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Inside Out – Pathways to Rehabilitation

I am very honoured to be asked to give the 50th Allen Lane Foundation lecture, not least because the Foundation's criteria and aims coincide with many of the issues and people that I've been involved with over the last forty years. The two things that stand out are that these are people who are too readily marginalised, or even demonised - your website dares to use the word 'unpopular' - and that you are looking for initiatives, small in scale but with potentially big impact, that can make a difference to those lives and bring them in from the margins. These values are all the more important at a time of national self-doubt, when there is evidence of outsiders being viewed with increasing suspicion; when expertise and specialist knowledge are sometimes squashed in the search for simple solutions to complex problems; and in particular when the values and activities of the charitable sector are under critical scrutiny and sometimes attack.

I have to declare an interest here. I am a product of the voluntary sector, where I worked for nearly 30 years, as a volunteer, staff member and chief executive – ranging from very local community advice and race relations work to national advice and advocacy organisations. That work would not have been possible without the support of the Foundation and many other trusts, some represented here today. Like many of you here today, I became proficient at the ancient art of plate-spinning – keeping going multiple sources of funding, individually relatively small, but collectively ensuring our survival and the continuation of our work.

I believe that I benefited greatly from that background. The very granular and personal experience of helping people (sometimes my neighbours) grapple with a

multiplicity of problems and concerns – from benefits and housing to racism and nationality law - fed into the work on immigration, criminal justice and human rights that I did at national level. And the experience of working with and advocating for those who are often marginalised both socio-economically and politically helped shape the way that I've carried out the two statutory roles I've since had, particularly when inspecting prisons. It's also why I now chair two voluntary sector organisations: Clinks, the membership organisation for voluntary sector organisations working in criminal justice, and the Koestler Trust, which exhibits and supports arts by prisoners and detainees. So, thank you for giving me the opportunity to reflect on that, in what will be a very personal and non-academic way. Looking at this audience, I am aware that in many cases I will be telling you what you already know – or indeed do. But I hope I can reflect back to you its value.

Recent attention on prisons has focused on safety: the steep rise in self-inflicted deaths, the rise in violence and disturbances. Safety in prisons, for staff and prisoners, is vital – without it nothing positive can be done, and it is a major focus of the government's white paper. It is right that this includes increased staff, for it has long been known that safety in prisons depends critically on dynamic security: the relationships between staff and prisoners and the knowledge and trust that this can build. But, given that there will always be many more prisoners than staff, it also depends on prisoners' investment in their and others' safety, which in turn requires a willingness to invest in them. That means trying to ensure that prisons can be places where there is the possibility of change and hope: not just places where they are contained and excluded, often for very short periods.

The theme of exclusion and change is at the heart of this lecture. As you know, many of those in our prisons had been effectively excluded from mainstream society long before they were physically excluded in prisons. Often they have had parallel lives to most of us here – a trajectory that started in care, with exclusion (or self-exclusion)

from formal education, through youth offending services and onwards to prison. That path is too often marked by abusive relationships, alcohol or drug dependence, and mental and physical health issues: all inter-connected. The end state, in or out of prison, is limited social capital, in the form of strong and positive relationships with family or community, a lack of personal and social skills, transient or non-existent housing and employment – or, alternatively, a sense of belonging through gang membership, consciously and deliberately staking an identity outside the mainstream and its norms. It is a recipe for harm: harm to society and harm to the individuals involved. Nearly half the women who end up in prison have attempted suicide; gang members we interviewed in Feltham Young Offender Institution did not expect to survive through their young manhood.

So, unlike Vegas, what happens (or doesn't happen) in prisons, or in society, doesn't stay there. And the roots and solutions to the life events and choices that make people end up in prison aren't capable of being solved, or changed, within the criminal justice system alone. Michael Gove, until recently the Justice Secretary and the instigator of the recently-published prisons white paper, said in a recent article 'The most important criminal justice reforms are social justice reforms'. I could not have put it better.

That approach is also reflected in the thinking behind what is called desistance – what it is that makes people who have been involved in crime stop. It is, as Shad Muruna has said, about people changing the narrative of their lives. For most people, it is not a single event, some kind of Damascene conversion: it is a journey, and one that sometimes loops back on itself. But it is not a solo expedition: it requires the input and support of others. It is relational - creating and sustaining the resilience, resources and social networks that someone needs to face some of the inevitable rigours and barriers in that journey. As Fergus McNeill has said, effective

resettlement doesn't only involve preparing prisoners for release, but also means preparing communities to accept them back and soften their landing.

And this is where the voluntary sector comes in. As you all know, it is increasingly a very varied sector with a variety of structures and funding models: on a spectrum ranging from very large national organisations that are effectively not for profit companies, through to very local organisations that are mainly, or even solely, made up of volunteers. But voluntary sector organisations share one important characteristic: they all sprang from a recognition that something needed to be done for and with individuals whose needs were not being met. They also operate through the gate and in the community, across the whole social justice agenda, where the roots of offending and reoffending lie.

Let me be clear – I don't believe that the voluntary sector is by definition saintly, or always has the answers. Like any other body, a voluntary sector organisation can be overly focused on itself and its own survival; it can be a vehicle for a founder's hobby or obsession; it can be less than perfectly run by people who may have commitment but less capacity or organisational skills. It doesn't have a monopoly of ethics or commitment – I have seen great examples of both in the public sector (indeed some of my best prison inspectors came from, and would return to, the prison service). It is at its most effective when it is able to work with, not outside or in opposition to, partners in both the public and private sectors – with statutory services that will always provide the bedrock of provision and need to be able to do so at scale; with the private sector, for example as employers; and with government, which provides the framework within which all this can operate effectively.

But, within those partnerships, the sector can bring three important things: it can be innovative, it is rooted in wider society and social justice, and it should draw its impetus from its service users and their experience. All three of those aspects chime

with the desistance model, and are the reason why partnership with the sector is so important, for statutory and private bodies.

The first of these is innovation – allied with persistence. At a time when the value and approach of charities is being increasingly questioned, it is worth recording the occasions on which the voluntary sector has launched ideas and initiatives that seemed off the wall, or marginal, but in the end, after a lot of effort and perseverance, have become just part of the way we do things. In 1876, a Hertfordshire printer, Frederic Rainer, a volunteer with the Church of England Temperance Society, was so concerned about the lack of help for those coming before the courts that he donated five shillings to the society for practical rescue work, initially ‘reclaiming drunkards’ (then, as now, not the most popular cause). In time, that led to the 1907 Probation of Offenders Act and eventually to the creation of the probation service.

More recently, during the 1980s, the Samaritans became increasingly concerned about the rising level of suicide and self-harm in prisons. The tragic death of a 15-year old in Swansea prison triggered the Listener scheme in that prison, where Samaritan-trained prisoners provided support and help to other prisoners at risk of self-harm. This attracted some understandable initial resistance from the prison service: not only concerns about the confidentiality of these exchanges, but also the counter-intuitive notion that prisoners could be part of a solution, rather than part of the problem. For the service, it involved both a loss of control and a leap of faith. Within a few years, there were a hundred schemes; by 1997 it was part of prison service policy to work with Samaritans; now nearly every prison has a version of the Listener scheme.

Other forms of peer support have gradually become mainstream: Insiders, who assist with the crucial early days in prison; the Shannon Trust’s peer to peer literacy scheme; peer advisers, like those supported by the St Giles Trust, providing advice on

housing, benefits and family issues; and most recently User Voice's development of prisoner councils, to share some responsibility for safety and wellbeing in prisons. They illustrate something that is just as important as innovation: it is agency. Prisoners and those within criminal justice are classically people to whom things are done, people defined as having risks and needs, and therefore as being risky and needy. The self-esteem and personal resilience that comes from being part of the solution can't be over-estimated. One ex-gang member who became involved in a prisoner council said recently 'When you get involved in rehabilitating others, you're subconsciously rehabilitating yourself'. So, a crucial part of what the voluntary sector can and must do is to give voice to the service user: the person who should be central, rather than at the end of the process, or, in the words of one young man I met in prison, someone who 'has been passed around all my life, like a parcel'.

Similarly, when I first started inspecting prisons, families were seen as at best peripheral and at worst an interruption to prison regimes. Family visits were a privilege that could be withdrawn or withheld, and families frequently queued in the rain for that privilege, sometimes then being turned away after long journeys because there was no space, or no staff. They were often treated as though they were themselves offenders. It was family support self-help groups from the 1970s and 80s onward that began the process of bringing families and relationships in from the cold, and the voluntary sector that pioneered parenting and relationship courses, family days and telephone advice services. Slowly over time, this has helped to put families front and centre – recognising the role that they can play to support (or alternatively hinder) resettlement, as well as the inter-generational effect of imprisonment.

Family work is now accepted as a core component of successful resettlement: it was one of the six pillars of the government's 2006 strategy for preventing reoffending, Lord Farmer is chairing a wide-ranging review of this work for the government, and

family relationships are a specific part of the standards on which prisons will be measured and assessed, according to last week's government white paper.

Again, these initiatives started with those directly affected, and they continue to draw strength from that base. They focus on the individual as a person, not just an offence. They show how the voluntary sector can act as a bridge between 'normal' life outside and the extremely abnormal life of a prison. They are most effective where they are embedded in the work of a prison – such as the family engagement work run by Pact, POPs and NEPACs, which, places key workers in prisons, working alongside wing and offender management staff, retaining independence from the system, but complementing the work that is done day by day by prison officers and offender management staff. Prison staff recognise that they have neither the expertise nor the time to do this work - prisoners report that they would be 'lost' without it.

I have referred earlier to the multiple issues that prisoners bring with them, and that need to be tackled. That means work on what is called their human capital - addressing alcohol and drug issues, making good educational deficits, providing employability skills, tackling longstanding mental and physical health problems. Voluntary, statutory and private sectors all need to play a role in this. But it is not a simple equation, whereby you can add together a prisoner, a learning plan, a drug rehabilitation course and an interview with a benefits adviser or a job centre so that the answer equals rehabilitation. It is not just transactional – it requires a change in what's called cultural capital: the values, beliefs and attitudes, and above all the hope, that can create the ability and willingness to engage with the services and structures that can support such a massive change.

For example, the government's recent white paper on prison reform quite rightly stresses the importance of employment. But the previous life histories of many of those in prison don't morph naturally into a nine to five, ordered and organised

existence; or indeed the resilience to cope with the inevitable setbacks and frustrations of seeking work and holding down a job. So this involves more than simply encouraging employers to make links with prisons and be open to taking on ex-offenders, important though that is. It also involves individual work and mentoring: walking alongside people to ensure that they are properly prepared for employment and have a support mechanism as they transition from prison to work. That is where many voluntary sector organisations come in, working closely with employers in both the private and voluntary sectors to ensure that an offer of employment is not a wasted opportunity.

And this is also where the arts in prisons come in. I remember when I first started prisons inspecting, a very senior official in the Prison Service saying dismissively that he did not want prisoners doing ‘pottery classes’, but learning to read, write and count. Of course, that should be the end point – but why should we expect people who have avoided, or been avoided by, formal education to jump with joy at the thought of sitting down in a classroom again? Or someone who relies on drugs or alcohol to get them through their life, and the associated mental health issues it disguises and causes, to have the strength or willingness to throw away their prop?

Engagement with the creative arts can, for some people, be the trigger that not only prevents despair, but builds hope. As a recent report from the National Criminal Justice Arts Alliance shows, it can be a gateway to change – in the case of one prisoner, leading from complete non-engagement with staff and other prisoners to becoming a mentor and key education worker. I remember hearing a mother describe how, having ‘lost one son to drugs’ she feared the same would happen to her second son, until she noticed that his letters began to change, asking about others rather than focusing solely on himself. This coincided with him developing real talent at sculpture, gaining awards from the Koestler Trust and having his work on show to the public. To her great delight and amazement, he then engaged in the 12-step drug

rehabilitation programme. That story is replicated hundreds of times in the experience not just of Koestler, but other organisations like Geese Theatre doing role-play and dance; Changing Tunes and Good Vibrations working through music; writers, artists and musicians in residence in prisons. Again, what was regarded as at best ‘nice to have’ and at worst a distraction or even an embarrassment is becoming mainstream: it was recognised in Dame Sally Coates’ recent report on prison education as a key component of learning and willingness to learn.

But this kind of work does not start or end in prisons. The network of around 4,000 voluntary sector organisations in the Clinks network don’t work exclusively in criminal justice, and many wouldn’t describe themselves as criminal justice organisations. They work on housing, health, employment, race, family and children’s services, substance abuse – all the issues that, as I said at the beginning, interact with each other in individuals and in society to lead to the door marked ‘criminal justice’. For example, one of the fundamental pillars of successful resettlement is actually having a place in which to settle: a home. It is often voluntary sector organisations – such as specialist housing associations – that try not just to mobilise scarce housing resources, but to provide support for people with specific needs, or little experience of how to manage a settled lifestyle.

Nearly all Clinks’ members work in the community. Most are small and medium sized charities, with key local knowledge: either of a particular area, or a particular group: women, young black and minority ethnic men, those with learning disabilities. In many cases, they have been the catalysts for a change of approach and culture, drawing on the experience of their service users, or area.

For example, the women’s centre movement has pioneered a women-centred approach, clustering services around a woman and her family in the community, rather than increasing her vulnerability and exclusion by sending her to prison.

Similarly, Revolving Doors, through its network of service users, has identified how people with multiple problems, including homelessness, mental health, substance misuse and domestic violence ricocheted between services, not fitting into their boxes, or not being quite problematic enough in any area to demand provision, and so too often falling through the gaps. The disproportionately high number of black, Asian and minority ethnic people, particularly young men, in the criminal justice system has long been recognised: indeed there is greater disproportionality in the number of black people in prisons in the UK than in the US. The Young review sought to tackle this from the perspective of young adult men, and one of its key recommendations was the need to draw upon the expertise and community links of the voluntary sector with relevant cultural knowledge, involving service users and those with similar lived experience.

Similarly, local networks have sprung up, supported or coordinated through the voluntary sector, using local knowledge and expertise. In the north-east, for example, there are nearly 5,000 charities engaging with the disadvantaged and vulnerable, developing employability and supporting community development. Clinks helps to facilitate a regional network, linking them to statutory agencies, Police and Crime Commissioners and the new devolved authorities, and working together on key issues such as housing and supporting those with complex needs. This grows out of, and responds to, the specific needs of an area with high levels of deprivation and male unemployment, but strong community cohesion.

So, it was encouraging when Chris Grayling, the last but one Justice Minister, launching Transforming Rehabilitation (TR) - 'the most significant reform to tackling reoffending and managing offenders in the community for a generation' - envisaged that the creation of 21 new Community Rehabilitation Companies (CRCs) would mean that 'private and voluntary organisations will work together on closing the 'revolving door' of the criminal justice system by tackling lower-risk offenders'.

It is not quite working out that way. It is true that, viewed solely through a purely criminal justice spectrum, their offences are less serious and risky; but, viewed through a socio-economic spectrum, at least 60,000 have precisely the cocktail of complex interlocking needs that require sustained multi-agency action and support outside criminal justice, from both the voluntary and statutory sectors. This is neither simple nor cheap, and it cannot be dealt with through the lens of one institution or intervention. It involves investing upstream: in mental health, substance use and children's services, education and training: as Michael Gove said, the answer lies in social justice, not criminal justice. Both in my previous and present roles, I am acutely aware of the fact that criminal justice is too often the gateway through which longstanding needs and problems are recognised. But it is not the solution to them.

These big ticket issues are matters for government. But the voluntary sector's involvement and expertise in the issues that draw people into prisons should make it a natural and necessary partner in the supply chains that are being developed to prevent them returning.

However, in its report on the Transforming Rehabilitation agenda, the Public Affairs Committee raised serious concerns:

‘the reforms have not created a diverse supply chain and poor quality communication with the voluntary sector is damaging relations and impeding service improvement... in many cases these organisations are reporting negative experiences and outcomes for service users’

Clinks has also been tracking TR, publishing annual reports from the perspective of the voluntary sector, drawn from surveys of its members. Its latest report makes three key points. Only a minority of voluntary sector organisations surveyed were part of a supply chain and they were disproportionately the larger organisations;

contracts, which were often target-driven, provided little incentive to innovate and in some cases stifled innovation; and the majority of voluntary sector organisations outside the supply chains (which tended to be smaller and more local), funded through a mixture of local authority, charitable trusts and donations, were providing support to some of the most chaotic service users with multiple needs.

There is no shortage of public statements, by government and statutory services, recognising the value of what the voluntary sector brings: indeed the government has established the Reducing Reoffending Third Sector Advisory group to build partnerships between the statutory and voluntary sectors. There is no doubt that there is good will, and the recognition that there needs to be a concerted search for solutions. If this were currency, the sector would be awash with resource. But it is not. 'Voluntary' does not mean 'free': even those services which harness the work and expertise of volunteers need to provide the training, support and coordination to make them effective and safe. They can provide an invaluable resource, not just in what they do, within prisons and the community, but because of what they represent: people freely giving their time to others and able to interpret the community to offenders and offenders to their communities.

There are some messages in all of this, for government, the sector and for trusts and foundations. The sector provides an invaluable asset to the government's aim of reducing reoffending, but it will only be able to be so if the processes for implementation of that aim recognise both its fragility and its strength. Funding and contracting arrangements need to recognise that organisations, particularly the smaller ones, cannot sit around waiting for the phone to ring: they need some assurance of stability and continuity of funding. They can't cut their profits, for they don't have any; they don't have large reserves to tide them over while they wait and indeed would be criticised if they built them up. Clinks' annual 'state of the sector' review charts both the resilience and the insecurity of the sector. It remains diverse

and vibrant, but it faces a double whammy: the needs of its service users are growing, and funding is less secure. Organisations are spending more time and energy simply generating the income for survival, which in some cases is precarious: nearly half were using their reserves, and nearly a quarter feared closure within a year.

Equally, voluntary organisations, like their service users, will not give of their best if they are passive recipients of whatever is centrally mandated, or are at the end of a long supply chain. The more that there is co-production of service design, the more likely it is that services will complement each other and reflect and respond to the real needs and strengths of their users. Also, though it is right that the services they help to provide should be evaluated, this should seek to measure real impact, not set potentially perverse targets that measure what is measurable rather than what is important.

Collaboration and partnership within the sector, between criminal and social justice, and between the sector and statutory agencies is crucial. This is often driven locally, or from the bottom up, as described above, with voluntary sector organisations playing a key role. Crucially, this can work not just to prevent reoffending, but to prevent offending in the first place; recognising and trying to tackle collectively the routes into social exclusion.

Central government could learn some lessons from this. All government departments need to be sure that their policies are aligned with the objective of preventing reoffending: whether that is the effect of changes in housing benefit on the ability of housing associations to provide specialist social housing, or the impact of severely reduced local authority funding on small local charities. But it is more than that: it is also about joined-up thinking to prevent offending in the first place. For example, the provision of more and better mental health services in the community is as critical

for criminal justice as the provision of adult social care is for the health service. And investment in early years pays dividends later.

Trusts and foundations have played a key part in the involvement of voluntary sector organisations in criminal justice. They are central to the survival of many of the small and medium-sized organisations that are doing pioneering and innovative work, often with the most troubled individuals, or with niche groups whose needs otherwise just get ignored. As I said at the beginning, many such organisations, and those they work with, have cause to be grateful to those trusts that consciously invest in them, such as the Allen Lane Foundation and many others.

Some trusts have worked collaboratively or individually to directly influence policy and practice in a specific area. For example, the Corston coalition was set up by a number of trusts to press for implementation of Baroness Corston's report on women-centred and alternative approaches for women in criminal justice. The same coalition is now turning its attention upstream through the Agenda coalition working with women and girls at risk of harm. The Barrow Cadbury Trust's Transition to Adulthood programme has engaged directly with service delivery: supporting and evaluating projects that focus on the specific, and neglected, needs of young adults in the criminal justice system. Too often, they find that their 18th birthday is not an occasion for celebration but a reason for the withdrawal of some of the supportive services and approaches that are required for children, on the assumption that they have suddenly and miraculously turned into fully functional adults overnight. Similarly, four trusts have founded and support the MEAM coalition, bringing together criminal justice, homelessness, mental health and substance use charities and networks to offer a coordinated approach for local authorities and agencies working with adults with multiple and complex needs. And the Monument Trust is spending out through a legacy programme involving eight organisations involved in different stages in and approaches to an offender's journey.

All of these individual grants and specific projects are opportunities and attempts to change the weather, not just to provide umbrellas. This can be a lengthy, frustrating and sometimes thankless process: much like desistance. Penal policy, like prisons, has revolving doors; like offenders, it can be recidivist, failing to learn from past mistakes, or expecting things to change instantly, without giving initiatives and interventions time to develop impact – the equivalent of digging things up to see whether they are growing.

It is the support of trusts and donors that allows the voluntary sector to keep on keeping on, and to seize the moment when a change in the weather can become a change in the climate. At the Inspectorate of Prisons, staff were asked to devise a mission statement: it included the sentence ‘We believe that people and institutions can change’. That hope is what keeps both organisations and individuals going.

The 2016 Allen Lane Lecture was held at The Honourable Society of Gray’s Inn, London, on Thursday 10th November.