



HOW ARE CHARITIES INFLUENCING CHANGE IN THE PRISON SYSTEM?

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NPC'S CRIMINAL
JUSTICE PROGRAMME

Beyond
Bars



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With special thanks to the Sheila McKechnie Foundation and Clinks for their time and expertise as partners and advisory on this project.



Cover image: A participant in Safe Ground's GROUNDation event in HMP Wandsworth reads his contribution to [the poetry anthology HOME](#)—produced with support from professional poets and in collaboration with local community members. Credits: Safe Ground, Copyright Jonathan Perugia

Our vision for people in prison

We want people in prison to have access to the services they need, and for the prison system to be humane and effective at rehabilitation.¹

Charities are crucial to making this vision a reality. But many feel locked out of influencing policy to change the system, and are also struggling to access prisoners to deliver vital services.²

Our criminal justice programme looks at how charities are;

influencing change and,

delivering services in prison despite a difficult climate,

and the role that independent funding plays to enable both.

Get the latest on all this work at www.thinkNPC.org/CriminalJustice

¹ We published *Beyond bars: Maximising the voluntary sectors contribution in criminal justice*, in 2017, outlining the contribution and challenges charities face in the prison environment. ² The criminal justice system is much bigger than the prison estate—and many of the solutions to system's challenges lie outside of prisons. We focus on prisons because they are a crucial environment for charities in this sector but are becoming increasingly difficult to work in. Funders are specifically drifting from prisons, as opposed to the wider criminal justice system.

This is the first of two discussion papers

This is the first in a two-part series of discussion papers. Here we focus on **charities' role in influencing change**. We share our early findings from conversations across the sector with policymakers, parliamentarians charities and funders, and propose a framework for thinking about how charities influence change.

For us, **this research has thrown up as many questions as it has answered**, as we outline in our conclusion.

One of those questions is the extent to which service delivery plays a role in creating change. As a sector, we tend to draw a line between influencing the system and delivering services, a division that fed into the original design of this research.

But we carried out our work we came see that the line between the two is blurry. So in this paper, we also ask: to what extent does service delivery play a role in social change?¹ We look forward to hearing what you think about this question, and many others posed later in this report.

See Appendix 1 for more about how we did this research

¹ Academics have recently published a hybrid framework that conceptualizes how the penal voluntary sector operates, including different types of service delivery and campaigning work. Source: Tomczak, P., Buck, G. (January 2019) 'The Penal Voluntary Sector: A Hybrid Sociology' *The British Journal of Criminology*



EXECUTIVE SUMMARY: WHAT WE'VE FOUND SO FAR

Funding for the criminal justice sector has been squeezed

The criminal justice sector is over stretched and under-resourced, creaking under the weight of overcrowding.¹

Austerity has hit the Ministry of Justice (MOJ) harder than any other domestic department.²

Charities are struggling to access people in prison, and they are navigating a complicated and uncertain policy landscape. As a result, independent funders (whose contribution is vital³) are losing confidence that their input will make a difference.

Funders still care deeply about this sector. They are not all deliberately moving away. But in practice, **many are finding fewer opportunities to fund charities working in prisons that they are comfortable with and confident in.**



¹ The prison population has risen by 70% in 30 years to 82,384 people. Source: Prison Reform Trust (2018) *Bromley Briefing Prison Factfile*, p.10 ² By 2020, there will have been a 40% reduction in real terms of public expenditure by the MOJ—down from £9.3bn to 5.6bn, with further cuts still planned. Source: Travis, A. Public services face real-terms spending cuts of up to 40% in decade to 2020, in *The Guardian*, 2017. ³ Small and specialist criminal justice organisations are particularly reliant on independent funders, who provide 33% of their income. Source: Clinks (2018) *The State of the Sector*, p.61

This is a difficult sector to turn the tide in...

Charities are effective at influencing policy, and change does happen as a result of their actions. But it's a hard job.

'In education, the ministers care primarily about the kids. In prisons, it's the public.'

Criminal justice funder

No policy area can be separated from the perceptions of the public and the media. The criminal justice sector has its own particular tensions—namely, attitudes towards crime and justice, and an expectation that criminal justice policy will balance rehabilitation with punishment and public safety.

Influencing the public is a complex game. People who have been in prison are often stigmatised for their past criminal behaviour, or—at the other end of the spectrum—are seen only in terms their vulnerabilities and not their assets.

But without challenging narratives about who is in prison and what prison is for, there is a limit to the impact the charity sector can have.

'For some people, prison is the big house on the hill where we put scary people. People don't understand who goes to prison and why, what the impact is, or what it actually does to people. We need to talk about what the system is for and how it isn't working.'

Anne Fox, Chief Executive, Clinks

...but the need for change to our prison system is urgent

In England and Wales we overuse prison for non-violent offences. 70% of those sentenced last year had not committed a violent offence. 83% of women in prison are there for a non-violent offences.

People from a black, Asian or minority ethnic (BAME) background are over represented in prison.¹

There are over 800 children in custody, some are younger than 14. Nearly half are BAME.

46% of women and 21% of men in prison have attempted suicide.²

More than 1 in 10 adult men reported that they had developed a problem with illicit drugs since they had arrived at prison.

And many people in prison don't know if, or when, they might be released. 11,079 people are currently in prison serving an indeterminate sentence.

With thanks to the Prison Reform Trust for the *Bromley Briefings Prison Factfile, Autumn 2018* for these figures and analysis.³

¹ They are more likely to be arrested, more likely to be the victims of crime, and more likely to be remanded in custody Source: Cabinet Office (2017) *Race Disparity Audit*, p.11 ² For more on women's experience of the criminal justice system, see Wyld, G., Lomax, P., (2018) *Understanding women's pathways through the criminal justice system*, NPC. ³ Prison Reform Trust (2018) *Bromley Briefing Prison Factfile*, p.10, p.24, p.37. p.20, p.20, p.10.

Charities and their funders have diversity of tools at their disposal to create change

Charities' day-to-day work is tough. No organisation is truly, adequately equipped to meet the demands of a grossly over-crowded and stretched system. ¹

Many of those working in this sector are weary—frustrated with trying to get a meeting with leadership at the Ministry of Justice when leadership keeps changing. ²

But influencing change is messy. It comes about from a diversity of tactics, and it does not just happen through influencing at the policymaker level.

There is complexity in the viewpoints and tactics used in the sector. In both cases, this diversity is a strength.



¹ 80% of charities say their service user's needs have become more complex, and 73% say their needs have become more urgent, in the last year. Source: Clinks (2018) *The State of the Sector*, p.24 ² The Institute for Government have found that excessive staff turnover in the civil service is costing the government up to £74 million. Source: Sasse, T., Norris, E., (January 2019) *Moving On: the cost of high turnover in the civil service*, The Institute for Government.

Navigating this report: Click to jump to section

1. A framework for thinking about how charities influence change

2. How charities influence change by speaking up

...to policymakers

...to the public

...to practitioners

...to the social sector

3. How charities influence change through service delivery

4. Taking these findings forwards



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A FRAMEWORK FOR THINKING ABOUT HOW CHARITIES INFLUENCE CHANGE

Structuring our findings so far

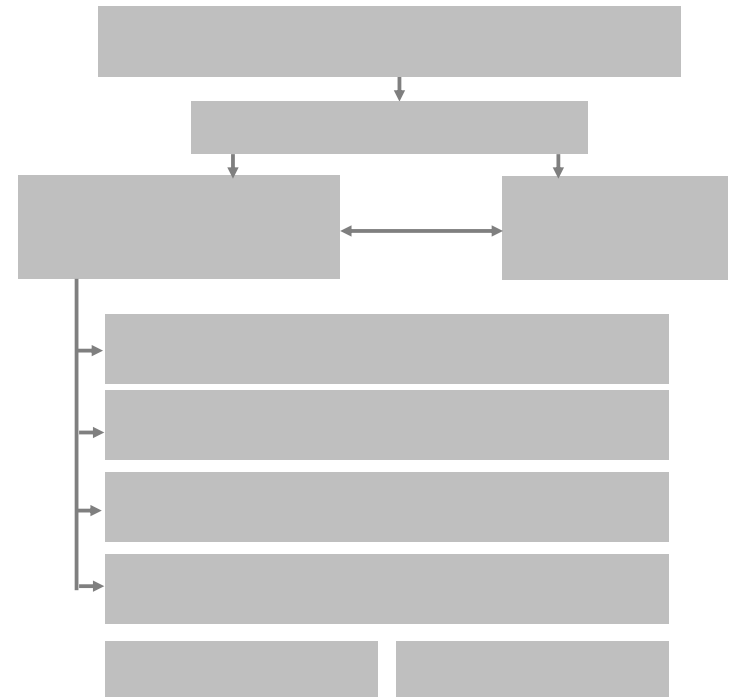
To help capture what we've discovered, we created a framework, detailed overleaf.

It's simplified and imperfect, and not intended as our final word on this topic. But we found it a useful way of capturing some complicated concepts and relationships.

We use it to structure the rest of the report, and intend to consult on it going forward.

If you have any thoughts on it, and anything else in the report, we'd love to hear from you.

[Find out more about getting in touch at the end of this report.](#)

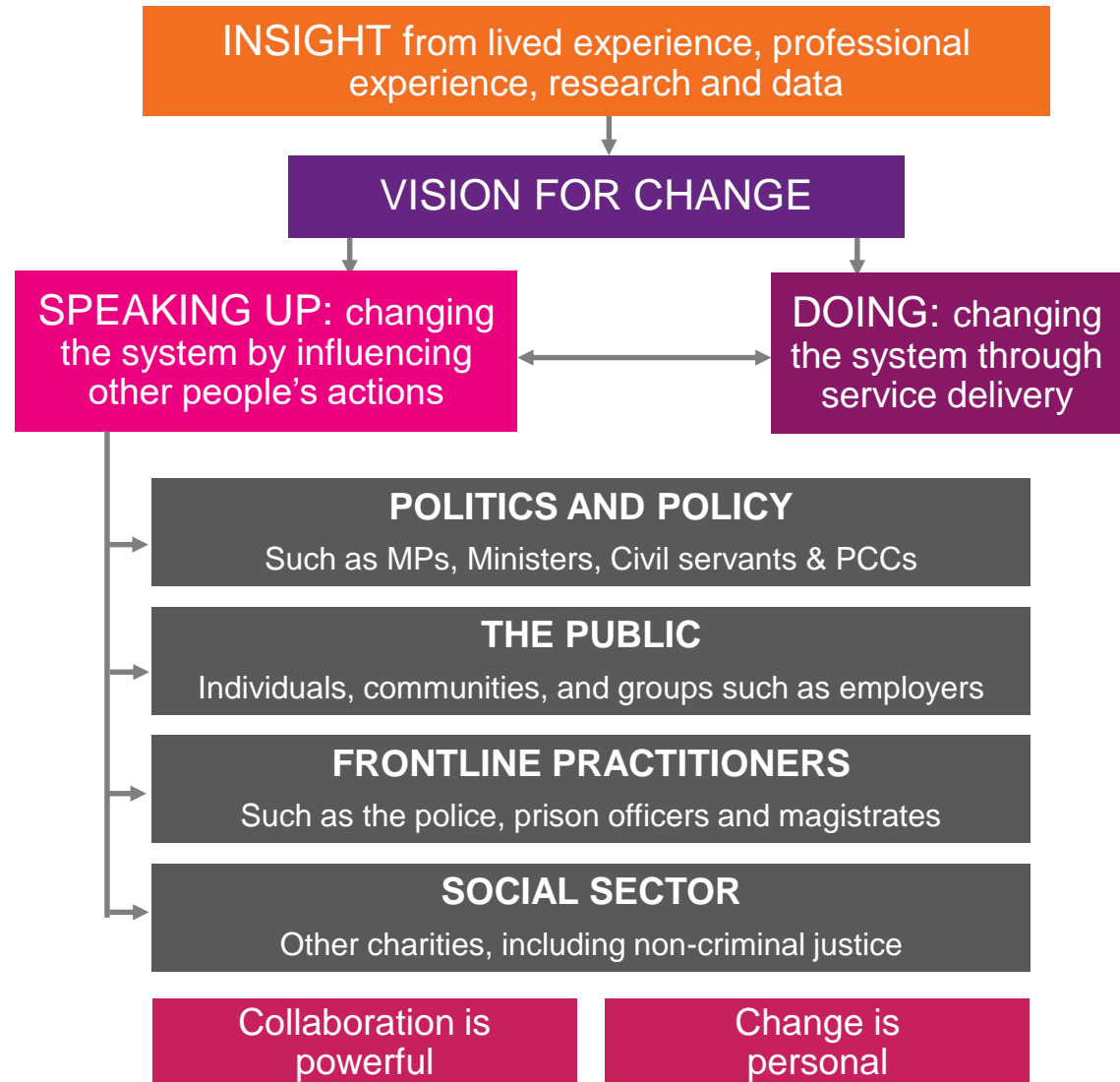


How do charities work to influence the prison system?

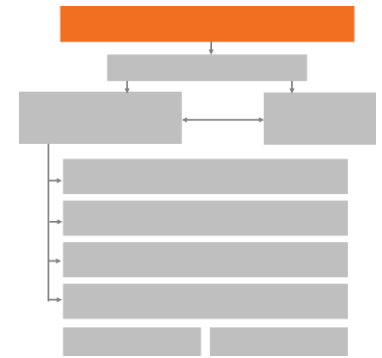
Charities take **insight** from research, data, lived and professional experience, and with it they formulate a **vision** for what change needs to happen.

They use that vision to **speak up** to a **diverse range of audiences**.

And they change the system through **delivering services** to create change. We will explore how they access prisons in more depth in a second report.



Charities' influencing work starts with their **insight**



‘As a policymaker I can never have as good an understanding of what is going on the ground as a charity.’

Senior Civil Servant, MOJ

Charities have unique **insight** into the prison system. Their volunteer and staff teams are often rich in lived experience¹, and their relative independence means they are trusted to listen to those with experience of prison and carry those messages to a policy arena.

Many charities also have professional experience² backed up by evidence of what works in supporting people out of the revolving door of crime. This lends credibility to their campaigning voice and to their proposals for better ways of doing things.

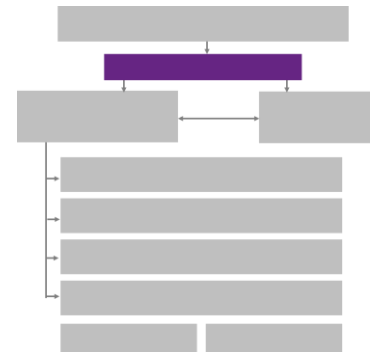
‘They [charities] think we lock too many people up and should make better use of community penalties. They have good evidence for this... which is what I’m interested in hearing.’

Kate Green MP

¹ In this context, by ‘lived experience’ we mean people who have been in prison and those effected, such as their families. ² By ‘professional experience’ we mean those who have worked in the system, for example frontline charity workers, police, prison and probation officers, magistrates and judges.

This insight gives them **vision** for what needs to change

Drawing on their insight, **charities work at different levels with a vision to influence the wider system**, examples of which are captured in Figure 1.



From their work, most charities know that prisons don't work for most people, that prisons should be used less, and that minority groups are over-represented in prison.

'Everyone understands that many of those in prison shouldn't be in prison... the sector as a whole is bending under the weight of overcrowding.'

Criminal justice funder

But this is a sector diverse in opinions and approaches. **It does not have a single vision for how to effect change.** Many feel that coalitions for change don't need to have one single voice, and that a strength of different charities' work is they often take a variety of routes to change.

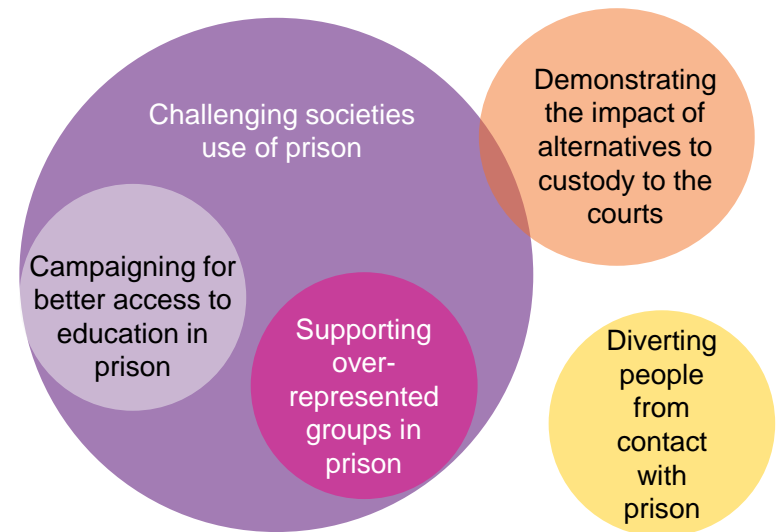
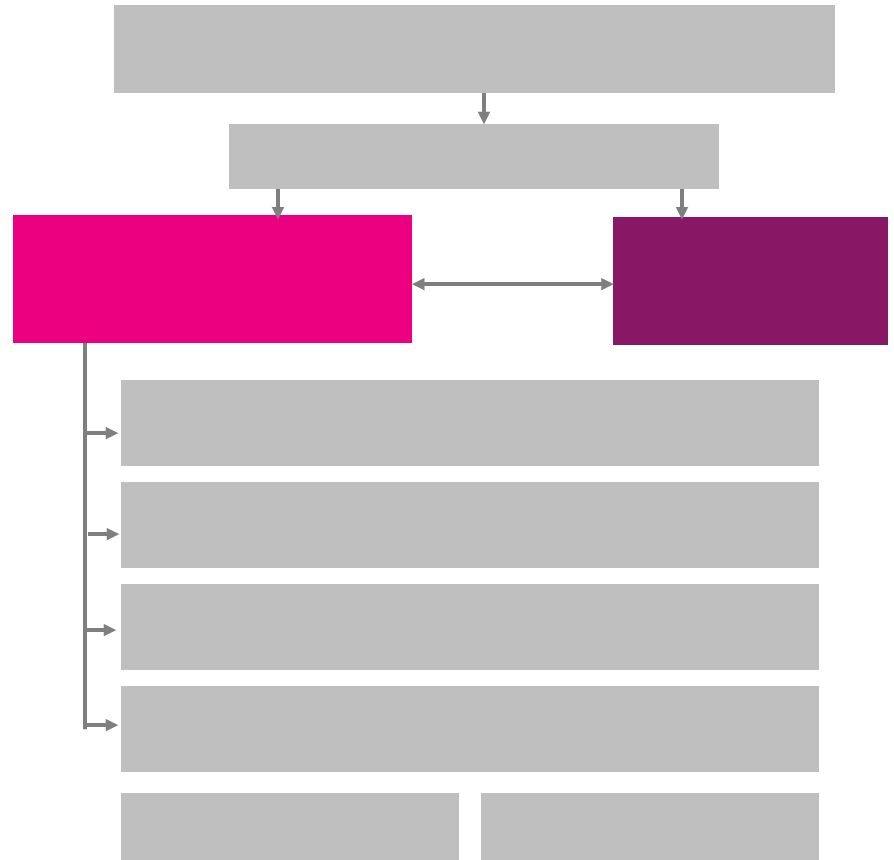


Figure 1: Some examples of the different ways charities tackle issues around prisons

And charities have options for how they want to make a difference

We explore in depth these routes to change for the rest of this report.

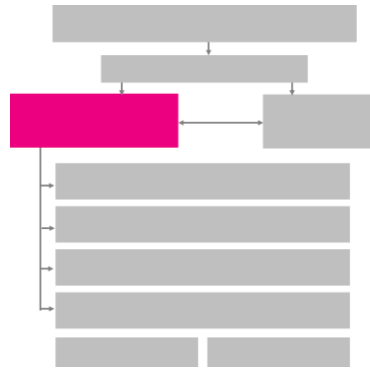
Though we identify two distinct routes to change—**delivering direct services** in prisons, and trying to **influence the prison system further up-stream**—there is a lot of overlap and interplay between the two.





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HOW CHARITIES INFLUENCE CHANGE BY SPEAKING UP





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Speaking up to policymakers

Influencing policy is not easy...

This is especially true in a sector where leadership is constantly changing: we have had seven justice secretaries since 2010.

Charities feel locked out of conversations about budgets in particular. And, as one policymaker acknowledged, the Ministry of Justice can be cautious against criticism:

‘My observation would be that, like many departments, the MOJ doesn’t react well to being called out. Organisations need to think hard about how best to use criticism to encourage without ostracising.’

Senior civil servant at the Ministry of Justice

But charities have been systems-changers and advocates for those in prison for as long as the modern penal system has existed...

Charities have a track record of influencing the prison system at the highest level

They keep the pressure on government. It is testament to their persistence and savviness that—as we found from our interviews—policymakers hear some of their primary messages loud and clear.

Policymakers and parliamentarians told us about the messages they hear most from charities:

- The system is overstretched and we send too many people to prison
- Transforming Rehabilitation (TR)—the restructuring of probation—has been a failure
- We need to make better use of community alternatives to custody
- Charities need more clarity on where the line is drawn between charitable and statutory duty

We found clear themes when talking to policymakers and parliamentarians about what approaches they appreciate...

Meeting policymakers half way is welcomed

Policymakers said they felt charities could be more savvy about the political reality of the people they're trying to influence.

'You're probably more likely to be successful in influencing policymakers if you start with the problem as they see it.'

Richard Garside, Director, Centre for Crime and Justice Studies

The charity view

Some charities agreed that it can be effective to work alongside policymakers. But they also highlighted that their role as independent charities is also to hold politicians to account.

Civil service level engagement is also welcome

Some we spoke to said they appreciate it when charities develop relationships with Deputy Director level civil servants as the gatekeepers for what reaches ministers.

'If you're smart you're building relationships at my level. The letter to the new minister ends up on my desk to write the reply anyway. So, by all means write to ministers, but build a relationship with us too.'

Senior civil servant at the Ministry of Justice

The charity view

When we took this advice to charities, they noted that the staff turnover and lack of consistency at these levels of the civil service can be frustrating and waste resources. But talking to both levels could be a more powerful way to strengthen relationships.

Showing that recommendations are grounded in evidence and experience is key

Policymakers we spoke to mentioned that clear experience and evidence brings credibility to charities' work and means they are listened to.

Doing service delivery as well as campaigning helps.

'Knowing that a charity is grounded in one-to-one advocacy for individuals goes a long way. I'll take their bigger messages more seriously.'

Policy professional

As does grounding messages in evidence.

'Know your data. Understand your evidence base and what it is telling you. It doesn't help seeing charities over-claim their impact.'

Luke Taylor, Deputy Director of Probation Service Reform, MOJ

The charity view

Charities often feel that, no matter how robust their evidence is, they are asked to provide more. We would like to see policy makers use findings from the [Justice Data Lab](#), and to open wider dialogue with charities about how change happens.

Bringing lived experience to the fore is particularly valued

Policymakers talked to us about the importance of lived experience, particularly those who are less passionate about criminal justice.

‘Some MPs with no experience of prisoners find it very powerful to hear from people with lived experience... there is a demonisation of prisoners until you meet them.’

Victoria Prentis MP, Member of the Justice Select Committee

‘I don’t think this model [user involvement] works unless you are also brokering the conversations... Unless you have that connectivity into the decision makers work on the inside it’s going to lack impact.’

Charity leader

The charity view

By ‘lived experience’ policymakers seemed to mean hearing the stories of people with lived experience, rather than wanting to see charities being led by the views of people with lived experience. The two sectors seem to have different definitions of meaningful ‘lived experience’, [which we explore in Appendix 4.](#)

And inside track influencing doesn't just mean Westminster

Scope to influence at a local level is growing with the devolution of power away from Westminster.

'In criminal justice we're seeing a huge dispersal of power and it's almost going unnoticed. You're much better off identifying the PCC who holds the democratic mandate and the budgets.'

Harvey Redgrave, Crest Advisory

The Greater Manchester Combined Authorities Police and Crime plan, '[Standing Together](#)'¹ was built on an extensive engagement process with charities and people with lived experience:

'We have made a decision that all of our strategic work will be co-produced with the people who have lived the experiences we are addressing. There are a number of organisations who can help us with that—they are directly in touch with the people we want to speak with.'

Baroness Beverly Hughes, Deputy Mayor for Greater Manchester (Police, Crime, Fire & Resilience)

¹Greater Manchester Combined Authority, (2018) [Standing together plan for Greater Manchester](#)



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Speaking up to the public

It can be risky trying to influence public opinion...

Charities rarely prioritise influencing the public. It is resource intensive and can very easily go wrong when public and media sentiment can be hostile.

'I have a lot of sympathy with the worries about public campaigning. Sometimes I think that the more we talk about prisons the more damage we do.'

Andrew Nielsen, The Howard League

There are reasons to be careful. Campaigns can have counterproductive outcomes unless approached carefully. In the words of one senior civil servant interviewed:

'Anything can be turned against you.'

Senior Civil Servant, MOJ

The Reframing Justice project¹ found that public attitudes can be hard to shift around criminal justice. For instance, talking about prisons being 'in crisis' can trigger fatalism and the public can tune out. On the other hand, metaphors like 'crime currents' and prison as a 'dead end' can be more effective.

¹ Led by Transform Justice and involved partnership with Clinks, The Criminal Justice Alliance, the Standing Committee for Youth Justice and the Frameworks Institute. Source: www.transformjustice.org.uk/reframing/

...but influencing the public is an important part of creating change

Many charities are thinking about doing more to influence the public. What are the reasons in favour?

Policymakers want to see charities do more to shift public attitudes...

‘Getting criminal justice into the national consciousness is something to prioritise. It can be a fairly introspective sector so trying to frame issues differently, broaden debates and shift narratives is really important.’

Luke Taylor, Probation Service Reform, Ministry of Justice

And more importantly, so do people who have lived experience of prison...

‘At the Prison Reform Trust we are going to do more to influence the public, because that’s what our Prisoner Policy Network of people with lived experience want us to do.’

Paula Harriot, Head of Prisoner Engagement, The Prison Reform Trust

It can be hard for charities to get permission to get at the stories they want to tell

It is difficult to tell the stories of people who have been in prison because it can be hard to access them. The MOJ can be risk averse when it comes to giving charities access to prison for media-related purposes.

As one interviewee with lived experience of prison speculated, the MOJ may be more cautious about giving charities access when it involves public storytelling because violence and deteriorating conditions that may be exposed. Prisoners are increasingly about to tell their own stories online through videos recorded on illegal mobile phones in prison, which might add to their concerns.

'It is the human stories that cut through, and it's the gatekeepers who don't allow us to give those stories light.'

Charity leader

People's stories must be handled with care

If charities do get past the barriers to accessing people in prison, there is a risk that storytelling to the public might take advantage of vulnerable people to evoke an emotional response.

Any sort of media attention on prison and its residents has to be done carefully and consensually. One interviewee mentioned that TV documentaries, for instance, can prioritise evoking sympathy for the system itself and its overworked staff by 'othering' the prisoners.

On the other hand, they are sometimes portraying prisoners only as vulnerable, rather than offering a rounded view of people in prison and highlighting their assets. And where prisoners are exceptionally vulnerable, it might be irresponsible to have asked them to consent to being involved in the first place.

This is also the case in fundraising efforts, where charities can tell an oversimplified story which puts onus on the individual and the charity for 'turning their life around' rather than acknowledging the complexity of crime and desistance.

It's important to approach this work with sensitivity and caution.

[See appendix 4 for more on meaningful user involvement](#)

Influencing the public isn't easy, but that doesn't mean it shouldn't be done

'In a country where public views are complex, things are going to bubble up. We have moral panics every now and then and I think we're having one now with the story that London is more dangerous than New York.'

Tom Gash, author of *Criminal: The truth about why people do bad things*

Breaking down the divide between 'the public' and 'people in prisons' is one way forward to foster greater understanding. Just as we found with policymakers, **starting with the area of overlap between these communities is a good place to start.**



'The criminal justice reform sector has been quite flat footed on this topic. They [social purpose organisations] could think about going to where they [the public] are on a given issue, and having a dialogue with them there, rather than telling them where they should be.'

Richard Garside, Director, Centre for Crime and Justice Studies

It can help to think about ‘the public’ more specifically

The public are not a single homogenous group. Whether we know it or not, we are all in touch with the justice system in one way or another.

People in society make decisions in their lives that affect people who have been in prison—whether they are [Timpson’s](#), hiring staff from prison, or teachers of children who may have a parent in prison.

Charities working in this area want to see greater empathy for people in prisons and their families. They believe greater empathy will effect the behavior of the public, from the concrete—such as offering someone a job,—to the cultural—such as interactions at the school gate.

Some charities are effective at prioritising influencing specific cohorts of the public, such as the [Ban the Box campaign from Unlock](#) to change employers attitudes to recruiting those with criminal records.

Other organisations might use their social media to localise their messages, particularly where they have a local footprint and credibility through services they deliver.

And when it comes to the messenger,
those closest to the issue can help form
this bridge

Some charities find that **the family and friends of people in prison** might be the best people to act as spokesmen into their communities.

'(Influencing the public) is harder, but there's real power in it. We have to focus on the public in different ways, like starting with the perspectives of prisoners' friends and families. It's about moving away from 'othering' and finding ways for people to see that those in prison and their families are also members the public.'

Charity policy professional

Spotlight on ending short sentences

In January 2019, the prisons minister Rory Stewart announced that the Ministry of Justice was considering banning prison sentences of less than 6 months.¹ A coalition of social sector organisations have been working together to get this message through to government.

For example, Revolving Doors Agency's started their [Short Sighted campaign](#) because people with lived experience wanted them to focus on it.² **The campaign involved polling the public to show that the public don't generally believe in short sentences:** 80% didn't think that theft of food deserved a prison sentence. Their campaign gained widespread media backing including the Evening Standard and the Sun.

Other organisations, such as the Prison Reform Trust and the Criminal Justice Alliance have contributed to the pressure on government, and academics have added to the evidence base, such as Lucy Baldwin and Rona Epstein's work on the [impact of short sentences on mothers and their children](#).

So what next? The commitment from the Prisons Minister to end short sentences is a signal of success for charities. Given how little legislation is likely to be passed in light of Brexit, it will be important to keep the pressure on to turn rhetoric into reality. And there are other audiences to engage in this shift, such as showing judges, magistrates and the sentencing council what alternatives to custody are available to them.

¹ Hymas, C. 'Jail sentences under six months should be axed for most crimes, says prisons minister,' in The Telegraph, January 2019

² Revolving Doors Agency, *Impact Report 2017/2018*. ³ Baldwin, L., Epstein, R., (2017) *Short but not sweet: a study of the impact of short custodial sentences on mothers and their children*, De Montfort University



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Speaking up to frontline practitioners

Working with practitioners is another way to change the system

SPEAKING UP:

**FRONTLINE
PRACTITIONERS**

Such as the police, prison officers and magistrates

‘Two of the major levers for change are at the front end of the system: the courts and the police.’

Max Rutherford, Policy Manager, ACF

Some of the most effective influencing work has jumped the ‘inside track’ of central government and gone straight to working directly with frontline services and professional bodies.

However, this often depends on the cohort in question. Some groups of people involved in the criminal justice system, such as children, evoke more sympathy with practitioners than others.

‘Police can be an ally when thinking about young people, but less so perhaps with older people who have been in contact with the criminal justice system over many years. It’s not always consistent.’

Anne Fox, Chief Executive, Clinks

Practitioners can be particular allies in prevention

SPEAKING UP:

**FRONTLINE
PRACTITIONERS**

Such as the police, prison officers and magistrates

Highlighting how other statutory services could do more to prevent criminalisation is another way of shifting narratives for greater understanding of some of the social determinants of crime, such as poverty and childhood trauma.

‘As a police officer, I was interviewing the same young people as they came into custody over and over again, watching them advance from a bit of low level anti-social behaviour, to stealing a sandwich from Tesco, to eventually committing what I would call a watershed offence, that would change the course of their lives forever. There are so many chances to divert.’

Tamsin Hoare, The Kurt and Magda Stern Foundation

Professionals on the frontline can be an ally to the social sector in creating long lasting social change.



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Speaking up to the social sector

Influencing other charities is another important area for change

'Recently, there have been several campaigns which work against us... such as harsher prison sentences for those hurting animals. There is a question around how we can engage with wider civil society to achieve our aims as a whole.'

Penelope Gibbs, Transform Justice

There is scope for better dialogue with other organisations, including non-criminal-justice-specific charities, to discuss the role and effectiveness of prison. Funders could play a more active role in convening conversation between their grantees in different sectors too.

Charities that call for tougher sentences, such as animal rights charities. Given their significant resources and public profile, engaging in dialogue on the purpose and impact of prison (and why tougher sentences might not always be the answer), would be a creative way of also trying to turn the tide.

Charities that work to support cohorts who are over represented in prison, such as Black and Minority Ethnic (BAME) communities, or those with learning difficulties or brain damage. Partnerships with anti-poverty charities for instance, could be a way of communicating to the public differently about the social determinants of crime.

Charities that support victims and want a more effective justice system. There is substantial overlap between victims and perpetrators and so their cohorts of service users are often the same. For instance, 50% of women in prison are victims of crime themselves. Many of these charities want prisons to be more effective at rehabilitation.

Collaboration and dialogue with other criminal justice charities pays off...

It can be a closed sector—but doing more in partnership is the way forwards.

‘Our closed prison doors are reflected in our ways of working as a sector. We can be a very closed sector’

Anne Fox, Chief Executive, Clinks

‘Charities often spend too much time trying to get in the room rather than building coalitions of support. Take the Living Wage Campaign—they didn’t start by asking for half an hour with an MPs, but soon MPs were begging for time with them.’

Harvey Redgrave, Managing Director, Crest, formerly Prime Ministers strategy unit

Charities working in and around prisons are not a homogenous group. They can have significant differences in philosophy about how change happens and what they are aiming for.

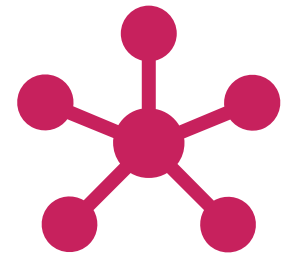
Recognising these differences in opinion and opening up dialogue is the first step towards being able to create powerful coalitions of support around common goals, as we have seen in the work of Clinks and the Transition to Adulthood (T2A) alliance, described overleaf.

...as these examples show

Coalition through infrastructure

Clinks is the national infrastructure charity working in the criminal justice system. They work hard to take messages from their members to policymakers, and in turn to keep members informed on latest policy.

This helps to guide members' own influencing work. They chair the Reducing Reoffending Third Sector Advisory Group (RR3), the sector's main route to advising the MOJ.



Alliance around a single issue

Barrow Cadbury's Transition to Adulthood alliance has, since 2003, been pushing for 18-25 year olds to be treated as a distinct group by the justice system.

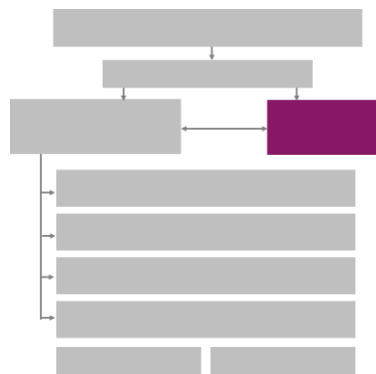
It makes the case that developmental maturity should be taken into account by policymakers and the courts. This is an effective example of 'maypole' campaigning around an issue of mutual agreement.





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HOW CHARITIES INFLUENCE CHANGE THROUGH SERVICE DELIVERY



How does service delivery contribute to social change?

As a sector, we tend to draw a line between influencing and service delivery work. There are good reasons for this—many charities want to keep the two separate, worried that raising their voice might breach lobbying laws, or undermine their ability to continue delivering work in a context they are critiquing.¹

In this report we have mostly focused on change-making via influencing other people. But we also think that service delivery plays a role in transformative change. There is an assumption that delivering services is in some way ‘neutral’ or maintaining a status quo. But many ambitious charities are seeing service delivery as part of how social change happens.

‘A growing number of forward-thinking charities are tackling problems in radically new ways. They see themselves as enablers not providers.’

The Social Change Project, Sheila McKechnie Foundation¹

The Lobbying Act has clearly affected charities ability to campaign. But we want to see charities being able to do both: delivering services, and speaking up about what they want to see change.

¹ We have been influenced by our partnership with the Sheila McKechnie Foundation, who emphasise the role of service delivery in social change. Source: The Sheila McKechnie Foundation (2018), *Social Power*² The Sheila McKechnie Foundation (2018), *The Chilling Reality*

Services are being delivered differently by the social sector to change people's experiences of the system

For instance, at HMP Thameside, the social business [Catch 22](#) are contracted to run both offender management on arrival and probation support upon release. These two strands of work evolved separately through different contracts with private sector prime providers. But they took lessons from a model they had previously piloted at HMP Doncaster, which tried to link up both ends of the prisoners journey 'end-to-end.'

Service delivery doesn't have to be at a national scale to have an impact. [The Hampton Trust](#) have been working with the local police to [pilot a new way of treating 18-24 year olds](#) who come into contact with the police.

Young people are offered a conditional caution instead of prosecution and courts, and agree to two compulsory activities: taking part in a 'Gateway Intervention' which addresses the root causes of criminality, and (subject to the victim's wishes) a restorative justice programme. This is an example of charities, statutory bodies and funders coming together to test alternatives ways of delivering justice.¹

¹ Gateway partners include: Hampshire Constabulary, Hampshire Office of Police and Crime Commissioner, Southampton City Council, Solent NHS Trust, Southampton YOS, No Limits, Families Matter, Wheatsheaf Trust and the Hampton Trust. Source: www.hamptontrust.org.uk

Change does not have to be at scale to be transformative for individuals...

There are relatively few large national charities in the criminal justice sector: the majority are small and local.¹ Delivering services to a sufficient scale to spread innovation is increasingly difficult for many charities in a mixed economy where charities are competing with private sector providers and tendering on a competitive basis.

But service delivery doesn't have to be at scale, or be a brand new 'innovative model,' to be transformative. Systems change is about the people in a system—including their values, beliefs, relationships and feelings.² So changing attitudes and perceptions in prison can lead to long-term change in people's interaction with the criminal justice system and their communities.

'Funders [independent and statutory] increasingly want to fund innovation rather than [charities] that have been quietly successful over time and have honed a model that really works. They want systems change but they conflate this with innovation in service delivery.'

Alice Dawnay, CEO and Founder, Switchback

¹25% of specialist criminal justice organisations have an income of less than £100k Source: Clinks (2018) *The State of the Sector*, p.55

²Abercrombie, R., Boswell, K., Thomasoo, R., (2018) *Thinking big: How to use theory of change for systems change*, NPC, p6

...for example

Providing legal advice also helps people in prison **see that the law can be a tool for good**. Many prisoners have very little trust in the law. So in providing legal advice, organisations like the [Prisoners Advice Service](#) hope to also show prisoners that the law can be beneficial, as well as for punishment. This helps shift their perception of their role in society.

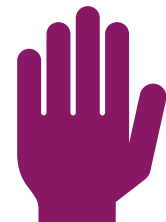


Restorative justice can help ex-offenders to take responsibility, make amends and integrate back into the community. It also breaks down misconceptions of 'offenders' and helps develop understanding in a community.



Intervening at a critical moment to divert from the system.

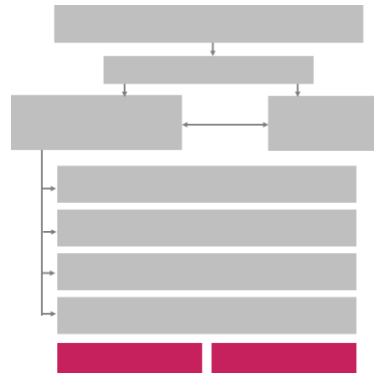
[Redthread Youth](#) work alongside clinical staff in hospital A&E departments in partnership with the major trauma network to address serious youth crime. They work with young people who have been seriously assaulted in this 'teachable moment' to help individuals pursue change.





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WHAT WE'VE LEARNED ABOUT HOW CHANGE HAPPENS



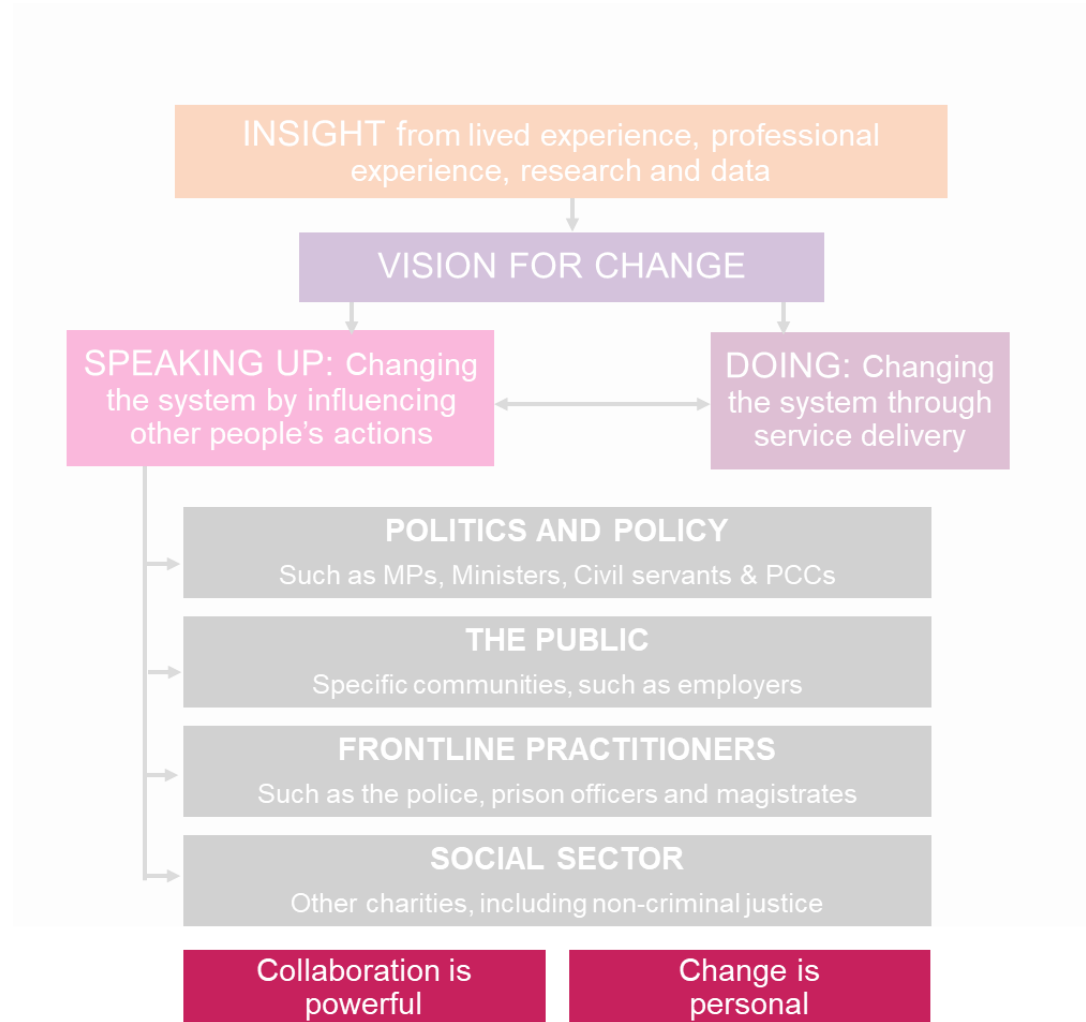
Charities' work is often amplified by two key factors

Continuing with our framework, there are two aspects underpinning charities work that we think contribute to success:

Collaboration is powerful

Change is personal

The reduction in the number of children in custody helps to illustrate this...




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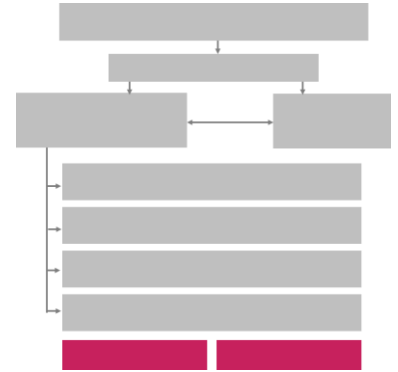
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This is not part of a wider trend: the general prison population has certainly been rising. And it was not as a result of a concerted policy agenda from central government.²

Instead, *'a range of dynamics behind the scenes have worked together'*.³

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Spotlight on reducing the number of children in custody: **Collaboration is powerful**

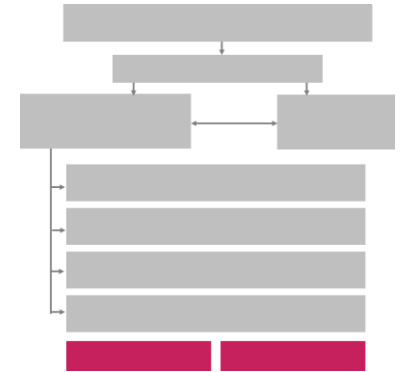


Numerous social sector organisations contributed to those dynamics. To name just a few:

- The Prison Reform Trust's (PRT) '[Out of Trouble](#)' campaign worked particularly well at a local level in areas with a high use of custody.
- [The Howard League for Penal Reform](#) worked with police forces. Incentives for police to arrest children for minor offences were removed and informal responses were developed.
- The [Transition to Adulthood alliance](#) lead by Barrow Cadbury Trust added to the evidence base on young people's maturity and the potential for a distinct approach.
- As consensus among the police grew, magistrates also began to act. [Nacro](#) provided magistrates with briefing packs analysing high use of custody, with suggested improvements.
- The campaign pulled together organisations from outside of the criminal justice sector too, including [Barnado's](#)—who had broader knowledge of children's issues, and [Just for Kids Law](#)—who contributed legal expertise.

Each organisation in this coalition contributed different skills, and used them to push for change at different levels, strategic about sequencing, and avoiding duplication.

Spotlight on reducing the number of children in custody: **Change is personal**



The fact that this work focused on children may have helped people relate to the issue. There is a tendency to see ‘changing the system’ as removed from people, but all change is personal.¹

Bringing **people with lived experience** of prison to the front of the story when influencing change has been a strong theme throughout this research.

‘Organisations that have developed a user involvement model have often been more focussed on doing it for service delivery reasons, rather than to achieve systemic change. I think this is often a strategic mistake, and there is real and important purpose in seeing user involvement through a systems change lens’

Chris Stacey, Co-Director, Unlock

And personalising the audience has also emerged as important—from policymakers, politicians, to the public, employers, other charities and frontline professionals such as the police.

¹ See Abercrombie, R., Boswell, K., and Thomasoo, R. (2018) *Thinking big: How to use theory of change for systems change*. New Philanthropy Capital.



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TAKING THESE FINDINGS FORWARD

We started by asking how charities create change. So far, we've found that:



Charities are powerful when influencing policymakers. But **policy will always be tied up with complex public sentiments about crime.**



Charities are able to influence wider audiences, from the public to frontline practitioners and other social sector organisations. And charities are also **changing the system through the way they deliver services.**



Change is always messy and complex, and different approaches will be suitable in different circumstances. **There are diverse tools to creating change**, but there are also diverse views about what needs to change. This is an asset.



Nonetheless, where there is common ground, collaboration among charities pulling in the same direction is powerful. And this **common ground is essential** beyond just charity partners.



Ultimately, change is personal. Whether influencing policy audiences, the public, or institutions, finding common ground can unlock action. Charities can be effective in **building personal connection when they ground their insight in lived and professional experience**, and take time to find out what their audiences are motivated by to help audiences connect with their ambition.

But we are now faced with new questions to explore...

This research has thrown up as many questions as it has answered, which we will take forwards into the next stages of our criminal justice programme in 2019. **We'd love to know your thoughts...**

- Does the framework offered here resonate with your understanding of the routes to achieve change in the justice system? Could it be improved?
- Have we missed any audiences that are crucial in effective change making?
- There is only so much charities can do to improve the experience of people in prisons. How much should charities focus on delivering short term changes versus underlying failings?
- Is the way that charities influence policymakers changing with the current climate in Westminster?
- Could the charity sector do more to 'meet the public where it's at' in changing perspectives and actions? What are the limits to this?
- Is there a tension between ethical user involvement and influencing the public?
- Do you agree that service delivery can be an important avenue to systemic change? Are there any aspects of this we have missed?

Please get in touch at info@thinkNPC.org or [@NPCthinks](https://twitter.com/NPCthinks) if you have any thoughts or would like to discuss these questions further.

With many thanks to those who offered time and expertise to our research

Policy bellwether interviews

- Becky Wyse, Deputy Director of Offender Reform, Ministry of Justice
- The Rt Hon. Baroness Beverley Hughes, Deputy Mayor for Greater Manchester (Police, Crime, Fire & Resilience)
- Bob Neill, MP for Bromley and Chislehurst
- Lord David Ramsbotham
- Harvey Redgrave, Managing Director, Crest Advisory
- Kate Green, MP for Stretford and Urmston
- Luke Taylor, Deputy Director of the Offender Policy Team, Ministry of Justice
- Richard Ward, Prison Education Policy, Ministry of Justice
- Ruth Cadbury, MP for Brentford and Isleworth
- Tom Gash, Institute for Government
- Victoria Prentis, MP for Banbury and North Oxfordshire

Charity interviewees and workshop participants

- Alex Hewson, Policy and Communications Officer, Prison Reform Trust
- Andrew Neilson, Director of Campaigns, Howard League

- Anne Fox, Chief Executive, Clinks
- Chantal Hughes, CEO, Hampton Trust
- Chris Stacey, Director, Unlock
- Christina Marriott, CEO, Revolving Doors Agency
- Claire Cain, Policy & Campaigns Manager, Women in Prison
- Hannah Pittaway, Policy and Communications Manager, Spark Inside
- Jemima Olchawski, CEO, Agenda
- Marc Conway, Advice and Information Trainee, Prison Reform Trust
- Nicky Park, Head of Prisons, St Giles Trust
- Nina Champion, Director Criminal Justice Alliance
- Pamela Dow, Chief Reform Officer, Catch 22
- Penelope Gibbs, Director, Transform Justice
- Peter Jones, Justice Reform Director, Catch 22
- Rachel O'Brien, Prisons Consultant, RSA
- Richard Garside, Director, Centre for Crime and Justice Studies
- Rod Clark Chief Executive, Prisoners' Education Trust
- Sam Boyd, Policy & Impact Manager,

Switchback

- Sue Kent, Projects and Information Systems Manager, Shannon Trust
- Sue Tibballs, Chief Executive, The Sheila McKechnie Foundation
- Tim Colman, Director of Development, Prison Radio Association

And those who have advised us throughout the project

- Ian Bickers, Deputy Director for Education, Employment and Accommodation Group, MOJ
- Kate Aldous, Head of Strategic Development, Clinks
- Marc Conway, Advice and Information Trainee, Prison Reform Trust
- Andrew Neilson, Director of Campaigns, Howard League
- Max Rutherford, Head of Policy, ACF
- Paula Harriott, Head of Prisoner Engagement, Prison Reform Trust
- Philippa Tomczak, Senior Research Fellow, Nottingham university
- Ted Smyth, Oxford University



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APPENDICES

APPENDIX 1: HOW WE DID THIS RESEARCH

Why we focus in on prisons

The criminal justice system is much bigger than the prison estate—and many of the solutions to system's challenges lie outside of prisons. We focus on prisons because they remains a crucial environment for charities in this sector but are becoming increasingly difficult to work in.

What our main influences were

We have been particularly influenced by the umbrella body Clinks and the Sheila McKechnie Foundation, particularly in recognising that change does not only happen through campaigning but through service delivery too.

With thanks to Anne Fox and Sue Tibballs for generosity with their time. Our work in partnership with [Revolving Doors Agency](#) and people with lived experience of the criminal justice system has underpinned our programme of work. Specific findings will be published later in 2019.

APPENDIX 1: HOW WE DID THIS RESEARCH (2)

Our research process included:

- Conducting bellwether interviews with 11 policymakers and MPs on the Justice Select Committee or Relevant All Party Parliamentary Groups (APPGs)*
- Holding a workshop of 16 influential voices in the criminal justice voluntary sector to discuss findings from our bellwether interviews, and how charities can better influence change—in collaboration with the [Sheila McKechnie Foundation](#) and [Clinks](#). We used the former's Social Change Grid to track and learn from examples of change in the criminal justice space, more details of which you will find in appendix 1.
- Carrying out further one-to-one interviews with 7 charities to dig further into these issues—and discuss what needs to happen to overcome the barriers identified. All interviewees and
- We also carried out light touch desk research. Particular thanks to Clinks for their State of the Sector research, and the Prison Reform Trust for the Bromley Briefings Prison Factfile.

***Bellwether Methodology:** This method was developed by Harvard Family Research Project to determine where a policy issue or proposal is positioned on the policy agenda; how decision makers and other influential people are thinking and talking about it; and how likely policymakers are to act on it.

APPENDIX 2

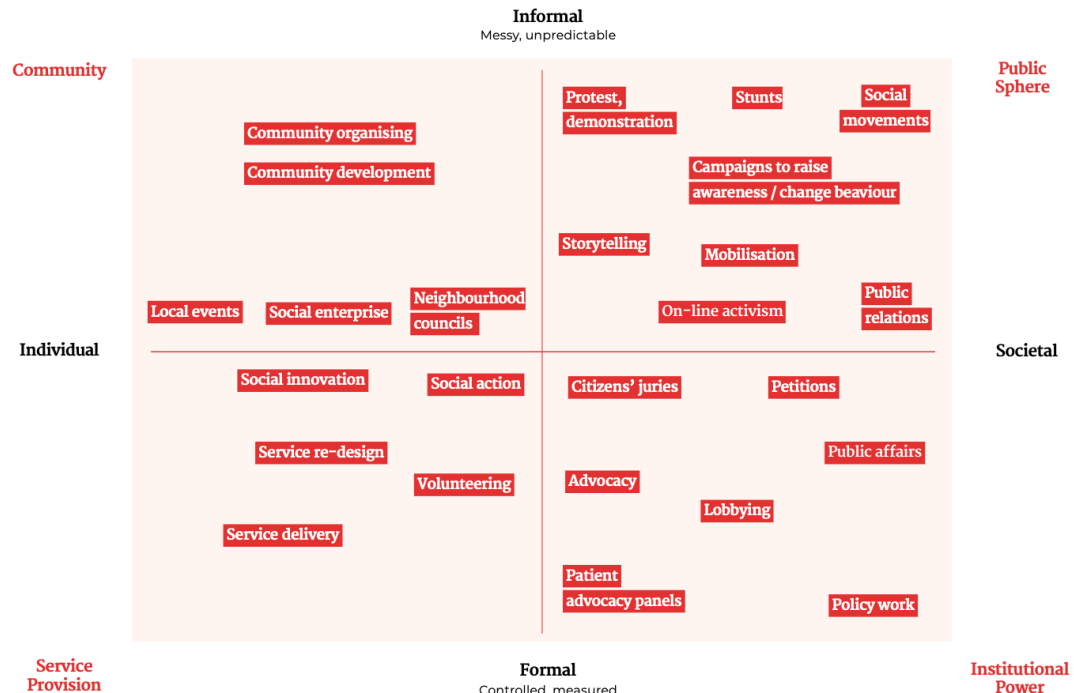
The Social Change Project

We have been lucky to partner with the Sheila McKechnie Foundation on this project, to whom we are grateful for their support and expertise.

The Sheila McKechnie Foundation's [Social Change Project](#) examines how change happens across the social sector. In November 2018 we held a workshop of criminal justice experts to discuss how social change happens in the criminal justice sector, and used their Social Change Grid (below) as a tool for discussion.

The grid shows that social change comes from a plethora of different places and approaches and that traditional policy influencing is just one way to create change. Change comes from the community, the public sphere and service delivery too.

We used the grid at a workshop with criminal justice charities where it provided a useful basis for understanding how change happens in criminal justice.



APPENDIX 3

NPC's work on criminal justice

Over the past few years at NPC, we have worked with clients across the sector in criminal justice, and with Clinks—the infrastructure organisation for the voluntary sector in criminal justice—to help improve the voluntary sector's impact in this space. We supported the Ministry of Justice in setting up the Justice Data Lab in 2013, continue to support the Justice Data Lab team. In the criminal justice sector we have produced the following public reports to date. Keep up with the latest at www.thinkNPC.org/CriminalJustice

Strengthening Probation, Building Confidence: Consultation Response from New Philanthropy Capital (2018)

Understanding women's pathways through the criminal justice system (2018)

Beyond Bars: maximising the voluntary sector's contribution in criminal justice (2017)

How can charities maximise their impact by working with PCCs? (2016)

Justice Data Lab development and support (2013–present)

Under the microscope: Data, charities and working with offenders (2015)

Transforming Rehabilitation: The voluntary sector response (2015)

Transforming Rehabilitation consultation response (2013)

Through the gate (2013)

Letter to Chris Grayling on Transforming Rehabilitation (2013)

Improving your evidence with Clinks (2013)

Unlocking offender data (2012)

NOMS commission on shared measurement (2012)

When the going gets tough: Charities' experience of public service commissioning (2012)

Trial and error (2012)

Teenage kicks: The value of sport in tackling youth crime (2011)

Improving prisoners' family ties (2011)

Measuring together: Impact measurement in the youth justice sector (2011)

Unlocking value: The economic benefit of the arts in criminal justice (2011)

Trial and error: Children and young people in trouble with the law (2010)

Breaking the cycle: Charities working with people in prison and on release (2009)

APPENDIX 4

A note on meaningful user involvement

A tokenistic approach to involvement is only going to devalue it's contribution, undermine charities' credibility and disillusion those who shared their stories.

Organisations should have a clear sense of why they are involving people with lived experience and a plan for how they will carry those voices to influence the system. They should also follow good practice and support people properly, reimbursing them and offering training.

Clinks have a [range of resources](#) on how to engage those with lived experience effectively and ethically. And NPC's recent paper, [Make it count: Why impact matters in user involvement](#) cites examples of good practice in effective involvement practice.

For this research, we have been particularly influenced by the work of User Voice and Revolving doors agency.

Revolving Doors Agency has a vision that no one will be stuck in the revolving door of crisis and crime by 2025. Rather than delivering services, they use evidence and research from their work with Experts by Experience to influence change through partnerships with politicians and power holders.

User Voice is a user led organisation which carries the voice of those with lived experience directly the service providers and power holders. Being user led enables them to build trust through councils, consultations and peer support.

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