



INDEPENDENT, EFFECTIVE, HUMANE:

The case for funding charities in the prison system

Summary findings from NPC's 2018/19 research

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NPC'S CRIMINAL
JUSTICE PROGRAMME

**Beyond
Bars**

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Faces of people in prison have been pixilated in accordance with HMPPS guidance

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INDEPENDENT FUNDING IN THE PRISON SYSTEM IS VITAL BUT FRAGILE

There are around 83,000 people in the prison system in England and Wales. Most of them have experienced social, economic, structural and racial inequality and are likely to have been let down by multiple social services by the time they enter prison.

While the number of people in prison has remained roughly constant since 2010, government funding for prisons has dropped by around 15%¹. This has affected staffing levels and our paper [*How are charities accessing people in prison to deliver vital services?*](#) indicates that the knock-on effect is less access for charities. Without these charities, people in prisons—who could be supported on their journey to desistance and a better life—have to rely on themselves.

At the same time, our paper [*How are charities influencing change in the prison system?*](#) highlights the turnover at all levels within the Ministry of Justice (MoJ), with just under 15% of civil servants leaving the department in 2017/18² and seven Justice Secretaries since 2010. This makes lobbying for change more difficult.

The cause of people in prison has never been a popular one among the public, so independent funders have always been a vital part of the funding mix but these difficult times make them more important than ever.

Unfortunately, though understandably, these difficult times have made funders frustrated by the criminal justice system in recent years and there is a risk of them drifting away. Our research shows funders can still have a significant impact on prisons and should not be dissuaded.

This report argues that:

- Charities continue to have an impact despite working in a prison system which is in crisis. Their work both in prisons, and to influence change is hugely important to individuals and society and is only possible because of their independence from the system itself.
- Independent funders are vital to charities working in prisons because it is a field which has experienced steep government cuts and does not attract much funding from the public.
- There are legitimate reasons for funders to be worried about putting money into a broken system, but these are outweighed by the potential for impact. People in prison represent both deep need and great potential, and changing the system would have hugely positive effects across the country.



Methodology

Over the last year we have conducted this program of research by speaking to charities, funders, policy makers, parliamentarians, prison governors, prison officers, and most importantly—through our partnership with Revolving Doors Agency—people who have spent time in prison. For more on our methodology, see appendices.

Scope

Our work has focused on prisons. We recognise that someone's experience of the justice system is broad and may not involve prison, and that the solutions to reducing reoffending are likely to lie outside of prison walls. But with our available resources, we chose to define our scope around prisons because they are becoming particularly difficult to access and to influence.

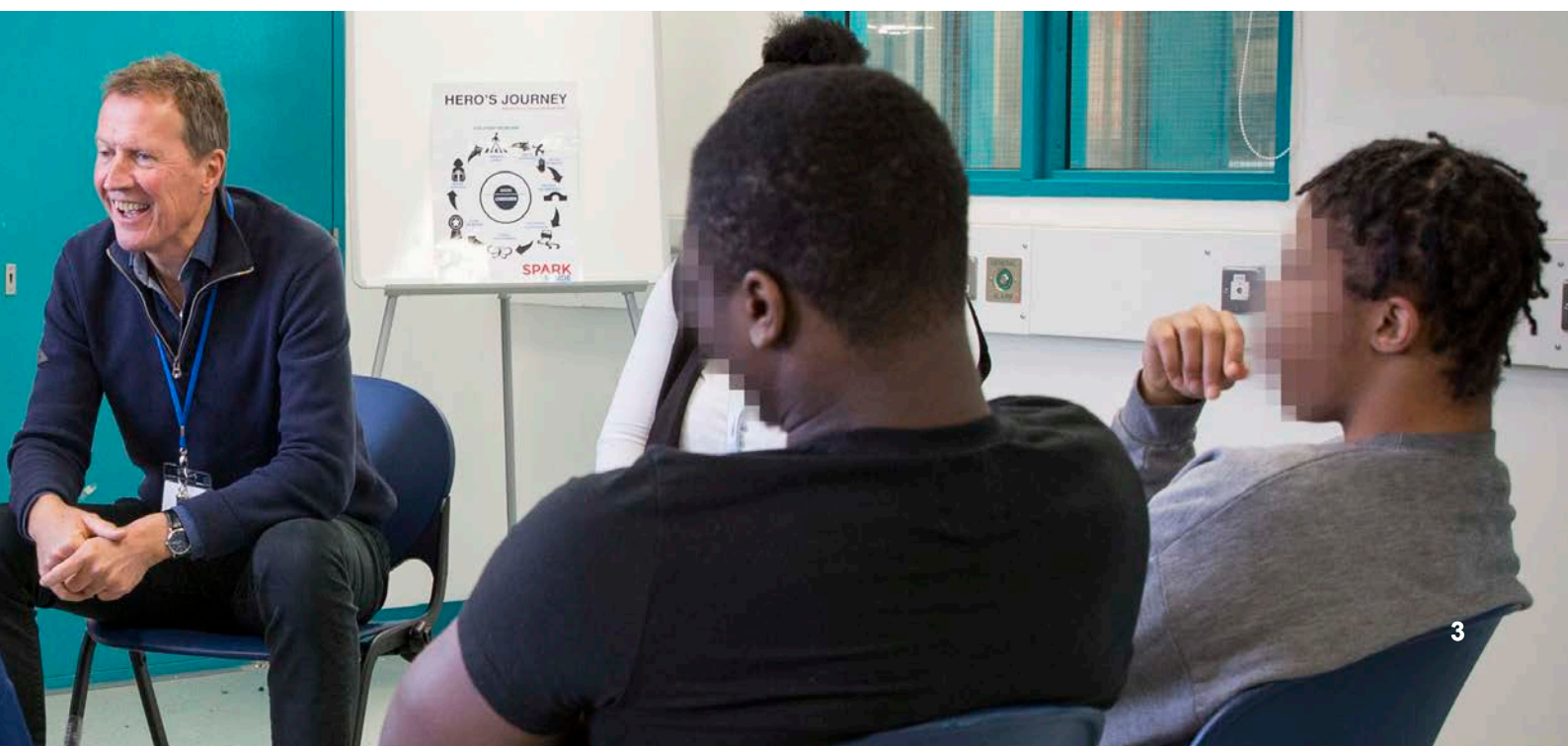
We have focused on how charities access people in prison to deliver services, and how they work to influence the prison system. But we know that charities work across the entire justice system and where it intersects with wider society. They work to influence the police and the courts, with people at risk of offending, with the friends and families of those inside. They deliver community sentences and supporting prisoners Released on Temporary Licence (ROTL) with placements to work and volunteer. Our work covers just one part of the charity sector's interaction with the criminal justice system. In future it would be of benefit to society if the bigger picture was better understood.

A note on language:

- Where we talk about funders, we are referring to independent funders such as philanthropists and grant making trusts and foundations, as opposed to government funders and commissioners.
- Where we talk about prisons, we are referring to prisons in England and Wales. We have focused on category B (local and training), C (training and resettlement) and D (open) prisons, and prisons for women and young adults.
- Where we talk about lived experience, we mean people who have been in prison and those affected, such as their families. By professional experience, we mean those who have worked in the system, such as frontline charity workers and prison officers.

About NPC's criminal justice programme

At NPC, we want to see a better world for people and communities whose experience of life is negatively affected by systems or circumstances. We therefore want people in prison to have access to the services they need, and for the criminal justice system to be humane and effective at rehabilitation. Charities are crucial to making this vision a reality—they can be the difference for individuals who have often been failed by multiple services and by a system which isn't conducive to reducing their reoffending. Charities are a critical part of reforming this broken system with their insight and expertise.



WHY DO WE NEED AN INDEPENDENT VOLUNTARY SECTOR IN PRISONS?

There has been a voluntary presence in the criminal justice system for over 200 years³, delivering services not provided by the state, mitigating some of the negative impacts of the system, helping people achieve rehabilitation and campaigning for a more just and humane system. The time is now to support them: 80% of charities report that service user need is increasingly complex and 73% say that need is becoming more urgent⁴.

The voluntary sector brings hope, purpose, and rehabilitation

'[Working with a charity] helps you move forward... If you're doing well on the inside, you're going to want to do well on the outside.'

Lived experience focus group member

When someone is sent to prison the power dynamic between them and the state shifts. Even where the state offers services, this is still tied up with its role enforcing punishment. The voluntary sector is independent and therefore more likely to be trusted. Charities offer long-term, local, specialist, person-centred, options. They are also experts in engagement and elevating the voices of people with lived experience of the justice system.

Some feel that, given how hard it is to access people in prison, it would be more effective to work in the community but many charities we spoke to argued their work is most effective when it includes people in both contexts.

Figure 1: Some of what charities offer to help people desist from crime



Charities deliver a diverse range of services to support desistance and wellbeing

In this context, desistance means the stopping of reoffending. Desistance theory is seen as a journey or process rather than a single event but there are common assets which are associated with desistance. These are often what charities support people to work towards. None of these are a solution on their own, and they aren't relevant to everyone.

Charity work in prisons is varied. Whilst desistance from crime is an important outcome in the context of the justice system, charities might be focused on broader definitions of wellbeing. Reducing reoffending is just one measure of success for charities.

The table below captures a flavour of their work, but charities rarely fit neatly into one category. Regardless of what measure of success is used, we were told the work done is invaluable to those inside the prison system.

Figure 2: A non-exhaustive table of the work done by charities in prison

Delivering vital services
<ul style="list-style-type: none"> 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
Supporting people's wellbeing
<ul style="list-style-type: none"> Providing a choice of purposeful activities Providing official prison visitors Supporting people in prison to have hope for the future Advocacy, peer support and befriending
Engagement and empowerment
<ul style="list-style-type: none"> Providing mechanisms to volunteer and support others in prison Elevating the voices of people in prison to challenge systemic injustice
Navigating the system
<ul style="list-style-type: none"> Supporting people to navigate the system Helping people prepare for release

Does it work?

The Justice Data Lab (JDL) is a free service which allows charities to measuring their impact against government reoffending data. It helps us to measure long-term change (impact)—which is incredibly valuable but usually the most challenging type of data to collect.

We know from a meta-analysis of JDL results that the average effect on a one-year reoffending rate is around two percentage points¹. So, we can presume that an averagely performing project would reduce the proportion of people reoffending by this much. We should celebrate this two point reduction—it amounts to significantly fewer people in the justice system and many more may be committing less severe crimes and have been started on the desistance journey as a result of charities' work.

It also shows just how difficult it is to reduce reoffending and perhaps where expectations should be. It is important to remember this is just one metric, and see the JDL as complementary to other data collection activities rather than as a replacement for them; it is just one piece of the puzzle.

We should acknowledge that for many in the sector, reducing reoffending is not always the main goal of their work. Charities might be more interested in health and wellbeing in the long-term and government funders, particularly in prisons, are more concerned by violence reduction as a priority.

¹This analysis includes both statistically significant and insignificant results. Results have ranged from a reduction in reoffending of 20 points to an increase of 12 points. <https://www.thinknpc.org/blog/five-years-of-justice-data-labs/>

Prisons are where charities reach some of the most vulnerable people in society

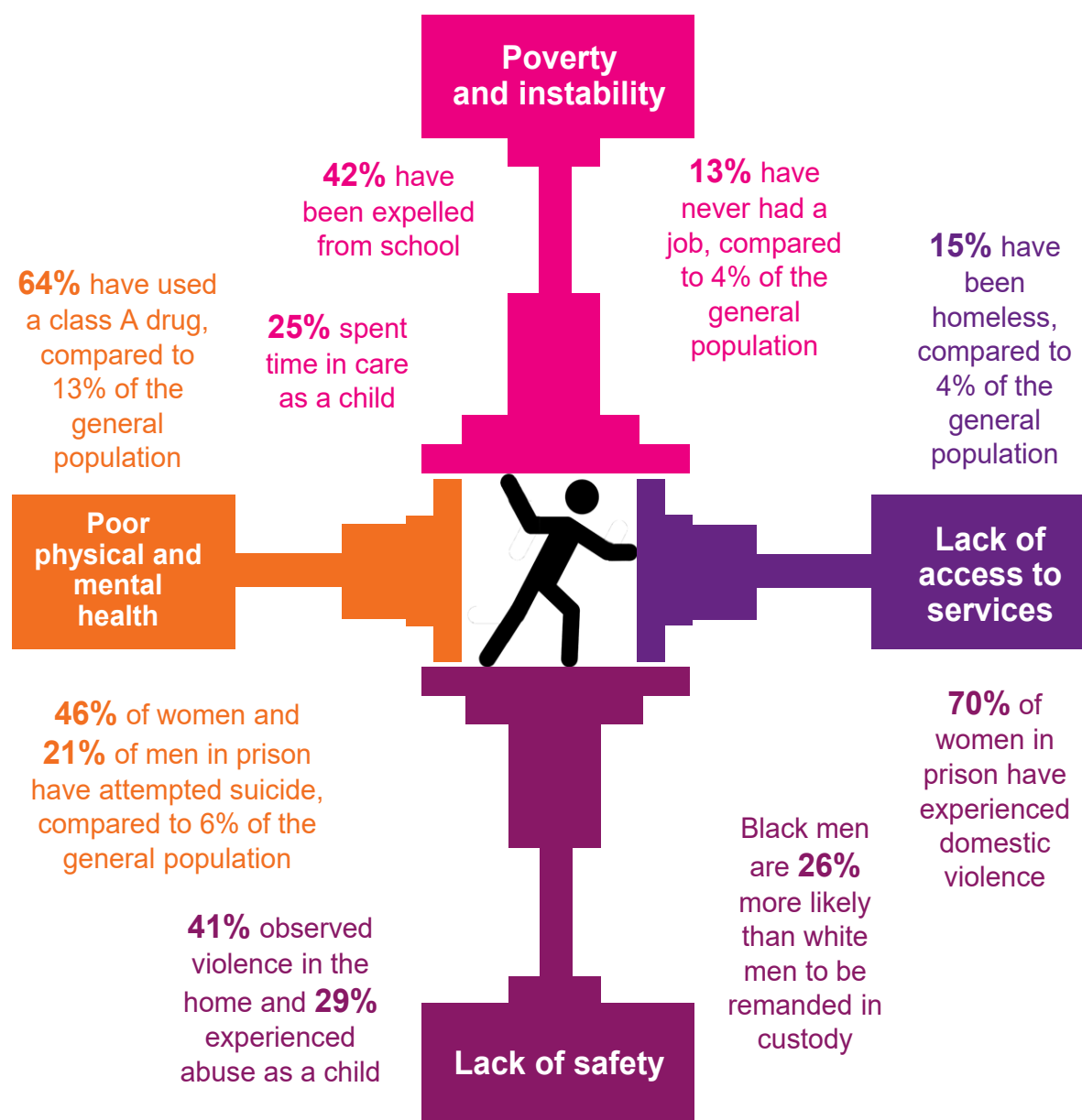
People in prison are at the sharp end of systemic failure and inequality⁵

There are striking correlations between people's experience of social, economic, structural and racial inequality and their likelihood of coming into contact with the criminal justice system.

By the time someone is in prison, they are likely to have already been let down by multiple social services. More than 80% of men in prison have suffered adverse childhood experiences, compared to 10% of the general population⁶. And prison compounds inequality. Those from black, Asian or minority ethnic (BAME) and poorer backgrounds are disproportionately likely to receive prison sentences¹⁷. Women's outcomes are almost always more negative than men's during and after time in prison⁸.

While in prison, homes and jobs are often lost, children are taken into care, relationships suffer, debts accumulate and future job prospects are damaged, making it harder for people to address their issues and stay out of the criminal justice system⁹.

Figure 3: The social and economic factors pushing people into prisonⁱⁱⁱ



ⁱThey are more likely to be arrested, more likely to be the victims of crime, and more likely to be remanded in custody

ⁱⁱⁱWith thanks to the Prison Reform trust for the Bromley Briefings Prison Factfile, Autumn 2018 for these statistics

People who have been in prison told us that they value charities because:^{iiiiv}

They provide motivation and determination

'[It gives you] purpose, so, when you get out you know that you're not going back there.'

They are independent

'If it's a screw [prison officer] sitting there... you're not going to talk. Yeah. You're going to be guarded, you know what I mean? Because the less they know about you, the better.'

'I didn't even open up to them let alone trust them (prison staff). The whole business [is] about control isn't it, for them. You know you're not going to get no empathy.'

And it matters to prisoners that charity staff and volunteers often have lived experience of prison too

'The woman [from a charity] come and she spoke my language. To me it's like, a language thing as well. I can relate to you if you've done certain things that I've done.'

^{iiiiv} All quotes are from lived experience focus group participants



THE CHALLENGES FOR CHARITIES IN THE PRISON SYSTEM

Charities working with people involved in the criminal justice system—and in prisons in particular—have faced challenges in recent years. Austerity has hit the MOJ harder than any other domestic department^v. The criminal justice system is over-stretched and under-resourced, creaking under the weight of overcrowding^{vi}. Charities are struggling to access people in prison as well as navigating a complicated policy landscape. As a result, some independent funders are losing confidence that their input will make a difference^{vii}.

Charities face a double access problem when trying to deliver services in prison^{vii}

Getting inside

It is increasingly difficult to get through the door of a prison to deliver vital services. Centralised routes to government funding seem to be closing, and the government now predominantly funds through contracts (95%) rather than grants (5%)¹¹. Charities are increasingly turning to individual prisons for funding, but prison governors have faced punishing cuts and are under immense pressure to focus on safety. Access for charities often depends on the personal motivation of the governors, who are not explicitly incentivized to work in partnership with charities. Such a system leaves charities vulnerable to changes in prison leadership, and it is an area with high staff turnover. A recent influx of new and inexperienced prison staff, who need vetting, means that charity staff and volunteers are bumped down the vetting list. This is particularly problematic for charity staff whose vetting generally takes longer, such as those with criminal records—whose lived experience is so important to prisoners.

‘The reality nationally is that prisons don’t have any money... governor flexibility in budgets and their capability to invest in charities is very limited, if not non-existent.’

Prison Leader

Working inside

Once inside the prison walls, there is no guarantee that charities will be able to reach service users.

Prisoners are spending less time out of their cells because of staff cuts (6,580 prison officers lost their jobs between 2009 and 2014) and due to rising levels of violence (assaults reached a record high of 34,223 incidents in 2018, a 16% increase from 2017¹²). And the power dynamic between prisoners and prison officers can stop charities reaching those who may most need support. Prison staff may be reluctant to prioritise charities access to the prisoners causing them most difficulty, but these may be the people that charities most want or need to be working with, precisely because of their challenging behaviour.

38% of young people in prison spend less than two hours outside of their cell, up from 11% in 2011/12

32% of people in local prisons spend less than two hours outside of their cell, up from 22% in 2011/12

‘Your access may look great on paper, but if you have long periods of lockdown nothing is going to happen. Safety and security concerns mean that some of the other stuff which might mitigate the violence is put to the side.’

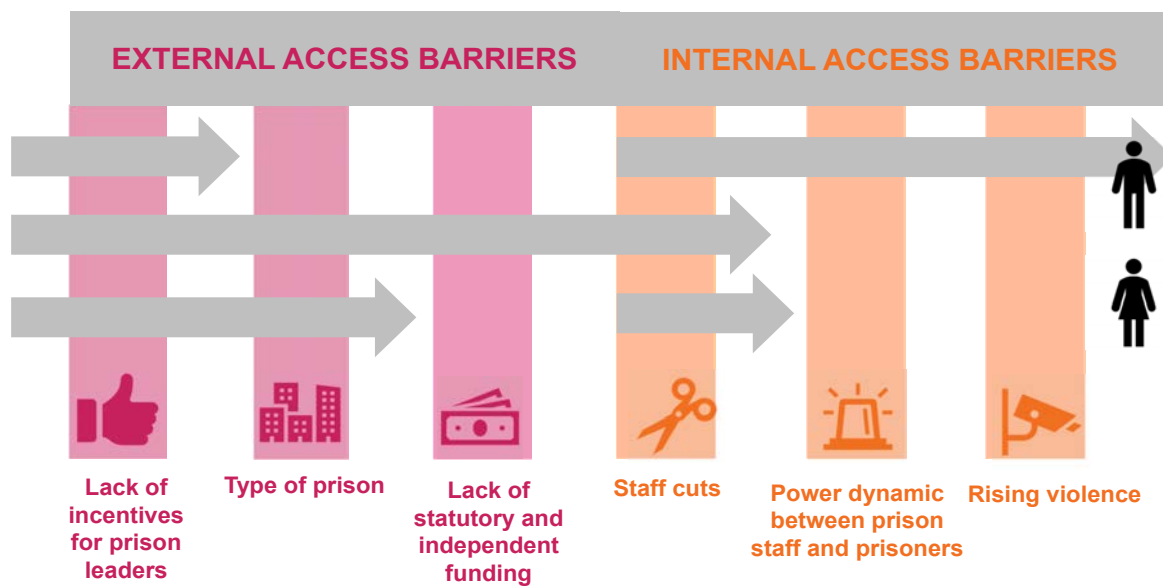
Jason Moore, Divisional Director of Substance Misuse Services, The Forward Trust

^v By 2020, there will have been a 40% reduction in real terms public expenditure by the MoJ—down from £9.3bn to 5.6bn, with further cuts still planned¹³.

^{vi} The prison population has risen by 70% in 30 years to 82,384 people¹⁴.

^{vii} Our report, *How are charities accessing people in prison to deliver vital services?* explores these issues in more depth.

Figure 4: Charities face a double access problem when trying to reach people in prison



The system needs to change but it is hard to make consistent progress^{viii}

As well as delivering services, charities try to improve the prison system through traditional lobbying and policy work. This is an important route to tackling the major structural problems that inhibit rehabilitation; overcrowding, danger and inefficacy. Unfortunately, government policy changes in recent years have been detrimental for the voluntary sector, particularly Transforming Rehabilitation—the changes to probation services in 2014—which part privatised the service while freezing smaller charities out¹⁵. The situation is exacerbated by near constant ministerial turnover at the MoJ and by the dominance of Brexit, each of which makes it difficult for charities to influence decision makers and shift the tide in social policy areas like prisons.

Politicians are heavily influenced by public sentiment and the wishes of their constituents. But influencing public opinion is rarely prioritised by charities because it is resource intensive and can easily go wrong when public and media sentiment can be hostile^{ix}.

‘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 Neilson, The Howard League

Traditional charity communications strategies, which focus around personal stories, risk being seen as insensitive to victims or, conversely, stigmatising their subjects and focusing on their vulnerabilities rather than their potential. Even getting access to people in prison so they can tell their stories can be hard due to risk aversion in the MoJ. Public campaigning must be handled with care, but people who have lived experience of prison would like to see charities do more to influence the public.

‘At The Prison Reform Trust, we are doing more to influence the public because that’s what our Prisoner Policy Network¹⁶ of people with lived experience want us to do.’

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

^{viii} Our paper, *How are charities influencing change in the prison system?* explores these issues in more depth.

^{ix} The *Reframing Justice Project* is led by Transform Justice and involved a partnership with Clinks, The Criminal Justice Alliance, the Standing Committee for Youth Justice and the Frameworks Institute.

THE VITAL IMPORTANCE OF INDEPENDENT FUNDING TO CRIMINAL JUSTICE CHARITIES

Charities working primarily with people involved in the criminal justice sector are heavily reliant on grants^{*}. This is because the general public don't often give to criminal justice charities, and because the government is increasingly funding through contracts instead of grants and in smaller amounts^{xi}. As a result, a large portion of funding in the sector is restricted to specific programmes rather than core funding. Core funding is crucial in such a complex and vulnerable environment. It enables charities to build necessary relationships with staff across the prison estate, to talk about their work and their impact in policy arenas, to collaborate, develop capacity and skills, and to safeguard an institutional memory of 'what works.'

From a light-touch analysis of 360Giving data of independent grants, we think that there was a 50% drop in independent grant funding to charities working in the criminal justice system between 2013 and 2014, from £37.1m to £18.4m^{xii}. This was the first year of Transforming Rehabilitation and suggests funders may respond directly to policy upheaval—by pausing their funding. Although funding levels appear to have recovered, with renewed uncertainty about the future of probation services in 2019, charities need commitment and stability from funders.

For funders who care about people at the margins, the criminal justice system and prisons are a place they can achieve impact, for three reasons:

- There is a critical need to support individuals and improve the system
- The contribution of independent funders makes up a significant proportion of the sector's resources
- There are clear ways for funders to have an impact

Charities continue to find ways to access people in prison who need services to support their wellbeing and rehabilitation. They are effective at influencing change across the system through both their delivery of services and campaigning work, shining a light on the dark corners of the system. Now is the time to invest in charities who protect the rights and needs of people at the sharp end of systemic social failure.

Where funders are frustrated, what are they doing about it?

Some are moving away from prisons

They are concerned that their grants are propping up a harmful prison system, about charities ability to access service users in prison, and about the risk of subsidising contracts or private sector profits.

'We have moved away from funding work in prison to work in the community with people who are at risk of offending or reoffending. When we do due diligence, charities say that our grant might subsidise government contracts. We understand how hard it is for charities—they are between a rock and a hard place—but it just isn't acceptable to our trustees.'

Anonymous grant making trust

^{*}In 2015/16, specialist organisations whose total income is between £100k and £500k received 67% of their income from grant funding¹⁷.

^{xi}This is compounded by four major grant funders closing or spending down: The Diana Fund, The John Paul Getty Foundation, The Monument Trust and Northern Rock.

^{xii}We reached this figure by searching four keywords: prison, probation, offender, justice. The data was cleaned to remove duplicates, anything that wasn't in UK currency, where beneficiaries were abroad and any inappropriate data, such as research grants looking at a part of prison history. We also removed MoJ data which was only supplied for 2016 and therefore has a significant skewing effect. Some funders may have only submitted data which dates back to 2014. We have therefore sense checked the 2013-14 step change and found that it stands up to scrutiny. We still find a 50% drop from £29.5m to £14.8m when funders who had not submitted grants data for 2012 are excluded from the analysis. 360Giving is a strategic partner of NPC, for more info, see: <http://www.threesixtygiving.org/>

For other funders this is an unintentional drift—they cannot find suitable projects to fund.

‘There are simply fewer charities we find we can comfortably give grants to, since changes to probation (in 2015). So many promises have been made by government to the sector publicly, but nothing ever happens. We did not intentionally drift away, we just did. But I can’t imagine we would ever walk away entirely.’

Anonymous grant making trust

Others are investing more in criminal justice and prisons, precisely because of changes in the system

They have seen charities struggle to survive in recent years due to changes in government policy and funding. They remain committed to supporting these charities at such a difficult time, and some are increasing their spend.

‘We all have great frustrations with the prison system, but there are good, well run charities often providing the only support available to people in prison and without independent funders they cannot thrive and may not even survive. And if you are trying to make an impact on any other social issue, charities in prison will be working with those most in need, so other funders should care about them too.’

Duncan Shrubsole, Director of Policy, Communications and Research, Lloyds Bank Foundation for England and Wales

Some are funding charities working with people involved in the criminal justice system, but they don’t necessarily see those grants through the lens of criminal justice or prisons. For example, they might primarily be interested in funding mental health but recognise that prison is a place where their funding can have an impact on that issue. With the needs of people in prison becoming increasingly severe and complex, more funders may start to think this way.

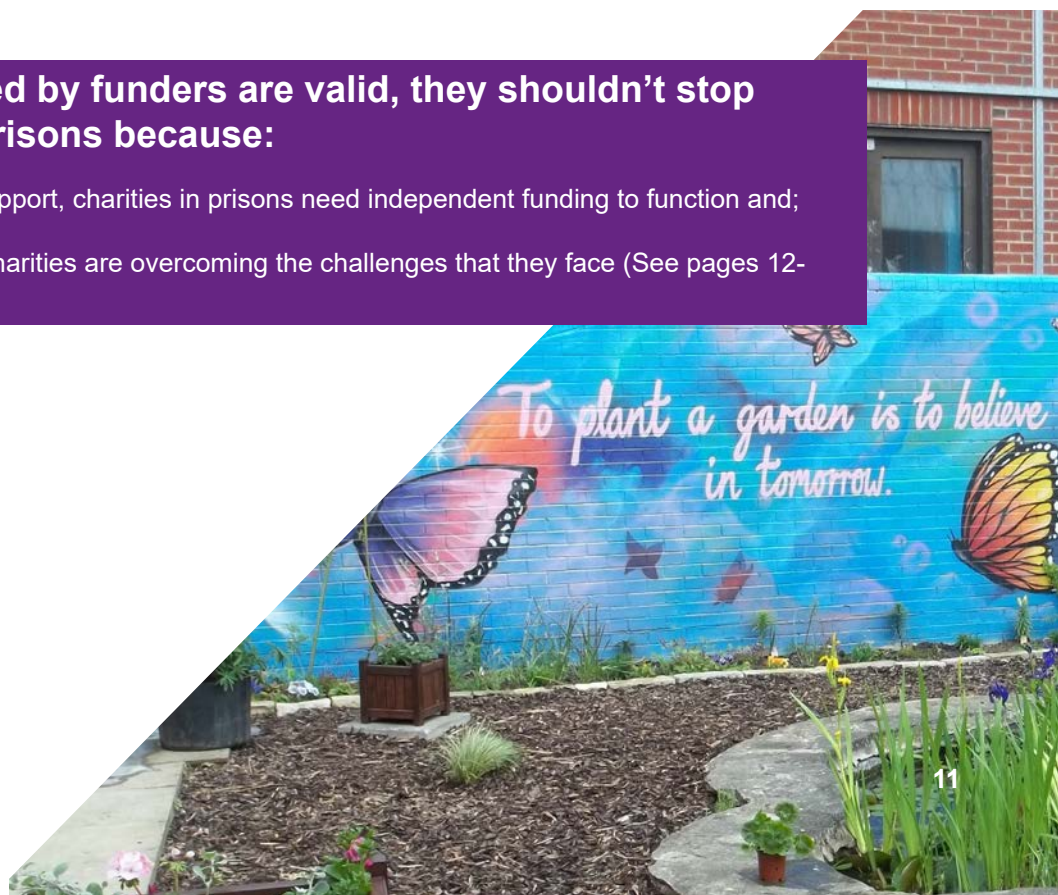
‘We are interested in multiple and complex needs and changing how systems work around people with those needs. If we think about the people whose lives we want to change, many have interacted with prison.’

Anonymous national funder

While issues raised by funders are valid, they shouldn’t stop funding work in prisons because:

In the absence of public support, charities in prisons need independent funding to function and;

Our research shows that charities are overcoming the challenges that they face (See pages 12-15).



HOW CHARITIES OVERCOME ACCESS ISSUES TO DELIVER VITAL SERVICES IN PRISON

These findings are explored in more depth in our discussion paper published in March 2019: [How are charities accessing people in prison to deliver vital services?](#)

What are charities doing to ensure they reach people?

Building strong relationships with staff: A good relationship with the governor helps charities get inside the prison gates, while relationships with staff will make it easier for charities to carry out their activities. Some governors are passionate about partnering with charities, such as Lynn Saunders, Governor of HMP Whatton who co-founded the prison's on-site charity, The Safer Living Foundation.

Recognising shared aims: It can seem like charity staff and prison staff are pulling in different directions: prison staff want to maintain safety and security, while charities are trying to support an individual. But the best partnerships come from both sides realising how each of their aims reinforces the other: safer prisons will allow charities to deliver their activities more reliably, and these activities can increase wellbeing and reduce violence. One charity we spoke to measures the impact of their case-workers reducing self-harm to feed back to the prison.

Organising: Voluntary sector coordinators ensure smooth relationships across a prison. Clinks' [‘The Good Prison’](#) shows how coordinators lead to safer prisons with better rehabilitative/resettlement outcomes. Tracey Harrison, Head of Reducing Reoffending at Guy's Marsh said of their voluntary sector coordinator, Marie Waterman:

‘The guys see she is independent. They approach her more, she is another outlet for expression.’

Tracey Harrison, Head of Reducing Reoffending, Guy's Marsh

Communicating effectively: Mutual understanding is crucial to realising these shared aims. There is no quicker way to undermine a relationship than charities overpromising and disappointing both service users and prison officers. To build a strong rapport and understanding with officers, [Sussex Pathways](#) arrange to speak to officers during their Prison Officer Entry Level Training (POELT).

Influencing prison staff to be agents for change: Many charities go beyond seeing officers as gatekeepers and deliver training for staff to grow and develop their understanding of rehabilitation and their own mental health. [Leap Confronting Conflict](#) offer practical conflict resolution training for officers in the prisons where they work. [SafeGround's](#) programme, Officer's Mess, is a workshop to help officers reflect and understand the way their work impacts on people in prison.

‘The charity can be the difference between self-harm or even suicide.’

Steve Robson, Governor, HMP Leeds



Spotlight on HMP Leicester: How a festival challenged prison power dynamics

For two weeks in 2017, HMP Leicester held a festival called Talent Unlocked which involved charities such as The Irene Taylor Trust and Soft Music Arts. The festival included activities like creative writing, screen printing, drama, and artists from the community and local charities came in to perform.

‘During the festival, prisoners saw officers differently... such as someone who is good with a guitar, and suddenly they might be performing a duet. When you hear a prisoner say ‘I didn’t want to let him down’—that is just gold dust for a rehabilitative culture.’

Phil Novis, former Governor of HMP Leicester, current Governor of HMP Nottingham

A study of the festival shows that it promoted cooperation, which paved the way for better relationships between prisoners and staff. One prisoner said the activities ‘break up the atmosphere, it breaks up the tension between staff and inmates’¹⁸. The festival has led to long-term partnerships with music charities frequently operating within HMP Leicester.

Working in prison often creates a tension between a charity’s values and its mission

A close relationships with the prison is essential strategy for meaningful access to the people inside. But getting embedded in a prison can mean trade-offs on a charity’s principles. This may risk them drifting from their mission and undermine their independence^{xiii}. Acknowledging this risk is the first step towards striking the right balance between knowing when to speak up about inhumane conditions versus of working to mitigate harm through delivery.

‘The way I picture it is that a charity greases themselves up, like they are about to swim across the English channel, so they are part of that environment but not changed by it. That is the goal.’

Ian Bickers, Deputy Director, Head of Education, Employment & Accommodation, HMPPS

Our main takeaways for funders interested in supporting charity services delivered inside prison

- Despite the odds, charities have developed effective ways of accessing people in prison. Building strong relationships with the prison is a crucial strategy, but prisons need to provide voluntary sector coordinators to give those partnerships strong foundations.
- Recognising shared aims between the prison and charity is an important strategy for access, but charities are balancing this with the need to remain independent and to call out inhumane conditions when they see them. Independent funding can preserve this vital independence.
- Funding delivery work in prisons can be a way to change the system. Charities are working to change the system by influencing prison staff behaviours and attitudes, so that they are agents for positive change. For more on this see p.15.
- Charities need core funding to be able to access people in prison. Relationship building, recognising shared aims and effective liaison and coordination takes time, energy and requires charities to be flexible. To do it they need to know their core costs are covered.

^{xiii} For more on mission drift, or ‘penal drift,’ see [The Resilience Project, The voluntary sector in criminal justice: A Study of Adaptation and Resilience. Summary of early findings](#), p.16

HOW CHARITIES ARE EFFECTIVE AT INFLUENCING CHANGE

These findings are explored in more depth in our discussion paper published in February 2019: [How are charities influencing change in the prison system?](#)

Charities are often more influential on the the prison system than many think

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

Senior Civil Servant, MoJ

A framework for thinking about how charities influence change

Insight: Charities take insight from research, data, lived and professional experience.

Vision: They use this insight to formulate a vision for what change needs to happen.

Speaking up: They use that vision to speak up to a diverse range of audiences. And, as mentioned in the previous section, change the system through **delivering services** to create change.

Who are their audiences?

Influencing change is messy and comes about through a range of tactics and audiences.

Politics and policy: Charities are effective at influencing policy, and change does happen as a result of their actions. But it’s a hard job and charities are weary—not least because leadership at the MoJ keeps changing¹⁹. Charities are best at influencing policy makers when they are savvy about the political reality of their audiences, ground arguments in evidence, have lived and professional experience, and build relationships at a senior civil servant level.

The public: Some argue that influencing the public can be risky, with the potential to be counterproductive unless approached carefully. As one senior civil servant at the MoJ said *‘anything can be turned against you.’*

Others think that without challenging narratives about who is in prison and what prison is for, there is a limit to the impact of the charity sector. When influencing, it can help to focus on working with particular communities rather than seeing the public as one homogenous group. Some charities work closely with families and friends of those in the justice system, while the [Ban the Box](#) campaign targets employers to reduce stigma around ex-offenders.

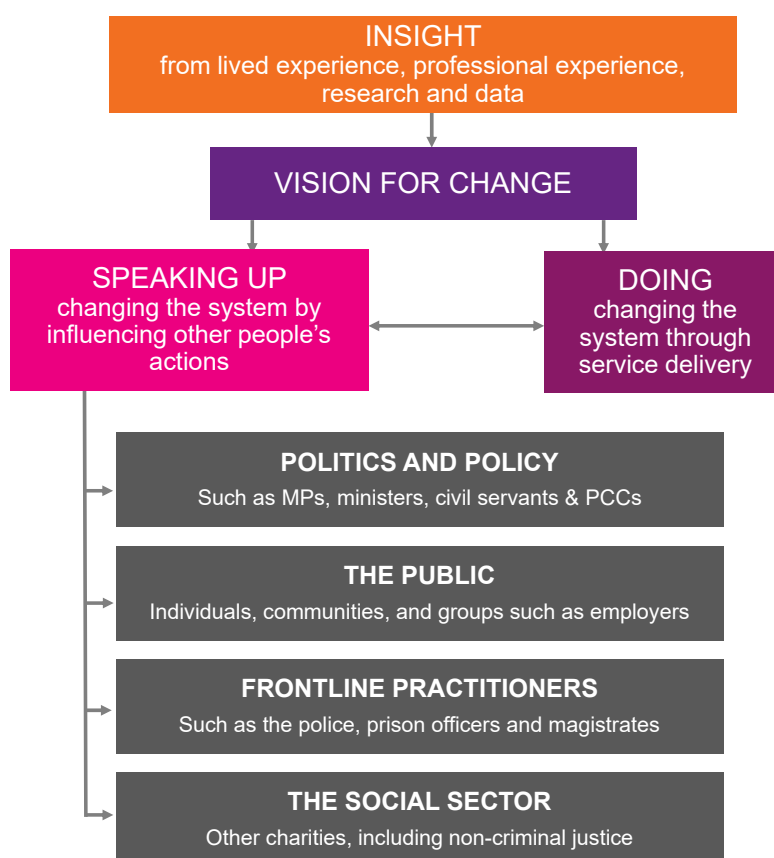


Figure 5: Charities framework for change in the prison system

‘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

Frontline practitioners: Working with practitioners is another way that charities change the system (as we saw with prison officers). Some of the most effective influencing work has been directly with practitioners like the police.

The social sector: Charities influence one another. This might include influencing the agenda of broader poverty prevention charities with similar missions, or those campaigning for harsher sentences, such as domestic violence or animal rights charities. There is scope to bring together broad coalitions across the system, to think about what a better and more effective justice system would look like.

Spotlight on the reducing the number of young people in custody

The number of children in custody has fallen by 71% over the last decade, and they are committing fewer crimes. This came about, in part, because a coalition of organisations came together with this common goal.

Criminal justice organisations, like the Prison Reform Trust and the Howard League, worked with the police at a local level, while the Transition to Adulthood Alliance led by Barrow Cadbury have contributed evidence on young people’s maturity. As consensus among the police grew, magistrates began to act. Nacro provided magistrates with briefing packs analysing use of custodial sentences. The campaign also included partners outside the criminal justice sector, like Barnado’s—who contributed 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, while the partnership was strategic about sequencing and avoiding duplication.

Service delivery plays a part in wider systems change

The sector tends to draw a line between service delivery work and campaigning or influencing work—as we have done ourselves in the two primary strands of our research over the last year. And funders often use this distinction in their decisions: those who are frustrated with prisons might turn to advocacy, policy influencing, and systems change work to try to transform the justice system.

But systems change work can, and does, include service delivery^{xiv}. Service delivery is not about propping up or colluding with a damaging system—services can fundamentally change the way the system is experienced by people in prison and can prevent further harm caused by the system. Change in practice can come from the ground up and even where it doesn’t, can give charities the necessary insight to influence change at different policy levels.

Our main takeaways for funders interested in influencing change in the system

- Charities are more powerful than many think—policymakers and practitioners told us how charities influence their thinking.
- Charities have many tools at their disposal—a charity’s professional experience is important, but the importance of their lived experience is often undervalued.
- Charities work at many different levels in the justice system—from frontline practice to influencing central government.
- Collaboration is essential for success—both with others in the social sector and those the justice system.
- Funding a systems change approach can include service delivery. The services charities deliver create change by fundamentally altering someone’s experience of the system, mitigating harm and providing insight to enable the charity to do more conventional policy influencing.

^{xiv} 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 as a tool for discussion.

WHY FUNDERS SHOULD REMAIN COMMITTED TO THE CRIMINAL JUSTICE SYSTEM

We understand why some funders are frustrated with funding criminal justice charities and prison-based work. But we also know that funders are essential to sustain services which support people facing difficult times.

Why fund charities working in the prison system?

For funders who care about people at the margins the criminal justice system, and particularly prisons, are a place where they can achieve impact. The contributions of independent funders are a significant proportion of the sector's resources because of a lack of public fundraising for organisations working with people in prison. There is a clear imperative for more independent funding in the sector, and we also know that it is possible to have a significant impact:

You can have a huge impact on people

Prisons are out of sight and out of mind for most of us but they are places with high levels of vulnerability, where a range of social issues—health, homelessness, substance misuse, education and employment, human rights and social equality—are endemic. People don't have exclusively 'criminal justice' or prison related needs when they go to prison. They will experience the same needs they did in the community, often exacerbated because of the nature of prison and because services are harder to access there.

People also have a high chance of negative outcomes on release, but charities working in prisons can reach them before release and help them on their transition into the community, on a journey to desisting from crime. And if you are focused on a particular place, the criminal justice system will play a role in the wider social make up of that place.

Your funding can influence the wider system

If you are worried you may be complicit in a harmful system by supporting criminal justice, fund work to change the system. Charities can be very effective at influencing change, and their service delivery can also be a part of systems change by changing the way the system is experienced by people, and by preventing further harm inflicted by the prison.

Funders frustrated by the slow pace of change in government can think about investing in learning and the sharing of good practice between charities. It has always been a goal that effective models developed and tested by the sector would be scaled by government, but this has rarely materialised. But these efforts are not wasted. Even if ideas are not picked up by the state they can be shared by charities working across different areas of the prison and justice system. This collaboration requires funding in itself.

Funders can connect charities across systems with similar missions, such as anti-poverty charities, and act as a bridge between charities pulling in opposing directions. Though other organisations might have the same end goal of reducing crime—such as domestic violence charities—they might also be campaigning for longer custodial sentences in contradiction to the campaigns of criminal justice organisations funded by the same funder. Funders can bring together such organisations to think systemically about what an effective criminal justice system would look like.

HOW TO BE A GOOD FUNDER IN THE CRIMINAL JUSTICE SYSTEM

Provide core funding so that good organisations can respond to ever-changing circumstances in the criminal justice system. Charities have survived the difficulties of the last few years with good governance, leadership and by ducking and diving: trust them with the flexibility to shift tactics as their context changes. In the current climate, funders can also do more to absorb some of the risk that is often transferred entirely to the grantee through, for example, providing long-term funding.

Support work which is collaborative with prisoners and prison staff. Strong relationships with staff are essential for charities to access people in prison. But these relationships also lead to longer term systems change by influencing governors and prison officers to be agents for positive change.

Consider your assets beyond funding. Where appropriate, funders can use their power to influence social change, for instance by pulling out common themes and lessons from grantee reports, to share learning with audiences across the sector and by connecting the right people. And with the right skills and experience, funders can support organisational development and capacity building for their grantees, often known as 'grants plus.'

Create space to reflect and learn. Sharing insights from your funding requires a genuine willingness to acknowledge failure and learn from it. This can be difficult, especially for the organisations you have funded. But without allowing them to be honest it is hard to learn the lessons of failure, so try to have open conversations with grantees as an equal partner^{xv}. We also recommend publishing grants data through 360Giving to add to the evidence base of funder behaviour.

Think holistically about aligning your grant making mission with all of your assets. This might mean proactively divesting from assets that might be causing harm at another point in the wider system, such as from gambling or alcohol²⁰.

Ask for the right measures—that focus on engagement and quality. Charities often feel pressured to justify themselves rather than to learn, so funders should encourage charities with genuine willingness to test their models. Where appropriate, charities should be encouraged to use the free [Justice Data Lab](#), but also recognise that this is just one part of the puzzle of measurement^{xvi}. Charities also need to collect user engagement feedback and intermediate outcome data, which build up a better picture of their effectiveness²¹.

Manage your expectations and be thoughtful about what impact means to you in such a difficult time for people and charities involved in the criminal justice sector. Be considerate of those working with the most complex and prolific offenders. Outcomes are rarely achieved as a result of one single intervention, so think more about charities contribution to the the outcome you want to see.

As a funder, shouldn't I be moving upstream?

If you are a funder concerned about your ability to have an impact in prisons and want to move 'up stream' to focus on prevention, there is still a place for you in the criminal justice voluntary sector and in prisons. Early intervention is important given the strong correlation between inequalities, adverse childhood experiences and involvement in criminal justice. But the term 'early intervention' can suggest that there is a point at which it is too late to have a real impact, which goes against the principle of desistance and rehabilitation. It is never too late to prevent further harm caused by prison: working in prisons can be preventative. Supporting someone who is in prison can have a significant preventative impact, preventing years of further reoffending and often preventing prisoners' families from their own involvement in the justice system²².

^{xv} For more, see Esmée Fairbairn Foundation's 'Insights' series: www.esmeefairbairn.org.uk/insight-reports

^{xvi} For more on JDL, including its appropriate usage <https://www.thinknpc.org/resource-hub/justice-data-lab-faq-update/>

CHARITIES AND FUNDERS NEED A CLEAR DIRECTION OF TRAVEL FROM GOVERNMENT

People in prison should have access to high quality services for their wellbeing and rehabilitation and be treated justly by a humane criminal justice system. With the current state of the system, it is therefore vital that there is an independent voluntary sector supported by independent funders.

But we also know for funders to have confidence that charities can have an impact, there needs to be clearer strategic direction from government. We have seen near constant change of direction from government in terms of leadership, commissioning structures, and prison and probation strategy in recent years. The damage of this churn is hard to quantify but we have seen indications, such as the apparent 50% drop in independent funding from 2013 to 2014 and it should be asked whether this was related to Transforming Rehabilitation.

We would like to see sharper articulation from government on the purpose of prisons in today's society, including a clear mandate and incentives for prisons to be rehabilitative if they are to protect the public. Incentivising rehabilitation would lead to a clearer sense of the voluntary sector's place within prisons and would hopefully lead to more equal partnerships with charities. These relationships need to be properly supported by prisons for charities to access the right people and have an impact. Deeper relationships could mean such involving charities in prison officer training, hiring voluntary sector coordinators in each prison, and more stable funding—trusting organisations with contracts of much longer than 12 months.

Finally, charities should be treated as a valid and expert partner around the table in prison policy making. 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 justice system. Charities have deep insight into the system's problems and are full of ideas of how to improve it, they should be listened to.



THE TIME IS NOW TO SUPPORT CHARITIES IN THE CRIMINAL JUSTICE SYSTEM

We have been privileged to have heard from so many people working for charities, working for the prison service, working in prison policy, funders, and people who have lived experience of prison.

We know that government policy and a lack of strategic direction has real life implications for charities and the people they work to support – potentially linked to a 50% drop in independent funding to charities working in the criminal justice system between 2013 and 2014. With the future of probation still uncertain, charities need to have the commitment and stability of funders who are able to keep them afloat as a constant and stable presence in an otherwise unpredictable environment.

We understand some funders' frustrations, but ultimately, we are clear that:

- There is critical need to be addressed in prisons, where people are often at the sharp end of systemic failures
- There is a large role for independent funders. They make up a disproportionately large amount of the funding available given the lack of public donations
- There is potential for impact through funding organisations in this space. Despite some funders' concerns and frustrations, great work is being delivered by charities for people in prison and to influence and reform the system.

Just as we said in 2017²³, it cannot be taken for granted that charities will always be there to pick up the slack. Charities in the prison system are independent, effective and humane, and their role working within and transforming the prison system should be protected. Now is the time to invest in charities who protect the rights and needs of people at the sharp end of systemic social failure.

APPENDICES

Appendix 1: Research participants

With particular thanks to those who have advised us throughout the project:

- Andrew Neilson, Director of Campaigns, the Howard League for Penal Reform
- Anne Fox, Chief Executive, Clinks
- Dr Ann Hanrahan, Research Manager, Revolving Doors Agency
- Ian Bickers, Deputy Director, Head of Education, Employment & Accommodation, HMPPS
- Kate Aldous, Head of Strategic Development, Clinks
- Marc Conway, Advice and Information Trainee, the Prison Reform Trust
- Max Rutherford, Head of Policy, ACF
- Paula Harriott, Head of Prisoner Engagement, the Prison Reform Trust
- Philippa Tomczak, Senior Research Fellow, Nottingham University
- Sue Tibballs, Chief Executive, the Sheila McKechnie Foundation
- Vicki Cardwell, Director of Policy and Research, Revolving Doors Agency

And with thanks to the people who contributed their time and expertise to this research:

Adele Canterbury, Kairos Women Working Together
Alex Hewson, Policy and Communications Officer, the Prison Reform Trust
Alice Dawnay, Switchback
Ally Steel, Unlocked Graduates
Alyce-Ellen Barber, Revolving Doors Agency Lived Experience Team
Amanda Brown, The Reader
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 The Rt Hon. Baroness Beverley Hughes, Deputy Mayor for Greater Manchester (Police, Crime, Fire & Resilience)
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 Val Wawrosz, Tempus Novo
 Victoria Prentis, MP for Banbury and North Oxfordshire
 Whitney Isles, Project 507

Appendix 2: Methodology

As part of our prison access research, we worked in partnership with Revolving Doors Agency to ensure the views and insights of people with lived experience shaped this project and its findings. A focus group was held with people with recent experience of prisons, which was co-facilitated by members of the Lived Experience Team. Revolving Doors Agency's research and Lived Experience Team co-designed, facilitated and co-analysed the focus group. In particular, we would like to thank Emma Sweet, Satvinder Singh Hundle and Alyce-Ellen Barber for their contribution to the topic guide design, facilitation and analysis of the lived experience focus group.

We interviewed 35 members of staff from 29 charitable organisations working inside prisons. These charities range in size, reach, specialism and approach. And we interviewed 21 members of staff from HM Prison Service across 12 prisons including governors, heads of reducing reoffending, voluntary sector coordinators, prison custodial managers and prison officers.

As part of our influencing change research, we conducted bellwether interviews with 11 policymakers and MPs on the Justice Select Committee or relevant All Party Parliamentary Groups (APPGs).

We held a workshop of 16 influential voices in the criminal justice voluntary sector to discuss the 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. We carried 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—and conducted light touch desk research.

And we spoke to 21 independent funders who support charities working with people involved in the criminal justice system through interviews and a roundtable event.



Appendix 3: NPC's history in the criminal justice sector

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. Beyond those published this year, some of our key publications in this space include:

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

[Understanding women's pathways through the criminal justice system \(2018\)](#)

[Transforming Rehabilitation: The voluntary sector response \(2015\)](#)

[Improving your evidence with Clinks \(2013\)](#)

[Unlocking offender data \(2012\)](#)

[NOMS commission on shared measurement \(2012\)](#)

You can find our reports and blogs on the Criminal Justice page of our website and on Twitter – using the hashtag #BeyondBars.



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What next for NPC?

The criminal justice sector is a priority area of focus for NPC, alongside homelessness, children and young people and health. Building on what we have learnt over the last year, we look forward to continuing to support the sector working with people involved in the criminal justice system:

1. We are keen to put our learning into practice. Having learnt about effective methods to overcome access barriers and reach people in prison, we would like to work with charities, the prison service, and independent funders to pilot a model for joining up charities with prisons more systematically to ensure people in prison receive the services they need, when they need them.
2. Having found the charity sector to be powerful at influencing change, we are interested in exploring the drivers for influencing social change in more depth right across the criminal justice system (as opposed to just prisons). Building on the momentum created at our social change workshop, we would like to convene an action learning network of organisations interested in driving change. The focus of this network would be determined by the group but could include enquiry into how service delivery plays a role in systems change, and developing a systems map for how the criminal justice system interacts with other social issues.
3. We now know more about funders' frustrations and motivations with the criminal justice system. Despite some pressing concerns, we know that there is a great deal of good will and passion for creating change in the justice system. We would like to continue to support funders to make informed and impactful decisions in the criminal justice sector. This might include tracking their direction of travel through more in-depth data analysis of 360Giving data and exploring the power dynamics in the sector in more depth, such as how funders can learn from people with lived experience of the criminal justice system.

We are excited to continue our work in this space, working collaboratively with our peers to keep supporting the sectors' impactful and vital work for people at the sharp end of systemic failure in society.

TRANSFORMING THE CHARITY SECTOR

NPC is a charity think tank and consultancy. Over the past 15 years we have worked with charities, funders, philanthropists and others, supporting them to deliver the greatest possible impact for the causes and beneficiaries they exist to serve.

NPC occupies a unique position at the nexus between charities and funders. We are driven by the values and mission of the charity sector, to which we bring the rigour, clarity and analysis needed to better achieve the outcomes we all seek. We also share the motivations and passion of funders, to which we bring our expertise, experience and track record of success.

Increasing the impact of charities: NPC exists to make charities and social enterprises more successful in achieving their missions. Through rigorous analysis, practical advice and innovative thinking, we make charities' money and energy go further, and help them to achieve the greatest impact.

Increasing the impact of funders: NPC's role is to make funders more successful too. We share the passion funders have for helping charities and changing people's lives. We understand their motivations and their objectives, and we know that giving is more rewarding if it achieves the greatest impact it can.

Strengthening the partnership between charities and funders: NPC's mission is also to bring the two sides of the funding equation together, improving understanding and enhancing their combined impact. We can help funders and those they fund to connect and transform the way they work together to achieve their vision.

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