk.’

There were some who were less confident that they had the ability to model financial risk. For example, one commented:

‘I am not confident that we have the skills to model financial risk. I hope that a potential prime would help us with these systems and models.’

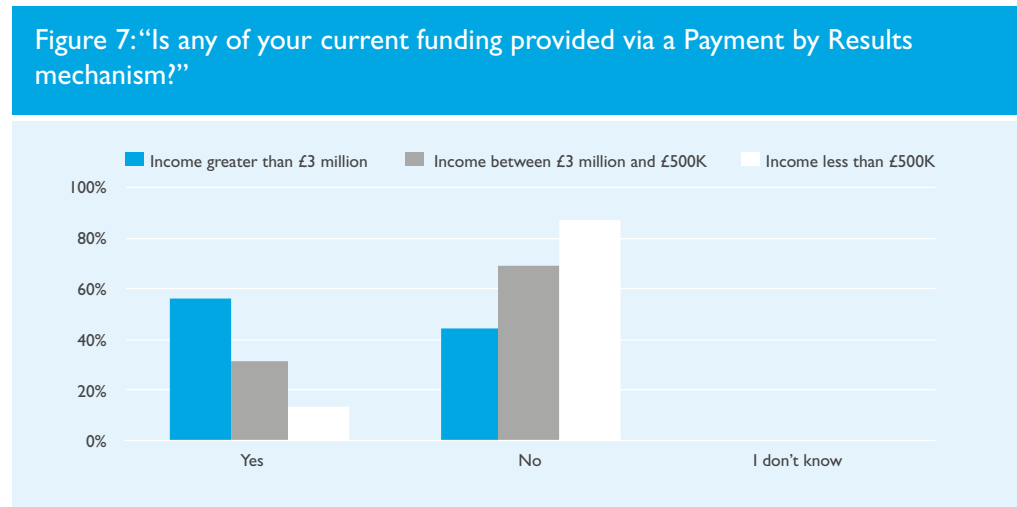
Figure 6: “I am confident that my organisation has access to the necessary expertise to accurately model financial risk and to secure sustainable contracts”



Source: Centre for Social Justice Survey, May/June 2013⁴⁰

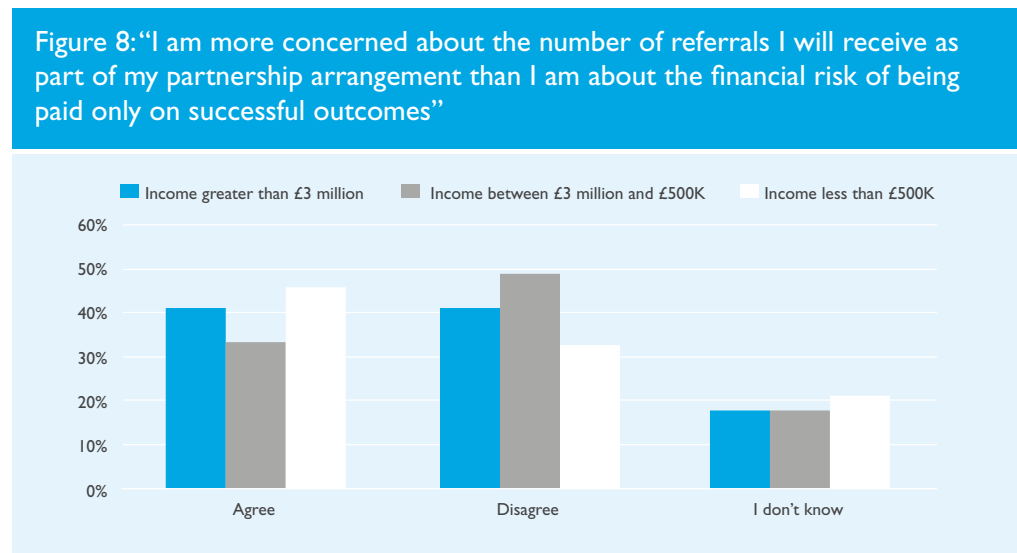
⁴⁰ Note that of the 173 admissible responses to the survey, 137 replied to this question (33 with an income above £3 million, 39 with an income between £3 million and £500k, and 65 with an income less than £500k)

This is likely to be influenced, to some extent, by whether or not organisations have been part of 'payment by results' contracts before. Just 13 per cent of voluntary organisations who had an income of less than £500k had current funding provided via a 'payment by results' mechanism.



Source: Centre for Social Justice Survey, May/June 2013⁴¹

We also asked respondents explicitly what they were more concerned about: the number of referrals they would receive, or the level of risk they took on taking on 'payment by results' contracts. The survey respondents replied that the two concerns as fairly equal, with the smallest organisations being marginally more concerned about the number of referrals they would receive than the financial risk of being paid only on successful outcomes.



Source: Centre for Social Justice Survey, May/June 2013⁴²

41 Note that of the 173 admissible responses to the survey, 148 replied to this question (34 with an income above £3 million, 45 with an income between £3 million and £500k, and 69 with an income less than £500k)

42 Note that of the 173 admissible responses to the survey, 134 replied to this question (34 with an income above £3 million, 39 with an income between £3 million and £500k, and 61 with an income less than £500k)

It will be important for all those considering partnering with voluntary organisations as part of the probation reforms to take their thoughts and perspectives into consideration. By doing so, it will increase the chance that successful partnerships are created, and will increase the likelihood that the reforms will lead to a drop in reoffending rates.

Conclusion

The reforms to the probation service should be judged on one thing alone: whether they drive down rates of reoffending. It is important that all parties involved remain single-minded in this focus.

In the process of researching the make-up, strengths and views of the voluntary organisations who are working in criminal justice, it has become clear that they have a crucial role to play in these probation reforms. If we are going to be successful at driving down reoffending rates then the best voluntary organisations will need to be included in the new probation landscape. Moreover, the rationale for their inclusion should be based entirely on merit, for the best voluntary organisations can bring with them a wealth of experience, and a set of skills and strengths that cannot be found elsewhere.

However, ensuring meaningful voluntary sector involvement is easier said than done. This is particularly the case with regard to including the smallest voluntary organisations. As our analysis has shown, there are a significant number of small voluntary organisations who are working with offenders, ex-offenders and their families: half have an annual income of £150,000 or less, and over two-thirds (68 per cent) have an income of £500,000 or less. However, these small organisations are not that confident of their role in these reforms. Whilst our survey showed that larger organisations are fairly confident that their organisation would benefit as a result of the probation reforms, only a fifth of those with an income below £500,000 were confident. A significant number told the CSJ that this was because they simply did not know what was going on and did not understand what role they could play in the new probation landscape.

Moreover, it is not clear that these small voluntary organisations have the necessary experience, skills or capacity to take on 'payment by results' contracts. Our survey showed that of those with an annual income of less than £500,000, just 13 per cent have any funding currently provided via 'payment by results'. More than two-thirds (69 per cent) of voluntary organisations working with offenders, ex-offenders and their families have ten full-time employees or fewer, which brings into question how well they would handle the bureaucratic requirements of a 'payment by results' contract. With more than two-thirds having an income below £500,000 there are also serious questions to be asked about whether they will be able to carry the financial risk that 'payment by results' contracts demand.

Success in the probation reforms requires not only that voluntary organisations are included on the basis of merit, but also that they are not excluded simply because they are too small.

To ensure that all those who can demonstrate their effectiveness have a role to play in the new probation landscape, the CSJ calls on prime providers to contract with the smallest voluntary organisations without requiring a 'payment by results' element in the contract. This should be balanced by enabling prime providers to have the flexibility to end contracts if those small voluntary organisations are proving ineffective at reducing reoffending. Furthermore, the Ministry of Justice has a role to ensure that the Market Stewardship Principles and standard sub-contracts make it as easy as possible for the best voluntary organisations to engage in the new probation landscape, whatever their size.

More is also needed from the voluntary sector themselves if they are to play a significant role in the new probation landscape. Voluntary organisations have an historic opportunity to deliver a crucial public service, and it is important they recognise that their involvement should only be due to their effectiveness in reducing reoffending. As a result, each and every voluntary organisation interested in being part of the new probation landscape needs to ensure that their interventions are effective and be able to articulate this clearly and succinctly. If they are not able to do this, then it would be improper for them to receive taxpayer's money to deliver probation services.

Whilst these reforms are not without their challenges, they have the potential to create a significant dent in reoffending rates. They have the capacity to bring the best of the private and voluntary sectors together to work alongside the public sector in delivering new, innovative services that make the most of each of their strengths. Bringing the best out of the voluntary sector will require competency, and not size to determine who plays a part in the new probation landscape. If this happens, these reforms will create a real opportunity for a significant reduction in reoffending rates and crime throughout England and Wales.

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