

Sheriffs and Recorders Fund

Impact Analysis

Fenix Foundation

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Executive Summary

The Fenix Foundation were commissioned to research three, key, issues:

- The use made of the Sheriffs and Recorders fund;
- Its actual and potential impact on re-offending; and
- The role of charitable organisations more generally as regards reducing re-offending.

The users of the fund fall into two broad categories, namely probation and third sector organisations. Within both categories a small number of offices make far greater use of the fund than others. Fenix concentrated their research on these key users. Within the Probation Service two of the largest offices and heaviest users of the fund were interviewed and within the third sector the exercise similarly focussed on two of the most significant users. The original intention was to cast the net more widely across the third sector but for reasons outlined in the section 'Non Probation Organisations' this proved impractical.

This research was kindly funded by The Clothworkers Company on behalf of the Sheriffs and Recorders.

The Sheriffs and Recorders fund was regarded as a highly valuable resource by the practitioners interviewed by Fenix. The value lies in its ease of access, the responsiveness and professionalism of the secretariat, its non-judgemental nature and its wide applicability. In the five year period which has been the focus of the Fenix research, the number of grants has increased significantly. The Probation Service has been, and continues to be, the majority user of the fund.

Though there are significant numbers of non-probation organisations that make applications to the fund, Cranstoun Drug Services are by far the majority user.

The fund is generally regarded as having a positive impact on offending behaviour with the impact felt to be disproportionately great to the (relatively) small sums involved. Those we spoke to, however, were keen to stress that reducing any individual's propensity to re-offend was a complex and difficult to quantify process. Successful rehabilitation requires a combination of circumstances and interventions.

All four organisations kept records on individuals who had received grants and were able to tell to varying degrees from these whether they had re-offended. For some, however, these records relied on self-reporting by the offender and and/or reports back from partner agencies. Generally, the records kept by the probation service are more comprehensive in respect of re-offending data but it is important to recognise that reducing re-offending has not necessarily been the main aim of the third sector organisations.

Nevertheless, most of our interviewees supported anecdotal evidence that the Sheriffs and Recorders fund makes a significant impact in this regard; particularly due to its availability at the critical stage immediately post custodial release.

The use made of the fund varies greatly from organisation to organisation and also within organisations themselves. Some officers are familiar with, and make extensive use of, the fund whilst others appear to be largely unaware of the fund so make little or no use of it.

Amongst those familiar with the fund use appear to be increasing. Awards are typically used early to fund the purchase of clothing and, less commonly, 'white goods'. Less frequently – but not uncommonly - the fund is used to help finance attendance on training courses. On occasion the fund is also used in conjunction with other grant providers to help finance larger expenditure items.

All of the interviewees referred to major uncertainties over the future, when the Probation Service would lose direct responsibility for supervising all but the most serious offenders. It remained to be seen who would win contracts for work with the rest. An increasing diversity of provision seemed inevitable yet the role of the third sector organisations within this was uncertain. Many of the smaller voluntary organisations had already been badly affected by general cutbacks in central and local government funding and were inherently less well placed to compete successfully for the payment by results contracts.

Background

The Sheriffs and Recordors Fund was established in 1808 to provide support for ex-prisoners and their families to help them stop offending and start a new life. It is only available to individuals released from London prisons but the fund imposes no criteria other than this in making awards. Applications to the fund are made on behalf of selected individuals among these by organisations working with them post-release.

Research by Fenix

Fenix Foundation were commissioned by the Sheriffs and Recordors fund to undertake two, key, pieces of work.

The first was a scoping study of the records kept by the Sherrifs and Recordors between 2006 and 2011 looking at trends over time in:

- The size and purpose of grants awarded
- The use made of the fund by various agencies
- Basic information on those individuals in receipt of a grant.

The full report from this stage of the research is attached at annex 'A'. The key findings were:

- The fund receives around 1,300 applications per year and around 85 per cent of these are successful (with the remainder rejected largely on grounds of ineligibility)
- The number of grants has increased significantly over the 5 year period
- The grants typically range between £100 - 500 but the average size has decreased slightly as numbers have risen
- The majority of applications come from the Probation Service
- The use individual probation offices make of the fund varies greatly
- A growing number of non-probation organisations have been making use of the fund, rising from 77 applications from 9 organisations in 2006 to 170 applications from 28 organisations in 2011
- The single largest of these third sector organisations is Cranstoun Drug Services.

The second piece of work commissioned by the Sheriffs and Recordors fund built on the findings of the first and is reported here. Its broad aims were to look at the impact of its individual grants and to set the fund in the wider context of the role of the third sector in contributing to a reduction in reoffending in London. It therefore explored with the participating organisations:

- The use made of the Sherrifs and Recordors fund;
- Its actual and potential impact of these grants on re-offending; and

- The role of charitable organisations more generally as regards reducing re-offending.

Fenix is grateful in particular to the Clothworkers Company who funded the current study and to the organisations who agreed to take part in it, as described in the following section.

The policy context

The research has been undertaken in the context of the significant priority attached by the current government to reducing re-offending by those who are caught, convicted of an offence and subject to supervision – whether in the community or in custody. This reflects concern at the high rates of re-offending by those subject to either type of sentence and the extent to which re-offending therefore contributes to the overall crime rate.

As indicated above, S&R grants are available *only* to those leaving custody. So this report is not concerned with the majority of offenders who are supervised in the community, although further work might usefully explore the role of grants from other charities in encouraging desistance among the latter.

Currently, the majority of prisoners are supervised while they are in custody by the public prison service, although private sector companies have played an increasing role in this sector in recent years. Of the 134 prisons that make up the total prison estate 14 are now run privately. On release the Probation Service provides offender management for all those who have received sentences of more than 1 year, with the duration and intensity of that management largely dependent upon the terms of the release and the assessment of risk.

This report was conducted against a backdrop of proposals for major changes in these arrangements for post-release supervision. Under these proposals the role of the public Probation Service is to change significantly. It will be reduced in size to become a smaller, specialist, organisation and its structure will change accordingly. In future it will be responsible only for managing the 30% of offenders in its current workload who are classified as 'high-risk', although it will also retain responsibility for assessing the risk posed by every offender, providing the courts and parole board with pre-sentence reports and advice, liaising with victims, and making the final decision on whether offenders should be returned to prison if they breach the terms of their licence. However, the existing 35 local probation trusts are to be dissolved and replaced by a smaller, single, National Probation Service.

The local probation trusts are to be replaced by 21 government-owned companies covering England and Wales. These will invite bids from the private and voluntary sectors taking over responsibility for the 240,000 or so offenders who would previously have been supervised by the Probation Service but who fall into lower risk categories. The remit of the successful bidders will go wider than that of the current Probation Service. It will not only include running the new rehabilitation programme designed for short sentenced prisoners (i.e. those serving less than 12 months); they will also supervise around 50,000 *additional* prisoners on short sentences who at present receive no supervision upon release. Their contracts will be awarded on a payment-by-results basis in which reducing reoffending will be the key measure of success.

These proposals are intended to be in force by the time of the next general election in 2015.

Methodology

On the basis of the first piece of work referred to above, Fenix approached the second by drawing up a short list of the main users of the fund with the aim of conducting in-depth interviews with at least two from the probation service and two from the third sector. Sheriffs and Recorders wrote to all those on the short list asking them if they were prepared to co-operate in this way. In all, ten organisations were approached (probation and non-probation) and four responded positively.

To provide further background Fenix also looked at case studies provided by those organisations who were interviewed as well as considering a range of literature regarding funding options for offenders. Key amongst the latter was the Prisoner Funding Directory.

The four organisations interviewed for this study are described below, along with an indication of the overall extent to which they used the Sheriffs and Recorders fund and the reasons for this; although a more detailed account of how they viewed the fund is included in the following section (interviews). Interviews with representatives of these organisations were based on a common interview schedule covering all four but which also allowed flexibility for the interviewees to raise additional issues of potential relevance to the study, including any issues which were peculiar to their own organisation. All four interviews were conducted by Patrick Lines, accompanied twice by James Riches. Contemporaneous notes were written up and circulated between the Fenix team immediately afterwards.

The Probation Service

The Probation Service in London makes extensive use of the Sheriffs and Recorders fund. The earlier Fenix study identified 45 different offices that applied for funding in 2011. Of these only 7 made more than 50 applications and 5 made only 1 application. Caseloads tended to be high in many of these areas, with each probation officer typically responsible for 40-50 offenders. The fact that these were a mix of offenders in custody and in the community might in part explain the variation in officers' use of the fund, given that some might be supervising a higher proportion of offenders in the community and the mix will also have varied between offices. Nonetheless, given these high caseloads it might have been expected that greater use would be made of the fund. Discussions with probation officers suggested a number of reasons why this might not be the case.

The most significant reason appeared to be a wide fluctuation in knowledge about the availability of the fund. This varied greatly from probation officer to probation officer, even within the same office. Interestingly this was also the case with the third sector organisations we interviewed. Among other possible reasons were that officer knowledge of the fund might involve misconceptions, for example, that the Sheriffs and Recorders fund was a finite resource meaning that there was a degree of competitiveness in securing funding for those offenders who were the responsibility of individual officers. One probation officer summarised it thus:

"I think that officers only apply for grants if they think they will be successful and we assume that there is only a small amount available so we are careful what we ask for!"

Different types of offenders were also considered to have different levels of suitability for the Sheriffs and Recorders fund with, for example, high risk offenders more likely to have access to alternative sources of funding and greater levels of overall supervision.

In addition, while the fund is not limited to adult prisoners, the Fenix analyses of the Sherrifs and Recorders database found that, while the numbers applying had increased slightly in recent years, very few London Youth Offending Teams (YOTs) made use of the fund. As with high risk offenders supervised by the Probation Service, this may also reflect the fact that young offenders have a far higher level of supervision, support and access to both statutory and non-statutory funding

Non-probation Organisations

The overall number of non-probation organisations was relatively small and of the 28 non-probation sources of applications identified in 2011, 20 had applied to the fund twice or less. Of the eight that applied three or more times two (that we know of) are no longer operational. (It may be, of course, that new bodies have emerged to take their place subsequent to the snapshot period we studied). As with the Probation Service, knowledge about the fund seems to vary widely within the organisations themselves and it may be that staff who applied in the past are no longer working in the same place.

The two non-probation organisations who were interviewed for this study are described below. They undertake different types of work with offenders and ex-offenders but both work closely with the public sector agencies, and each made specific mention of the value of the integrated offender management approach. This type of close working they argued not only helps in the process of 'managing' offenders but also allows them to monitor any criminal activity more efficiently.

St Giles' Trust

St Giles' have a wide remit in terms of who they work with and the type of support they provide. St Giles Trust was founded in 1962 and is a well established, relatively large, third sector organisation that works with approximately 16,000 offenders and ex-offenders every year. They also do some, limited, work with those *at risk* of offending. They have a wide remit in terms of helping offenders turn their lives around with a particular emphasis on helping gain access to safe, secure, housing and developing the skills necessary to acquire, and retain, employment.

The Trust has a turnover in the region of £4.7 - £4.8 million. The strategic plan contains a commitment to increase this to £16M by 2016, with a commensurate increase in workload. St Giles' funding comes from a variety of sources. A large proportion of the funding comes from the public sector through, for example, the NOMS Transformation Rehabilitation Programme as well as, indirectly by providing office space in prisons and access to prisoners etc. Significant sums come via the Big Lottery Funding scheme and other Charitable Trusts. Additionally there are a range of private and corporate donators, with corporate philanthropy accounting for about 25% of their income.

They work in prisons and the community and have a strong record of working with other organisations – public, private and third sector. They make extensive use of ex-offenders by employing them within the Trust and as mentors and peer group leaders.

St Giles Trust had made little use of the Sheriffs and Recorders fund but they recently incorporated a large part of the workload of the Foundation Training Company (FTC) into their group and FTC were significant users of the fund. As significantly, they also took on staff members from FTC who had a very good understanding of how Sheriffs and Recorders worked and experience in dealing with them. FTC were the second highest users but ceased to be operational in 2012. The officer we spoke to had himself come from FTC.

Cranstoun Drug Services

Far and away the highest users of Sheriffs and Recorders in this sector are Cranstoun Drug Services, with 102 applications in 2011 making it a bigger user of Sheriffs and Recorders than all other 27 organisations combined. The numbers are even more striking when it is noted that Cranstoun is only funded to work with a caseload of around 200 offenders. The proportion accessing Sheriffs and Recorders is, therefore, much higher than for any other organisation applying to it. By way of contrast the Probation Offices we worked with have a caseload in excess of 2,000 offenders.

Cranstoun is a registered charity that has been offering drug and alcohol treatment services since 1969. It began as a local drug service in Esher, Surrey and gradually expanded over the past 40 years or so to cover a relatively large area in London, Central and Southern England.

The Cranstoun Recovery Office in Dalston is a drug and alcohol treatment service for residents of Islington who are committed to abstinence. The aims of the service are to provide a safe and secure environment in which the services will support people to maintain abstinence from drugs and alcohol. This takes the form of a 16 week programme to reduce drug/alcohol dependency and follow-up support to help maintain that condition. In practice, as Cranstoun work with a number of individuals who are serving, or have served, community sentences it is not always possible for them to differentiate in terms of only making applications for those who have been released from prison.

The Interviews

“Sheriffs and Recorders are invaluable. They keep bureaucracy to the bare minimum and are quick and easy to approach”

The interviews with both groups followed a common discussion schedule (referred to in the Methodology section above) which also allowed interviewees to raise other issues of potential relevance to this study. Although, as reported previously, knowledge of the Sheriffs and Recorders fund varied considerably even within the same organisation, all of the interviewees were very familiar with the fund and included some of the main users within their organisations. The key points they made are grouped below under the core questions in the schedule.

How are offenders assessed for eligibility for the Sheriffs and Recorders fund?

All officers interviewed (both probation and non-probation) highlighted the fact that Sheriffs and Recorders themselves make no restriction with regard to the eligibility of applicants save that they should be released from London prisons to residence in London. This was regarded as one of the main strengths and attractions of the Sheriffs and Recorders approach to awarding grants. Accordingly it was down to officers themselves to decide which offenders were appropriate candidates and to decide what types of claim were suitable.

Although Sheriffs and Recorders themselves have not specified the use their funds should be put to, typically these are used to fund clothing and/or white goods. Payment for attendance on a training course is another need frequently cited. Officers were not aware of any specific limits to the amount that might be claimed but it appears to have become a generally accepted view that:

“...we use the Sheriffs and Recorders fund for those applications in the range of £100-200. If it's more than that we either look elsewhere or use a combination of funders”.

Although the officers valued the non-judgmental nature of the Sheriffs and Recorders resource they all applied some type of, informal, criteria when assessing eligibility. The following quote, from a probation officer, is revealing in that regard:

“I won't make an application to Sheriffs and Recorders unless I believe that the individual concerned is engaged and motivated.....I wouldn't want anyone to think it is a kind of something for nothing arrangement”.

Conversely others felt that having Sheriffs and Recorders provide funding for clothing could, in and of itself, stimulate motivation through raised levels of self-esteem. A recurrent observation was that it was important not to under-estimate the impact even relatively small sums of money could have on people who had very little. On a similar theme each official interviewed mentioned, without prompting, how positive an experience for the offender it could be to go shopping legitimately for clothes.

Another probation officer also stressed the need to apply common-sense when deciding on eligibility:

“If someone comes in wearing a £100 pair of designer trainers then I’d take a lot of persuading that they really needed support from Sheriffs and Recorders for clothing”.

Cranstoun were notable for stating that the majority of their clients were put forward for funding by Sheriffs and Recorders and that they had no recollection of excluding anyone. This was considered to be attributable to the nature of Cranstoun’s work, with all their clients working with them to become drug and/or alcohol free. In this sense they were, therefore, already motivated and pre-disposed to changing their behaviour. In this context, though, it is important to note the point made above regarding Cranstoun’s work with offenders who are under community supervision.

Theoretically St Giles’ only work with those convicted or released from prison within the previous 48 months. In practice they are more flexible than this and apply no particular criteria of their own when assessing whether to put someone forward for Sheriffs and Recorders funding. Like the probation service, however, the officer we spoke to from St Giles’ was keen to emphasise the need for individuals to be properly motivated before they received funds for clothes etc.

All those we spoke to made the point that the non judgmental nature of Sheriffs and Recorders was absolutely critical and a fundamental reason for the regard in which it is held.

For the third sector organisations there were a variety of ways in which offenders might be referred to them. Most – but by no means all – came via the probation and prison services with a significant number from Drug Action Teams, Housing Associations, the Learning Trust, NACRO etc. A small number come from the police. By virtue of having offices in the prisons St Giles’ also have the ability to work directly with offenders.

Because of the type of work that Cranstoun are involved in, a significant proportion of their referrals also come from GPs and other drug workers.

An important distinction between applicants from the third sector organisations and applicants from the Probation Service is that the latter are more likely to be in the immediate post-release phase. This is because the third sector organisations tend to work with those who have been referred to them thereby creating an inherent delay in the process.

What records do organisations hold in relation to individuals both generally and specifically in respect of those who have received support from Sheriffs and Recorders?

All the organisations we contacted keep comprehensive records regarding their clients. The Probation Service is subject to all the rigorous record keeping demands typical of the public sector and has very detailed case records for all the offenders that pass through their offices. The usual time period used for publicly quoted re-offending rates is either one or two years post release.

Both Cranstoun and St Giles’ have less formal structures but, nonetheless, are able to very efficiently record all relevant activity. And, whilst the Probation Service is alone in being required to report on re-offending outcomes at specified points in time the third sector organisations are similarly aware of the need to be able to evidence positive outcomes as a

result of their work. Indeed, for third sector organisations facing unprecedented budgetary pressures and uncertain futures, being able to demonstrate “success” may be even more critical. Cranstoun in particular appeared to be keen to record the impact of their interventions and had gone to some effort to provide details of re-offending rates. Though St Giles’ talked about the work with offenders being much wider than ‘just’ re-offending (see further below) it was notable that work had previously been commissioned by them (including for FTC) that looked at precisely this question.

How can you assess the impact of a grant made by Sheriffs and Recorders?

All those we interviewed stressed caution in trying to establish cause and effect in regard to rehabilitation interventions. Any research looking at the causes of re-offending is subject to this kind of caveat with the result that most analysis tends to conclude that reducing re-offending requires a combination of a number of interventions.

In terms of the impact of Sheriffs and Recorders specifically, views varied quite widely. Some felt that the relatively small size of the grants and the use that they were put to (most often clothing) meant that any impact on offending behaviour was negligible.

“In the short-term it may have an impact as it’s a very quick way of addressing an immediate problem and that, in itself, may reduce the likelihood of re-offending. Longer-term I would doubt that it has any real impact. I couldn’t cite any examples of where I think the Sheriffs and Recorders fund has directly led to someone stopping their offending behaviour”.

Others, however, felt that the significance of the Sheriffs and Recorders grant lay in its ease of accessibility and its application early on in the rehabilitation process. Though Sheriffs and Recorders do not specify when, post-release, an application should be made, in practice the applications tend to be made almost immediately after release from custody. Though this is, for reasons outlined above, more likely to be the case with probation referrals the third sector organisations too – where possible – agree that early interventions can be critical. Cranstoun, for example, made the following point:

“Of course it’s impossible to say that ‘x’ led to ‘y’ as far as offending goes but instinctively you can get a feel for the difference it makes and Sheriffs and Recorders funding really does make a difference because it can be accessed so quickly and so early in the process”.

The reasons why applications tend to be made early in the process (where possible), are that the Sheriffs and Recorders funds can be accessed quickly and with minimal bureaucracy and that an ‘emergency’ grant of this nature tends to be required as, or soon after, an offender leaves custody.

And it is this early intervention that is regarded as critical. One of the interviewees put it thus:

“You should never under-estimate just how important it can be, to someone who has never had decent clothing, to be given the chance to go shopping and choose something for themselves. The change in them can be almost instant. And it can actually make the difference between coming out and re-offending and coming out and starting the process of going straight”.

This view was not atypical. It is worth emphasising also that “starting the process” doesn’t necessarily mean complete desistance from re-offending but may, instead, mean that the rate and/or severity of re-offending decreases and the balance starts to tilt away from a criminal lifestyle. As another of those we interviewed states:

“Re-offending, in itself, isn’t the only criteria by which we judge success.

“Supporting and empowering service users give the service users a support network and encourages individual growth. Proficiency and qualifications gained raises self-confidence to find employment in the job sector of their choosing, by encouraging service users to do what they actually want to do, the service user becomes a benefit and an asset to the state rather than a burden.

“By helping to make a change in clients’ lives, the client changes their lives, their families will have more belief and the client would be able to gain trust that they may have lost in the past”.

Any assessment of the impact of Sheriffs and Records funding as such, therefore is necessarily anecdotal and subjective but while the study only covers a small number of agencies, all those we spoke to were experienced practitioners. That is, they had little in the way of illusions about the difficulties in challenging and changing offender behaviour. One of those we interviewed expressed it in a way that seemed typical of the general view:

“...it is rarely any one thing that makes someone suddenly stop offending. It is about gradually helping make changes to what is often very deeply entrenched behaviour and recognising that the offending behaviour is often symptomatic of some form of trauma that goes way back”.

One of the probation officers also explained that the way in which the fund was administered also helped in the process of addressing offending behaviour. The Sheriffs and Records fund does not go directly to the offender so the probation officer is required to go with them to purchase any goods. This then helps them build a relationship with the individual and it is this personal inter-action which is regarded as critical in establishing rapport and trust.

St Giles’ talked us through some case studies of offenders who had received grants from Sheriffs and Records. All had, of course, received a variety of interventions and the records only covered a relatively short period after release. Nonetheless they were illustrative of the importance both St Giles’ and the individuals concerned attached to the Sheriffs and Records grants. In one of the case studies the individual concerned had no suitable clothing to wear for an interview but by acquiring some he felt his own self-esteem and confidence rise and immediately felt better prepared mentally for the task ahead.

Cranstoun was alone in having undertaken research into the impact of Sheriffs and Records funding specifically – in this instance at the 3 and 6 month point following receipt of a grant. This research suggested a significant impact but some caution is required. Firstly, the incidence of re-offending was based on self-reporting and secondly, it was not possible to isolate the impact of Sheriffs and Records funding from any other changes or interventions that may have occurred.

For Cranstoun it is also important to note that 'success' is measured largely in terms of abstinence. Their own research suggests 72% 'success' in respect of alcohol dependency and 68% success with drugs. And, as they stated:

"We know as well that if someone is drug and/or alcohol free they are significantly less likely to offend. It's all but impossible to have a serious drug habit and not offend in order to support it".

Success in this instance means completing the (16 week) programme drug and/or alcohol free. The interviewee candidly admitted however that a follow-up at, for example, the six month point would be likely to show a sharp drop.

What other sources of funding are available?

The Prisoner Funder Directory lists dozens of organisations - both statutory and charitable – that are able to support offenders. Detailed study of these shows that in practice many are difficult to access and have strict eligibility criteria. So, for instance, there may be conditions attached regarding location (both in terms of the area where funding applies and the residence of the applicant), use to which the funds will be put, age, gender and offending history. Sheriffs and Recorders, by contrast, imposes few conditions except that awards are only given to those leaving London prisons and resident in London. Some sources of funding are even more localised. Both Cripplegate and Richard Choudsley were referenced by Cranstoun as being available for Islington residents, for example.

The only broadly comparable provider of funds in London is the David Isaacs fund, which covers Inner London only and is restricted to those having undertaken a custodial sentence. Awards tend to be of a similar size to those provided by the Sheriffs and Recorders and used for similar purposes. The key difference – and the reason why Sheriffs and Recorders seems to be viewed more favourably as a potential source of funding – is that applications have to go before a District Judge or Coroner presiding at an Inner London or City of London Court. This does, of course, provide an additional level of scrutiny it also means that there are unavoidable delays and a higher threshold to cross before funding is obtained.

Specialist, or at least more specific, funding is available from a multitude of providers. For example, funds may be obtained to start up a small business, continue education or to support those who have served in the armed forces. Similarly some offenders – most notably those convicted of sexual offences – are excluded from applying for some sources of funding or support. The appeal of Sheriffs and Recorders lies in its universality as well as the speed with which applications are processed.

How is your organisation funded to work with offenders?

This question was mainly addressed to third sector organisations. St Giles' explained that they looked to a variety of sources to provide funding. In terms of the overall operation this might be through bodies like the Big Lottery or the Prison and Probation Services and this could be indirectly by providing, for example, office space or more directly through schemes such as the Transformation Rehabilitation Programme that NOMS commission. As regards to running programmes for offenders then they were likely to use bodies such as the Skills Funding Agency. In terms of the more specific needs of individual offenders these might be

met from the Sheriffs and Recorders fund or any one of a range of similar schemes, whether separately or in combination.

Cranstoun are funded by the local authority with some small scale additional funding sought to help run specific aspects of their programmes. About 80% of the local authority grant goes on staff costs, about 10% on running costs and the remainder on rent.

Their contract, as is common amongst third sector organisations, is on a 3 year plus 2 basis, i.e. 3 years guaranteed funding with 2 more to follow as long as there are no major changes.

Changes to the funding landscape, along the lines of those underpinning the creation of Public Health England, have created uncertainty about how this may work in the future.

What do the forthcoming changes in the criminal justice system landscape (and beyond) mean for your organisation?

All those we spoke to expressed concern regarding the changes being made to the way the Probation Service operates. Probation interviewees suggested that although it was difficult to forecast how things would work out they did already know that they would, in future, be working almost exclusively with high risk offenders. So these changes would have very significant implications for the organisations that would now be responsible for supervising the remainder, including the sorts of third sector agencies already engaged in this type of work. For those we interviewed, their main concerns derived not only from familiarity with the current system but also from a feeling that 'payment by results' risked reducing everything to question of success or failure in terms of re-offending, ignoring the inherent complexities in dealing with deeply ingrained issues and behaviours. As noted above:

"Re-offending isn't the only criteria by which [you] judge success".

The contracts - if only for reason of the primacy attached to reducing re-offending – would probably require a certain change of ethos. In addition, as one interviewee put it:

"..this may also make the relationship with our clients more problematic as we have never before been seen as providing an 'enforcement' role."

Being funded according to their success in reducing re-offending might also lead contractors to concentrate on 'easy wins'. In any case, it remained to be seen who would win these contracts. An increasing diversity of provision seemed inevitable, but smaller, third sector organisations who were already engaged in this type of work might find themselves at a disadvantage and thereby marginalised in this new landscape of provision for a number of reasons, including that the way in which the contracts were being set up would make demands which were beyond their limited means.

Moreover, these changes to the Probation Service were taking place in the context of a number of much wider changes which were already affecting the capacity of the sorts of third sector organisations who were already engaged in work with ex-offenders. In many cases the resources they would need to compete for the new contracts had already been depleted as a result of cuts in funding from national and local government. But the reforms also needed to be seen in the wider context of welfare reform since this was likely disproportionately to affect ex-offenders. This was especially true of those with problems of

drug and alcohol addiction for whom it was already difficult to find employment; and changes were also taking place within this challenging subset of offenders.

Specific concerns regarding changes to the profile of drug users were voiced by Cranstoun. Widespread ignorance about the threat posed by the new legal high class of drugs, they suggested, might increase the numbers but they had already noticed that young people entering the system now were less likely to be crack or cocaine users and pointed out that developing a heroin addiction took by its very nature some time, consequently those they were working with tended to be in the 30s or 40s. Dealing with younger addicts or users was also problematic as they were less likely to be ready to quit or confront the consequences of their behaviour.

Only one interviewee explicitly considered the likely implications of these changes for the Sheriffs and Recorders fund. It seemed inevitable that the Probation Service would make *less* use of the fund once the service was only directly responsible for the most serious offenders since they “tend to get more resources directed to them anyway”. This raised questions about the extent to which in future the diverse range of contractors supervising lower level offenders were likely to apply to the fund (assuming they were aware of it). At the same time, Sheriffs and Recorders themselves this might also need to consider the extent to which they were prepared to supplement the resources of any commercial organisations awarded these contracts (such as Group 4) as opposed to the type of third sector organisation they already supported, as represented by the interviewees in our sample.

Discussion and conclusions

Though our sample was small, it was carefully chosen and the interviews have thrown up a number of issues which merit wider discussion. These were raised largely in relation to S&R but, by extrapolation – and in some cases from interviewees' wider references – they are likely to be relevant to the charitable sector more generally where it is engaged in supporting work to enable offenders to desist. At the same time, the interviews have also flagged up a number of challenges the sector is likely to face in the foreseeable future under plans radically to alter current provision for work with offenders. In particular this will impact on work with offenders released from prison, though the planned changes will also affect work with the majority of offenders who serve their sentences in the community. The report necessarily focuses on the former since these are the beneficiaries of the S&R's fund; but many of the issues raised are also relevant to work with offenders more generally.

Current issues

In theory a wide range of organisations are involved in providing financial support *in addition* to public funding to improve likelihood of desistence. The Prisoner Funder Directory lists approximately 80 such bodies. In practice, the sector's collective resources are probably *under-utilised* for the following main reasons:

- Practitioners are not aware of the range of organisations covered by the Directory.
- Practitioners are also inclined to stick with the few charities they are familiar with (and with whom they may have developed a relationship over time)
- Practitioners may themselves be selective about those they put forward, even though more may be eligible
- Among the potential sources of funding practitioners are aware of, they will also prefer to use those which are most readily *accessible*.

This last point is particularly relevant. When offenders/ex-offenders are experiencing a particular need, it is likely to be immediate. A grant to meet it weeks or months after the application has been made will be too late and therefore possibly even wasted. While it is unrealistic to expect to measure the specific impact of any one single source of help, the reality is that unless the right *combination* of help and support is available in a timely fashion, the offender's progress towards desistence may be set back.

The point was well made that what may appear a relatively small amount of money can make a lot of difference to an individual with almost no personal resources; but unless they receive it in time to buy the suit they need to wear for an interview or to stop their electricity being cut off it may hardly be worth having. The need for this type of timely support may arise at any point in the offender's progress towards desistence but its availability in the immediate period after a prisoner has been released was seen as especially critical.

That is, relatively small grants such as those made by S&R cannot be expected to have as much impact on any offender's progress towards desistance as factors such as employment and housing and nor can their impact be measured in isolation. However, their value at critical points in that individual's progress should not be under-estimated; but nor can the potentially negative impact of missing the moment (as in the cautionary rhyme which begins 'For the want of a nail'.). A further recurrent theme with regard to measurement, though, was that entrenched offending behaviour is unlikely to cease overnight. Interviewees stressed the importance of using other measures of progress rather than taking complete desistance as the *only* measure of success.

S&R scores highly with those practitioners who are aware of the fund; and those who drew comparisons viewed it more favourably than other charities. It is non-judgemental other than with regard to the applicant's level of need. S&R can be approached directly by the organisations involved rather than via intermediaries and operates with the minimum of bureaucracy, which is more likely to ensure that S&R grants meet need at the right moment.

If need is conceived of beyond the level of the individual offender, though, neither S&R nor the sector overall is geared systematically to meeting it. That is, as the sector provides *supplementary* support to offenders for items which are not routinely available from state funding its current activities come nowhere near to meeting the generality of need. It may be unrealistic to expect it to do so; but the modest findings of this study already suggest that more could be done. It has already identified two main obstacles to realising the potential of the charitable sector in this context, both of which were touched on above. On the one hand, the sector is reliant on what can, at best, be described as an *ad hoc* approach to referrals by those responsible for state-funded work with potential applicants. On the other, the range of criteria many charities themselves apply as well as the processes involved in reaching their decisions limit not only the availability but also the effectiveness of this type of grant aid.

In addition, though, it is important to highlight that the role of the charitable sector is currently limited to meeting the needs of those being supervised by the Probation Service or supported by third sector organisations whose involvement is, in any case, usually due to offenders being referred from a statutory agency in the first place. Yet arguably these same needs are at least as great among offenders and ex-offenders who fall within the remit of neither the Probation Service nor the third sector organisations. One group of particular concern in this context comprises 50,000 ex-prisoners who served sentences of 12 months or less. These do not currently receive any support from the Probation Service; so unless they happen to be picked up by a relevant third sector organisation (for example, as the result of a referral from a GP) no applications for funding can be made on their behalf. Yet this is a group which, on average, has a higher rate of re-offending than any other.

Future challenges

Interviewees all expressed serious concerns about the impact of the proposed changes to future work with offenders, as reflected earlier in this report. Many of these touch on issues beyond the remit of the current study but it is evident that the new arrangements have specific implications for the S&R fund and for other charitable bodies involved similarly in supporting work with offenders. The institutional landscape within which these charities will operate in the future will look very different from the one they have been familiar with until

now and this poses challenges which it will be difficult to face without first addressing some of the current concerns identified above.

The Probation Service has hitherto been by far the main user of the S&R fund and this is likely to be true also of applications to other charitable bodies. Yet under the new arrangements the Service will lose responsibility for 70 per cent of its current workload. This inevitably implies a major fall in applications for support to charitable bodies from this source, bearing in mind also that the 30 per cent of its caseload the Service will retain are those whose needs are much better resourced already from within the Service precisely because they are the most serious offenders. On the most extreme projection, therefore, applications from the Probation Service may fall not only *pro rata* (crudely represented as 70 per cent), they could effectively dry up.

At the same time, not only will responsibility for the 70 per cent of cases shed by the Probation Service fall to the very diverse range of bodies who are likely to win the payment-by-results contracts for their supervision, under the new arrangements these will additionally be responsible for the 50,000 short term ex-prisoners who are not currently supervised by the Probation Service. That is, the pool of *potential* applicants for grants from the charitable sector will actually increase as this group is added in to it. It is a group which may disproportionately benefit from this type of funding; and the agencies involved may attach particular importance to the package of support they can assemble for people in this group since their re-offending rates are much higher than average and the payment the agencies will receive depends on reducing re-offending.

However, it seems unlikely that the agencies involved will be any more aware than those currently working with offenders of the availability of grants from the charitable sector. Rather, they may be even less so, especially if they are relatively new to the field. Given that a current concern is the patchy knowledge and take up of grants by those already engaged in this sort of work, this already poses the first of a series of questions which, arguably, should now be discussed with greater urgency given the changed landscape in which the charitable sector will be supporting work with offenders. Failure to address these questions may mean that the sector in future realises even less of its potential in meeting need than it does currently. These questions can be summarised as follows.

- a) Is a strategic, proactive approach now needed to ensure much wider awareness of the availability of charitable sector support for this type of work?
- b) If so, does this require a collective initiative led by representatives of the sector and, if not, who else should be responsible?
- c) To what extent would this risk generating more demand than individual charities may be able to meet - but are there ways in which this could these be mitigated, for example
 - By a more *collective* approach by the sector as a whole (including, for example, a system for cross-referrals)
 - By limiting grant aid to statutory and third sector organisations working with offenders rather than commercial organisations who may be better able to meet these needs from their own resources?

In addition, especially if it is to try more fully to meet the demand which exists from its collective resources the charitable sector itself will also need to ask questions about how *effectively* its funds are being used. The evidence of this report suggests that there are two aspects to this. On the one hand, the charities themselves need a self-critical approach – including feedback from recipient organisations – about any ways in which their own criteria and processes may themselves be obstacles to effectiveness. On the other, they may want to ask for more feedback than they appear to do on the progress of the individuals they help in this way; for they have a right (and arguably a responsibility) to satisfy themselves that the grants are being used for the purpose they were awarded for and that the individual concerned has fully benefited *at the time* – that is, regardless of whether or not they ultimately re-offend. For the reasons outlined above, whether they do so will depend on many other factors which are far more influential than the impact of a small one-off grant from a charitable organisation; but, as also emphasised throughout this report these grants may nonetheless make an important contribution to the ‘progress’ made by the beneficiaries.

Next steps

The most important conclusion to be drawn from this study, though, may simply be that there is an urgent need for the sector as a whole to discuss the implications of the imminent changes to work with offenders. They will need to explore these in detail in order to ensure the sector maximises its effectiveness in supporting work with offenders. This discussion might usefully *start* with the sector coming together – for example at a conference based on our findings – and beginning to address the questions these findings raise. The Fenix team would be want to be involved in planning any such event or other options for considering the findings of this report and to assist in any ongoing work which results from this.