

# JUSTICE SELECT COMMITTEE INQUIRY INTO PRISON GOVERNANCE—RESPONSE FROM NPC

**June 2019**

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In April 2019, the House of Commons Justice Select Committee launched an inquiry into prison governance. Over the course of the inquiry, MPs will investigate the role of the prison governor, what they should be responsible for, and to whom they should be accountable. They will also look at how the Ministry of Justice (MoJ) and HM Prison and Probation Service (HMPPS) should provide effective oversight of prisons. This document is NPC's written submission to the inquiry.

## Introduction

1. NPC is the independent think tank and consultancy for the social sector. Our mission is to improve the impact of charities, funders, philanthropists and policymakers that champion the people, places and causes at the frontline of social change. This gives us a very good feel for the barriers that hold charities, social enterprises and other voluntary organisations back, and we work with them to co-design and develop solutions to overcome those barriers.
2. NPC has carved out a niche for itself as an independent expert on criminal justice policy. Our vision is for people that have spent time in prison to have the best possible chance of a successful return to life after prison, and for them to have the means of breaking the cycle of reoffending within their grasp. We believe that social sector organisations have a crucial role to play in achieving this. We recognise the difficult environment in which they operate but believe, by working together, charities and other voluntary organisations have the expertise, creativity and determination to find ways to deliver their work effectively, as well as to advocate the need for reform.
3. Our experience in this area spans over a decade, with particular highlights including our work [championing the Justice Data Lab](#) and our landmark [Beyond Bars report from 2017](#), looking at how the social sector might maximise its impact within the criminal justice system. We are publishing a report later this month that will make the case for funding charities in the criminal justice system, and have already released interim reports looking at [how charities can influence change in the prison system](#) and how [charities currently access prisoners in order to deliver services](#). As part of this research, we engaged with over 120 stakeholders within the criminal justice system, including many prison governors, directors and other staff.
4. As a general principle, **we want the government to come forward with a much sharper articulation of the purpose of prisons today. This includes a clear mandate—and clear incentives—for the rehabilitative mission of prisons, if they are to better protect the general public.** We think that this would open up space for greater collaboration between the prison system and the social sector, and hopefully lead to more equal partnerships between prisons and charities in local areas.

5. **And charities should be treated as equal partners around the table in prison policy making and the day-to-day work of the prisons they work in.** Charities and funders are a vital partner to government in improving the criminal justice system so that it is just and humane, reduces crime, and supports prisoners to lead positive lives away from the prison system. Charities have deep insight into the system’s problems and are full of ideas of how to improve it, but they need to be properly equipped to contribute to systemic social change.

**Background—the role of the social sector in the prison system**

6. There has been an active voluntary presence in the criminal justice system for over 200 years, delivering vital services not provided by the state, ameliorating some of the negative impacts of the system, helping people to achieve rehabilitation, and campaigning for a more just and humane system. Whilst desistance from crime is an important outcome in the context of the justice system, charities might be focused on broader definitions of wellbeing, and within that, reducing reoffending is just one measure of success for charities. The table below gives an indication of some of the work that charities undertake.

1. Delivering vital services	2. Supporting people’s wellbeing
Delivering substance misuse and addiction services Acting as a bridge for contact with family and friends Providing education and vocational courses Providing specialist mental health support Addressing basic needs, such as providing clothing Providing support to family and friends	Providing a choice of purposeful activities to use the time meaningfully Providing official prison visitors Supporting people in prison to have hope for the future Advocacy, peer support and befriending
3. Engagement and empowerment	4. Navigating the system
Providing mechanisms to volunteer and support others in prison Elevating the voices of people in prison to challenge systemic injustice	Supporting people to navigate the system Helping people to prepare for release

7. Now is the time to support them to keep doing this: 80% of charities report that service user need is becoming more complex and 73% say those needs are more urgent. Austerity has hit the MoJ harder than any other domestic department. The criminal justice system is over-stretched and under-resourced, creaking under the weight of overcrowding. Charities are struggling to access people in prison, as well as navigating a complicated policy landscape. Now is the time to support them to keep doing this: 80% of charities report that service user need is becoming more complex and 73% say those needs are more urgent.
8. **We are confining our suggestions to questions 2.d and 2.e, looking at the relationships between prisons and the wider social sector and sharing recommendations made as part of our ongoing criminal justice programme.**

**2.d: Is there effective collaboration between prison, probation and other community services and what are the challenges to improving this?**

9. As part of our ongoing research, we have found that **many charities face a ‘double-access’ problem when trying to work with people in prison.** The first problem is getting inside the gates in the first place; the second is getting people out of the cells long enough to carry out activities. Understandably, the number one priority of the prison staff is the safety of the prison. If there is an unexpected incident or a shortage of staff, a lockdown may be the only solution to ensure maximum safety. But setbacks mean wasted time and resources, and disappointment for charities, prison staff, and the prisoners themselves.

10. Our research also brought home to us just how dependent the impact a charity can have, within the prison system, is on the maintenance of good relationships with prison staff. A relationship with the governor can overcome the first access problem, relationships with officers can help overcome the second problem. One of our interviewees told us that ‘at the moment our work is based entirely on relationships in the past, but these have gone downhill due to austerity and staff turnover.’ **Relationships alone provide an unstable basis for charities to achieve their mission. We need to entrench working partnerships so that they endure, regardless of personnel change at either end.**
11. Key to this is the **promotion of greater mutual awareness** of work undertaken by prison staff and charities alike, and a move towards creating shared incentives that shape and support sustainable, long-term relationships. A charity’s mission is usually about outcomes for individual prisoners. Though this benefits the prisoner, they are not usually motivated by making prisons more stable. But the prison staff who grant them access to prisoners are motivated by stability. Charities can be strategic in their approaches, showing that they directly and indirectly contribute to the prison’s priorities, such as reducing violence, self-harm, or drug use and supply.
12. We have made a number of recommendations to prison governors and policymakers that we believe will create a more conducive working environment, we have listed them below.
13. **We urge governors to actively recognise the importance of having charities in the prison.** For example, the potential impact of charities on reducing violence, self-harm and drug use, and on alleviating pressure on prison officers. Anecdotally, we have found that partnerships with charities are also good for recruitment. Some of the best prison officers want to work in prisons which have a rehabilitative and collaborative culture. **Governors should lead from the top, giving charities personal assurances about their importance, and demonstrating the importance of collaboration to the officers.**
14. **We would strongly recommend that governors hire a voluntary sector coordinator.** A single point of contact helps navigate the unpredictable environment of a prison, but staff cuts have made this harder to achieve. The role of a voluntary sector coordinator is to liaise between charities and the needs of the prison and prisoners, to make sure that the right charities are accessing the right people. They are often employed by a local voluntary sector provider, but the role is usually paid for by the prison. We have found that these positions have been gradually cut or absorbed into another person’s job description and deprioritised.

#### Case study one: Clinks and the good prison

Between September 2016 and October 2017, Clinks sought to implement better models of liaison by supporting voluntary sector coordinators in three prisons: HMP Dartmoor, HMP Exeter and HMP Guys Marsh. The project was a partnership with [EDP Drug and Alcohol Services](#) and [Volunteer Centre Dorset](#).

Because of the better coordination with charities, the three prisons reported improved safety and more effective rehabilitation and resettlement services, that prisoners had better knowledge and access to charities’ support, and a more strategic role for the voluntary organisations within the prisons.

As a result, there are sustainable models of coordination in each of the three prisons which have been co-designed with key stakeholders, including prisoners. The prisons have continued to fund the posts directly. Clinks is keen to continue to support this model in individual prisons and in partnership with prison governors. They have developed a stepped approach to help prisons adopt and deliver good practice, with three levels of activity to fit each prison’s capacity. [For more information, see their final output here.](#)

### Case study two: Independent voluntary sector coordinators at HMP Guys Marsh

At HMP Guys Marsh, the Voluntary Sector Coordinator, Marie Waterman, is independent from the prison and employed by the local VSO, [Volunteer Centre Dorset](#).

Marie finds that her independence from the prison is a strong asset, preventing her from getting 'bogged down' in the bureaucracy of the prison. But she feels that she needs a level of embeddedness, such as having access to IT systems, invitations to regular staff meetings and a strong relationship with staff.

Despite a bad inspection report in December 2018—which deemed the prison unsafe, with serious violence directly related to prisoner debt and the availability of drugs—the prison feel that they have a responsibility to support the voluntary sector coordinator and provide prisoners with opportunities from charities.

Tracy Harrison, the Head of Reducing Reoffending at HMP Guys Marsh told us 'the guys see that she is independent. They approach her more—she is another outlet for expression. When you ask [the] men to do something prison based, they feel they are doing something for the prison, and many of them distrust the system.'

15. Under the new education commissioning model of the Dynamic Purchasing System (DPS), we would urge governors to think about **providing funding to charities for a minimum of three years**. One-year contracts leave charities vulnerable and can undermine the quality of service.
16. **It is important that prisons conduct due diligence on charities**, asking for proportionate evidence of their impact. It was concerning as part of our research to hear prison staff tell us 'we are wheeler dealers here. If anyone offers us something for free, we'll take it,' regardless of whether it causes benefit or indeed harm to people in prison.
17. **Governors should think about the systems they need to maximise charities' access to prisoners**. We suggest sequencing tools, a directory of services for prison officers, and involving charities in prison officer training.

### Sequencing tools

Prisons and charities can do more to ensure that people access services at the most appropriate time. In our focus group with people with lived experience of prison, some of their greatest criticisms were about the timing of charities' services. Many felt that charities were not aligned with their personal journey through the prison system or in tune with the length of their sentence.

HMP Send, a closed training prison for women in Surrey, have developed a sequencing tool to improve the timing of interventions—based on the sentence length and the needs and desires of the prisoners—to match them to a service at the right time. For example, prisoners on a long sentence are initially matched with education classes before moving onto employment skills, whilst those on a short sentence just work on their practical and employment skills.

The system is not perfect, and it requires intensive needs analysis to keep it updated, which takes up a lot of staff time. But it goes a long way to making sure that the people who are in the most need get the right help. The staff at Send reflected that it would be harder to achieve an effective sequencing tool in a large prison with a less stable population.

### Service directories for prison officers

How can prisons empower prison officers to work with and make referrals to charities? In many prisons, governors try to make sure that charity staff are invited to key staff meetings. Others work to ensure prisoners know what is available, such as through Wayout TV—an in-cell TV learning channel which provides educational content and advertises charitable programmes that are available. Directories are not an uncommon way of providing this mechanism for referrals.

Prison staff are often unaware of which charities are operating alongside them at any time, or what each of them does. To solve this issue, staff at **HMP Downview** pulled together a physical directory which contained every charity which operated in the prison. Alongside the charity, it lists a brief description of their services and which key staff are involved. With this, the prison can go some way to showing all wing and residential staff—including officers—what value the charity could add, and how their work aligns. The directory is available for all staff to use, to see what services might benefit the women on their wing.

### Prison officer training

#### Trauma informed training

[One Small Thing](#) have trained 3,787 prison staff, in 16 prisons, to be trauma informed. They aim to personalise the process for individuals caught up in a cycle of crime by training front-line staff and those who are in the criminal justice system to understand trauma and its impact on both a systemic and an individual level.

#### Prison leadership training

[Unlocked Graduates](#), currently incubated by the social business Catch 22, is a training and leadership programme for prison officers. Their aim is to attract talent to work in the UK prison service, bringing new ideas, insights and energy into the rehabilitation of prisoners.

#### Therapeutic practice

[Safe Ground](#)'s programme, [Officers Mess](#), works with staff to interrogate and understand the role of the prison officer, their impact on people and the ways in which authority and power are understood and enacted in prisons. It is a therapeutic space for prison staff of all grades. The workshop is led by the ideas and needs brought by each group, providing officers with a rare opportunity for reflection.

#### Recognising achievement

[The Prisoners Learning Alliance](#)'s annual awards recognise excellent educators in prison, whether they are officers, teachers, librarians, governors or peer mentors, and all of the nominations come from serving prisoners. An officer's job is often thankless, and the awards can positively change the power dynamic between staff and prisoners.

#### Conflict management

[Leap Confronting Conflict](#) deliver conflict management programmes for prisoners, but they also work with staff to increase their understanding of their own conflict triggers and how they can better manage these on the job. Their goal is to foster a shared culture and language around managing conflict, creating safer environments for staff and prisoners.

18. Tuning to **recommendations for policymakers**, we want the MoJ to **make it easier for charities to employ people with lived experience to work in prisons** and would urge the select committee to make similar representations. We know that prisoners and prison officers both value the work that people with lived experience bring into prisons.

19. Incentives within the system need reforming. Prison governors respond to the incentives and metrics by which they are ultimately judged. For instance, perverse incentives mean that people in prison might take the same level 1 qualification multiple times. Prison governors should be incentivised to reduce reoffending, with greater weighting than they currently are, to improve partnership working with the voluntary sector.

**2.e: To what extent are existing arrangements in place for the commissioning of services, such as health and education, fit for purpose? Are there appropriate oversight arrangements in place for these services?**

20. We believe quite strongly that charities should be part of the mixed market of probation services, as well as education, family and health services, and ask the select committee to make similar recommendations to the MoJ. [Please see our response to the government's \*Strengthening probation, building confidence\* consultation in September 2018 for more information on this.](#)
21. To re-stress the point made in paragraph 16, we would urge the MoJ to reconsider the 12-month contracts provided under the DPS, and instead consider funding charities for a minimum of three years. 12-month contracts understandably give governors the flexibility to respond to changing needs in their population, but many charities are experts at responding to changing needs. One-year contracts and grants leave charities vulnerable and will undermine the quality of service.