

## Consultation Response Ministry of Justice Third Sector Strategy

### 1. Introduction

- 1.1. Speaking Out is a partnership between the National Council of Voluntary Child Care Organisations (NCVCCO) and the National Council of Voluntary Youth Services (NCVYS) to build a voice for the children and young people's voluntary and community sector across government. The project seeks to develop closer links between a range of government departments (Home Office, MOJ, DEFRA, CLG, Cabinet Office and HM Treasury) and the children and young people's voluntary and community sector in delivering cross departmental plans such as Every Child Matters and in the direct implementation of initiatives that affect children and young people.
- 1.2. The project aims to support the children and young people's voluntary and community sector to better understand the aims and impact on their users of a wider range of government policies and provide routes to influence them. We are funded by the Office of the Third Sector part of the Cabinet Office.
- 1.3. On 6 February 2008 Speaking Out hosted a round table event with representatives from the children and young people's voluntary and community sector. The participants covered a broad range of the sector from those smaller organisations with a local focus, to larger national agencies working with children/young people on the fringes or within the justice system.

### 2. Structure of the response

- 2.1. Our response will cover the key questions in the consultation questionnaire and broader issues related to the department's work and relations with the third sector.

### 3. General comments on the strategy and recommendations

- 3.1. As a partnership representing children's services and youth organisations  
The Speaking Out project has been engaging with a number of government departments as they develop their third sector strategies and it is clear that such documents will be important tools to govern future relationships. The MOJ strategy was welcomed by representatives at the roundtable discussion. However there was a general consensus that while the strategy sets out an overall approach and principles of practice, few details are provided on how the proposals will be implemented. There are a number of factors that will determine successful implementation of the strategy:
- The MOJ must utilise pilot and pathfinder schemes more effectively. There have been a number of pilot projects funded in this area in recent years and the MOJ should now seek to consolidate the learning from these projects. There needs to a shift from one-off pilot projects to mainstreaming effective programmes in the third sector into established, sustainable funding streams.
  - The MOJ must create an environment that supports and prioritises youth crime prevention work, including the interventions provided by the voluntary and community sector. Often, the success of these initiatives depends on taking an holistic person-centred approach.
  - The MOJ should seek more user/young people involvement in developing successful solutions. Officials can learn from the children and young people's voluntary and community sector, which has a strong track record- of working with users/ex-offenders in taking forward successful interventions and developing policy and services with users fully involved.
  - Greater support is needed to ensure that information is appropriately shared across the criminal justice system. In the current environment, it is difficult for third sector organisations to demonstrate they are contributing to reducing re-offending because the monitoring systems of statutory bodies are often conflicting and the sector cannot easily join up to them.
  - The MOJ must make a sustained investment in alternatives to custody, such as intensive fostering.
- 3.2. There is a danger that the strategy will be seen as a purely aspirational document that doesn't impact on changing relationships and culture to foster a better relationship between the sector and the Department. There is very little in the strategy that is disagreeable, but this must translate into better engagement with the children and young people's voluntary and community sector seen as a key partner in addressing the major challenges around crime and the justice system.

## Responses to consultation questions:

### 4. Do you agree with the overall approach, and in particular setting an overarching MOJ third sector strategy as the basis for more business specific planning?

- 4.1. We welcome the approach of departmental third sector strategies. As stated in the previous section the litmus test will be how effective these strategies are in guiding the Department in forming and meeting its business objectives. A practical example will be whether the commissioning arrangements for the National Offender Management fully utilises the sectors experience.
- 4.2. Partnership working is key to the success of many parts of the criminal justice system which rely on effective multi agency responses. Third sector organisations have a great deal to contribute particularly in reducing re-offending and first time entrants into the system. An obvious example is the issue of the over representation of certain BME communities in the system. From BME community led organisations through to larger local and national mainstream organisations the sector has a range of experience and understanding of what works in steering young people from these groups away from the justice system.
- 4.3. The discussion at the roundtable event made clear that the MOJ and the wider criminal justice system is yet to fully maximise the contribution of the third sector in addressing these challenges. At the heart of an effective third sector strategy for the MOJ is identifying and tackling the barriers that impede the sector from making a greater contribution.

## 5. Voice and campaigning- Do you agree that our priorities for further work will support our ambitions? Do you have suggestions on how we can deliver our priorities and achieve our ambitions? Can you provide examples of best practice?

- 5.1. Both NCVCCO and NCVYS welcome MOJ's recognition that campaigning and representation are core aspects of the work of third sector organisations. The sector's right to campaign and the government's respect of that right is recognised in the Compact. The sector will often disagree with government and needs to be able to do so without fear that this may jeopardise relationships and/or funding.
- 5.2. Consultation mechanisms from the Department such as those highlighted in the consultation paper make a crucial contribution but can only involve those few organisations that are chosen to participate. To ensure that a range of voices is heard, the Department needs to support strong third sector infrastructure at national, local and where appropriate regional levels. Recent research confirms the importance of networking and influencing structures for smaller organisations<sup>1</sup>.
- 5.3. NCVYS and NCVCCO, through the Speaking Out project, are committed to bringing policy makers together with our members to enable their views to help shape and inform the development of policy. One of our themes over the past nine months has been knife, gun and gang crime. We held a seminar in June 2007 attended by 60 participants from the sector working in communities with children, young people and families directly affected by these issues. We produced a briefing paper on the issue incorporating recommendations from the seminar. A follow up event was held at the end of February.
- 5.4. This piece of work has led to further engagement with the cross government team working on the Youth Crime Action Plan. We recently held a round table meeting with a number of our members and officials working on the plan to share experiences around youth crime prevention. Infrastructure and umbrella bodies can often act as an effective conduit between government and the sector both at the national and the local level.

<sup>1</sup> NCVCCO published Under the Radar, a survey of small organisations working with children and families in February 2008. The report is available at [www.ncvcco.org](http://www.ncvcco.org)

## 6. Strengthening communities-Do you agree that our priorities for further work will support our ambitions? Do you have suggestions on how we can best deliver our ambitions? Can you provide examples of best practice?

- 6.1. We support the strategy's focus on volunteering but the MOJ needs to recognise that volunteering requires resources to support it effectively. The priorities are the correct ones but greater emphasis needs to be placed on how the MOJ will work across departments and sectors in order to achieve its objectives.
- 6.2. Increasing inclusion and participation of disengaged young people, families, and minority ethnic groups into the mainstream will require greater and more effective collaboration with other sectors and departments. This can often be a major barrier for third sector organisations, particularly in relation to how government and public bodies measure success within very tight criteria linked to the priorities of a specific department or sector.
- 6.3. For example the work of organisations working in the voluntary sector with children and young people outside mainstream education will be labelled an education project but may be contributing significantly to MOJ objectives in reducing first time entrants into the justice system. This was highlighted at our round table as a major barrier for third sector organisations working with children and young people.
- 6.4. Participants welcomed the proposal to establish a third sector forum, but emphasised the importance of diversity and representation from smaller organisations as well as the more well known national charities. MOJ should consider broadening its approaches to consultations beyond the standard advisory group model. It will be imperative to get input from those working at regional and local levels on their experiences of policy implementation within the third sector. It will also be important to ensure that the strategy governs the behaviour of relevant sub-national bodies such as the regional offender management service, regional government offices and local youth justice boards.

## 7. Transforming public service- Do you agree that our priorities for further work will support our ambitions? Do you have suggestions on how we can best deliver our priorities and achieve our ambitions? Can you provide examples of best practice?

- 7.1. The priorities here again are the right ones. However the challenge will be to change the culture of commissioning so that it can interact with the sector on issues of design without compromising the objectivity of the procurement process. Participants identified a gulf between national policy and local experiences. Addressing this gulf should be a key objective of the strategy.
- 7.2. Another key issue raised at our round table was the use of pilots and a feeling echoed elsewhere in the third sector that pilot projects that do prove their effectiveness need to be taken forward, developed and mainstreamed. It was felt that too often this is not the case. The knock on effects of this for the sector, communities and users are that this adds to the whole sense of instability surrounding much of the work of our participants. An example was given around intensive fostering programmes which can be a valid alternative to custody but where resources are patchy and inconsistent.
- 7.3. Inconsistencies between local authority areas were highlighted as an issue hampering more effective delivery. Together with a lack of clarity about the role and strategic direction of regional offender managers this creates a confused policy environment for third sector organisations working at the local level.
- 7.4. Government targets such as those around reducing reoffending are welcome but there needed to be more joining up between agencies in terms of consistently measuring outputs and outcomes. Third sector organisations found it difficult to fit into different monitoring systems across the criminal justice system and other public bodies. There is a need for more uniformity across the systems and clearer understanding of the targets, the objectives behind them and what actions/activities are contributing to their achievement.

## 8. Social enterprise- Do you agree that our priorities for further work will support our ambitions? Do you have suggestions on how we can best deliver our priorities and achieve our ambitions? Can you provide examples of best practice?

- 8.1. Social enterprise approaches have an important role to play in the area of youth crime prevention. They support interventions that can provide employment skills training for young offenders and those at risk of offending, quite often helping young people in finding pathways away from criminality.
- 8.2. In addition to supporting start up social enterprises, the MOJ should also support other voluntary organisations in adopting social enterprise models into their work. This may require a change in approach around funding and possibly considering supporting start up costs for such projects. The MOJ should make links with the work that the Department of Health is currently doing to establish a new social enterprise fund.
- 8.3. Social enterprise approaches have an important role to play in the area of youth crime prevention. They support interventions that can provide employment skills training for young offenders and those at risk of offending, quite often helping young people in finding pathways away from criminality.

## 9. Conclusion

- 9.1. We look forward to working with the MOJ on taking forward the strategy, contributing the voice and experience of the children and young people's voluntary and community sector.
- 9.2. If you have any queries about this response, or would like further information, please contact Mark Blake, NCVYS Head of Policy and Speaking Out Project Manager on [mark@ncvys.org.uk](mailto:mark@ncvys.org.uk) or 020 7278 1041.

NCVCCO/NCVYS  
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