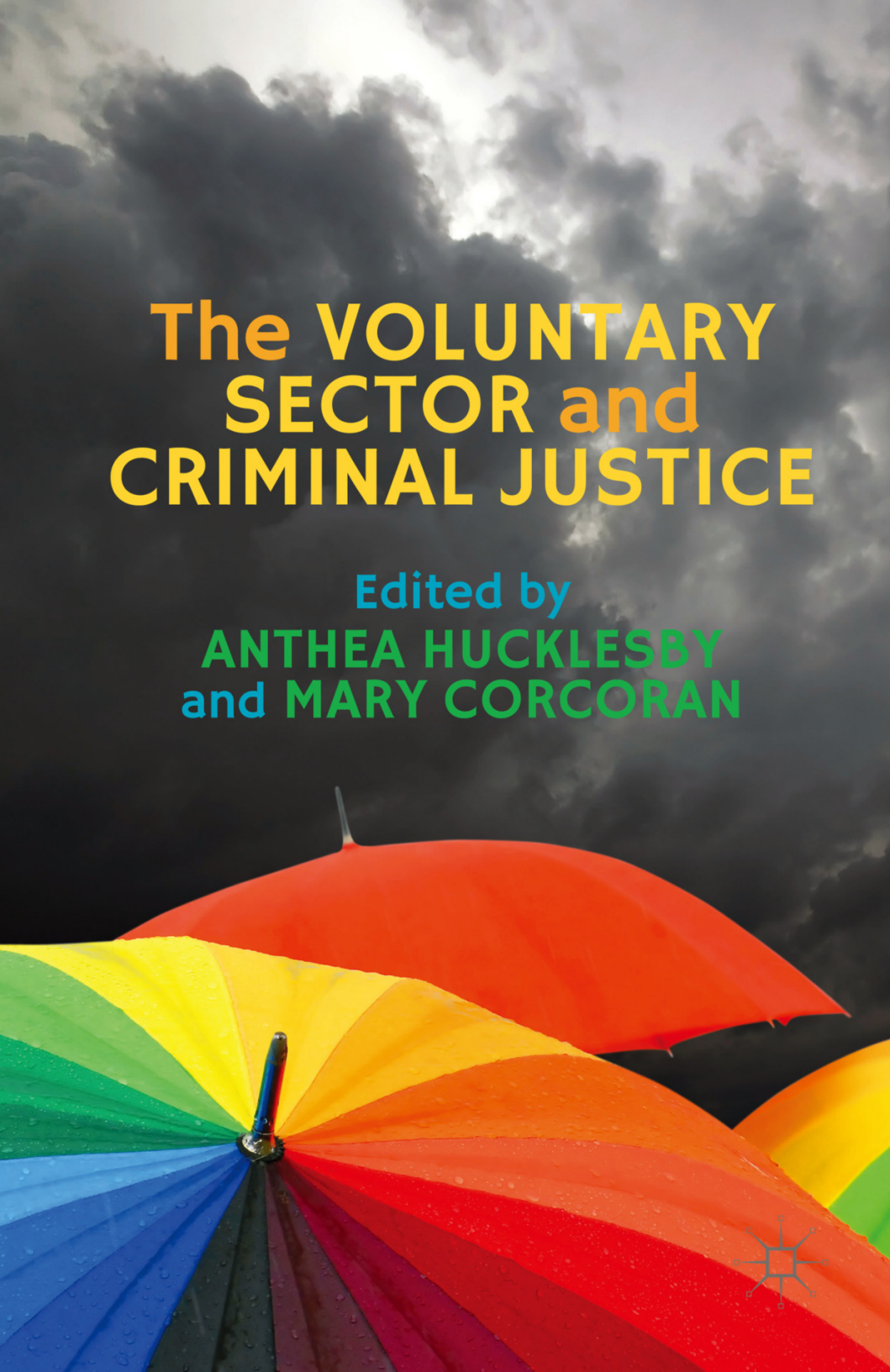
The VOLUNTARY SECTOR and CRIMINAL JUSTICE
Edited by
ANTHEA HUCKLESBY
and MARY CORCORAN

The Voluntary Sector and Criminal Justice

This page intentionally left blank

The Voluntary Sector and Criminal Justice

Edited by

Anthea Hucklesby
School of Law, University of Leeds, UK

Mary Corcoran
School of Social Science and Public Policy, Keele University, UK

palgrave
macmillan

First published 2016 by
PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

ISBN 978-1-349-57862-7 ISBN 978-1-137-37067-9 (eBook)
DOI 10.1057/9781137370679

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

A catalogue record for this book is available from the British Library.

A catalog record for this book is available from the Library of Congress.

Contents

Acknowledgements

As with all book projects this one was influenced by the individuals and groups, too many to name, who are shaping the broader intellectual project by writing about, experiencing, working in and participating in the voluntary sector. Particular thanks go to our contributors who have produced innovative chapters despite the considerable pressures of their 'day jobs'. We also wish to acknowledge the contribution of those who participated in the ESRC-funded seminar series, The Third Sector in Criminal Justice (RES-451-26-0823), in 2010–2012, during a pivotal time of turbulence for the voluntary sector and what has transpired to be the radical restructuring of criminal justice. Dr Alice Mills, now at the University of Auckland, contributed equally to the initial proposal to the ESRC.

We are also grateful to our colleagues past and present who have supported our work in this field since the time when it was below the radar of both criminological and voluntary sector studies. These include, Susanne Karstedt, Clare Griffiths, Michelle Bellham, Anne Worrall, the Research Institute for Social Policy at Keele University and Emma Wincup. The final production of this book was greatly assisted by Rachel Evans. We would also like to thank Julia Willan and her team at Palgrave who displayed endless patience whilst waiting for the manuscript to arrive.

Notes on Contributors

Mary Corcoran is Senior Lecturer in Criminology at Keele University, UK. Her research covers two broad areas: the first comprises work on prison and custody, with a focus on women offenders. Her second area of research responds to the changing relationships between markets, states and civil society and their consequences for criminal justice. She has conducted research and evaluations on voluntary sector projects for diverting women from prison; peer mentoring; through-the-gate support programmes; and bereavement and loss in custody. She is the author of *Out of Order: The Political Imprisonment of Women in Northern Ireland* (2006) and has published extensively in major international journals and edited collections on resettlement, integrated offender management, and community based alternatives to custody. She is currently leading a major project funded by the Leverhulme Trust on voluntary sector adaptation and resilience in the mixed economy of resettlement.

Ellie Cumbo managed Clinks' policy team until February 2015, and previously worked for several years in voluntary sector organisations of various sizes, including the End Violence Against Women Coalition (EVAW), Victim Support, Object and the Fawcett Society. Her academic background includes a degree in English language and literature from Oxford University and legal qualifications from City University, London.

Rod Dacombe is Lecturer in Politics in the Department of Political Economy at King's College, London. He has studied at Oxford, Princeton and the LSE, has previously worked at Warwick University, the LSE and Oxford and held a Leverhulme Early Career Fellowship. His research focuses primarily on democratic theory and practice and on the relationship between the voluntary sector and the state. He is currently working on a project investigating empirical testing of the claims of deliberative democratic theory.

Jane Dominey worked as a probation officer in a variety of settings before moving into higher education as a senior lecturer and programme leader in probation studies. She is currently completing her PhD at the Institute of Criminology, University of Cambridge, researching the

experience of community supervision in the context of the increased use of voluntary sector organisations and private companies to deliver probation services.

Lesley Frazer started her career as a probation officer in England and Wales and as a social worker with adult offenders in Scotland. In 2002 she completed an MSc in Policy Research at the University of Bristol, and published her dissertation research into older prisoners, *Ageing Inside*, in 2003. Lesley joined Clinks in 2008 and held the posts South West VSO development manager, policy manager and strategic development manager before leaving in 2013. She is now chief executive officer at Wiltshire Care Partnership.

Loraine Gelsthorpe is Professor of Criminology and Criminal Justice and Deputy Director at the Institute of Criminology, University of Cambridge. She has written widely on probation and community penalties, on the impact of late modernity on the criminal justice system, on women, crime and criminal justice, and on race and gender equality issues more generally.

Jurgen Grotz is Research Manager at the Institute for Volunteering Research and a Visiting Fellow at the School of Health Sciences, University of East Anglia. He has over 25 years' research experience in the voluntary and community sector. He has contributed to publications such as *The State of the World's Volunteerism Report* by UNV (2011) and is the managing editor for the forthcoming *Palgrave Handbook of Volunteering, Civic Participation and Non-profit Organisations*.

Kelly Hannah-Moffat is Professor of Sociology/Criminology, Vice Dean and Director of the Centre of Criminology & Socio-legal Studies at University of Toronto Mississauga. She has published several articles and books on risk, punishment, parole, gender and diversity, specialised courts, and criminal justice decision-making. Her work on risk, gender and punishment focuses on how variables such as gender and race interact with seemingly objective assessment tools, the experiences of the assessors and the institutional operationalisation of policy reforms. Her recent work studies specialised courts (domestic violence, aboriginal, community/wellness and drug courts) and how legal practices such as bail, sentencing, and case processing have collectively changed as a consequence of the hybrid approaches used in various specialised courts.

Clare Hayes worked at Clinks from July 2010 to December 2014. Following a degree at the University of Bristol in politics and philosophy,

she studied for a graduate diploma in law. She recently graduated from the School of Oriental and African Studies with an LLM in Human Rights, Conflict and Justice and is now advocacy coordinator at Detention Action.

Carol Hedderman is a Visiting Scholar at the Institute of Criminology, University of Cambridge. She was Professor of Criminology, University of Leicester, from 2004 to 2014 and prior to that was Assistant Director of the Home Office Research and Statistics Directorate overseeing work on sentencing, probation, prisons and reoffending. These, along with the treatment of women in the criminal justice system, remain her main areas of research interest.

Anthea Hucklesby is Professor of Criminal Justice at the Centre for Criminal Justice Studies in the School of Law, University of Leeds. She has undertaken funded research and published in a range of areas in the criminal justice process focusing on the treatment of suspects, defendants and offenders in the criminal justice process. Her interests in the voluntary sector evolved during her research and evaluations of substantive areas of criminal justice practice including prisoner resettlement, pre-trial services and drug assessment and treatment. She led the ESRC seminar series on the Third Sector in Criminal Justice (RES-451-26-0823). She is currently leading a partnership of five European universities in a study of electronic monitoring in Europe funded by the European Commission DG Justice (JUST/2013/JPEN/AG/4510) which links with her interest in private sector involvement in criminal justice.

Mike Maguire is an Emeritus Professor at Cardiff University and a part-time Professor of Criminology at the University of South Wales. He is also Director of the inter-university Welsh Centre for Crime and Social Justice. He has researched and written widely on many crime- and justice-related topics, including policing, probation, prisons, prisoner rehabilitation and resettlement, mentoring, criminal statistics and victims of crime. He is a member of the Correctional Services Advice and Accreditation Panel, on the board of IOM Cymru, and a former member of the Parole Board. He is currently engaged with Mary Corcoran and Katherine Williams on a study of the role of the voluntary sector in criminal justice.

Paula Maurutto is an Associate Professor in Sociology/Criminology at the University of Toronto. She has published in the areas of risk, punishment, law and specialised courts and the non-profit sector. Her current project explores legal innovations in Canadian specialised courts. Her previous work has explored the increased use of risk-based technologies

in the field of punishment and penal management with particular attention paid to the inequalities that are obscured and perpetuated by statistical actuarial practices and the policies they engender. She has also published on the intersections between the non-profit voluntary sector and the criminal justice system.

Clive Martin has been the Director of Clinks since its formation in 1997, having previously worked in offender education for many years. He currently chairs the Ministry of Justice's Reducing Reoffending Third Sector Advisory Group and the ACEVO Special Interest Group on crime, and also sits on the Advisory Board for Female Offenders. He is the author of various publications on the voluntary sector in criminal justice, and regularly writes and speaks on the subject in the UK and internationally.

Rosie Meek is Professor and Head of the Law School at Royal Holloway University of London, and a chartered psychologist. Together with Alice Mills, Rosie has published widely on the role of the voluntary and community sector in prison settings. Her most recent book *Sport in Prison* explores the use of sport and physical activity in prisons, particularly in promoting health and desistance from crime. Other current research activities include the development of effective measurement tools for the evaluation of mentoring and arts programmes in criminal justice settings.

Alice Mills is a Senior Lecturer in Criminology at the University of Auckland, New Zealand. Prior to this appointment, she worked at the Universities of Cardiff and Southampton in the UK. Her research interests include relationships between voluntary and community organisations and the state in criminal justice, the role of the voluntary sector in criminal justice and prisoner reintegration, problem solving courts in New Zealand, family violence, and mental health in prisons. She is currently undertaking research on the housing needs of vulnerable populations and on *ngā Kōti Rangatahi* (Māori youth courts).

Elizabeth Morrow is a PhD candidate in Politics at the Department of Political Economy at King's College, London. She has previously studied at Monash University and the University of North Carolina, Chapel Hill. Her doctoral research draws on a qualitative study of the English Defence League (EDL) and is the first detailed research on the EDL to provide an account of the experiences of front-line group members.

Katie O'Donoghue has a degree in history from Cambridge University and is currently studying for the Bar. She was policy officer at Clinks from February 2012–August 2013.

Katherine S. Williams is a Senior Lecturer in Criminology at Aberystwyth University. She is also the Deputy Director of the Welsh Centre for Crime and Social Justice, a HEFCW funded initiative which brings together researchers across eight Welsh universities and builds links with both policy and practice. Recent research has revolved around the criminal justice service in rural areas (particularly the Youth Justice Service and the Police) and the treatment of women and young people who offend (evaluation of initiatives for diverting women and young people out of the official criminal justice system). Katherine also acts as an advisor to the Youth Justice Board Cymru's Practice Development Panel, she co-chairs Domestic Homicide Reviews in two local authority areas in Wales, sits on the local Community Safety Executive, and has advised the Welsh Government on subjects such as substance misuse. Katherine is now working on a major research project funded by the Leverhulme Trust on voluntary sector adaptation and resilience in the mixed economy of resettlement.

1
Introduction

Anthea Hucklesby and *Mary Corcoran*

The voluntary sector's role in criminal justice is being transformed. Instead of supplementing the services provided by statutory criminal justice agencies it is becoming enmeshed in the day-to-day operation of the criminal justice system. Since the 1990s successive governments have actively engaged the voluntary sector in determining local crime, justice and community safety strategies. More recently, policies have aimed to increase the involvement of voluntary sector organisations (VSOs) in services which have hitherto been provided by statutory agencies. These policy developments are premised on a blend of neo-liberal political rationalities for restructuring state welfare systems into 'mixed-service markets' and communitarian aspirations to liberate the untapped social capital, expertise and consensus of the voluntary sector in securing justice at community level (Norman, 2010). Whilst voluntary sector–state partnership and contracting out are not new, a combination of funding and political reforms under successive governments has generated a profusion of new spaces for collaboration, which are unprecedented in scale. However, behind these new formations in the national and regional voluntary sector and criminal justice landscapes reside the overwhelming majority of small- and medium-sized organisations which continue to provide the backbone of volunteering, civic engagement and local service delivery.

VSOs are longstanding providers of support to suspects, defendants, offenders, victims and witnesses and their families. Historically, they have augmented state service provision. In performing this role they have relied largely on short-term, insecure funding streams which have resulted in ad hoc, patchy and short-term service provision with little strategic direction. Recently, traditional funding streams have been either replaced by competitive commissioning or squeezed as a result of

the financial crisis to the point where many VSOs face financial stress at a time when they are being asked to contribute significantly to criminal justice policy and practice. These conditions have resulted in turbulent times for the voluntary sector (Macmillan et al., 2013).

The radically heightened expectations of what VSOs are being expected to deliver is resulting in qualitative changes in their role. The prospect of closer partnerships with state and for-profit organisations may present advantages for VSOs in offering strategic direction, continuity of service provision and financial stability. However, it also presents challenges in terms of whether VSOs have the capacity, capability, infrastructure, expertise or willingness to deliver particular services for the criminal justice system; legal, ideological and ethical questions about taking on quasi-punitive and formal sentencing and enforcement roles; and the compatibility of service provision and advocacy and campaigning roles. The longer-term ambition of rendering VSOs fit for purpose to deliver public services necessarily incorporates them into the pervasive managerial, audit and performance management systems that operate in the statutory sector. At the same time, the onus is placed on statutory criminal justice agencies to ensure effective oversight and accountability structures are in place to support and monitor the work of VSOs as well as ensuring that high-quality services are provided and statutory duties are met in terms of equality and data protection, for example.

From one perspective, these developments herald a turning point by which the sector's historical strengths of mutuality and service are deployed to help make public services more responsive, democratically accountable and relevant to all sections of society (Putnam, 2000). From a different vantage point, the forging of partnerships by means of greater commercialisation and subordination to contract and audit cultures threatens to capture the 'soul' of the voluntary sector (Salaman, 2013). A third factor, and one which has been largely glossed over in the political rhetoric, relates to the need for a clear delineation of the voluntary sector's commitment to *social justice* in the sphere which can epitomise *legal injustice*. Viewed from within the sector, the prospect of working more closely with the state and for-profit organisations has the potential to jeopardise the very independence which ultimately underpins its claim to a distinctive social mission and function (Independence Panel, 2014). As a consequence, and with some controversy, the chameleon sector finds itself once again in the position of reinventing its relationships with markets, governments, communities and individuals as well as reasserting its independent social and civic mission (Civil Exchange, 2014). Although it may be too soon to conclusively measure the impact of economic and policy factors on the future shape and role of the voluntary sector in

criminal justice, these factors are undoubtedly likely to be transformative – for better or for worse.

This volume of essays arose out of an Economic and Social Research Council (ESRC)-funded seminar series on the third sector in criminal justice (RES-451-26-0823) which ran between 2011 and 2013. It brings together critical reflections and cutting-edge research on the contemporary features of voluntary sector work by capturing the dynamic nature of the voluntary sector, its responses to the current climate, and identifying some of the conflicting positions with regard to its current and future role in criminal justice work. The volume examines the current and future potential impact of economic, political and ideological trends on the role and remit of VSOs at a time when it is perceptibly evolving from familiar models of voluntary sector service provision to one in which VSOs are potentially becoming embedded in the criminal justice administrative apparatus. In the remainder of the introduction we provide an overview of the policy context in which VSOs were operating at the time the chapters were written (2014–2015). The aim is to provide a context to debates which follow. Before doing this we define the subject of this book: the voluntary sector involved in criminal justice service provision.

Defining the voluntary sector in criminal justice

The voluntary sector has been involved in criminal justice for a long time (Carey and Walker, 2002) and in many different ways including as service providers and/or reform/campaign organisations. Yet, defining the voluntary sector which is involved in criminal justice is not an easy task. As many of the authors in this volume point out, the number of VSOs working exclusively with service users involved in criminal justice is, in some way, relatively small (Clinks, 2014). For many VSOs offenders or crime victims are just one of their service user groups. Their work focuses on an area in which many offenders and/or victims have needs and it is on this basis that they intersect with the criminal justice system. Indeed some VSOs may unknowingly be working with service users caught up in the criminal justice process whilst others may play down their work with offenders because of concerns about spoiling their reputation, therefore making those who work with offenders particularly difficult to identify. VSOs may also be involved in assisting with offenders' and victims' needs, which may or may not be linked directly to their offending or victimisation. In the main, this book is about VSOs who consider themselves as working with or alongside the criminal justice system and openly acknowledge that at least some of their service users

are involved in the criminal justice system to a greater or lesser extent. Many of these VSOs have dual roles as service providers and advocacy/campaigning organisations. The tensions which this potentially creates are among the themes of this volume.

The organisations which comprise the voluntary sector involved in criminal justice are also diverse in terms of size: there are a few large national organisations, some regional organisations and many local organisations. The local organisations range in size and include very small VSOs run by one or two people and most have turnovers of less than £100,000 (Gojkovic et al., 2011). In recent years there have been mergers between some of the medium and large VSOs resulting in advantages of scale but potentially threatening some of the traditional values and working practices associated with the voluntary sector. New types of organisations have also emerged such as social enterprises which blur the already indistinct boundaries between voluntary and private sector organisations. Despite the plethora of organisational models, certain consistent features of VSOs remain (Etherington and Passey, 2002). VSOs are non-profit-making and many of them have charitable status. Consequently, they are governed by their charitable aims and are required to comply with charities law. VSOs are governed by trustees and/or directors who are volunteers and who are ultimately responsible for the management and financial affairs of the organisation whether or not they employ paid staff to run the VSO on a day-to-day basis. The diversity of the sector, however, means that policy developments and changes in the environment in which VSOs operate will impact on different parts of the sector in different ways.

Finally, we have chosen to use the terms voluntary sector and VSOs in this volume. We could have used several others, amongst them the third sector (which includes mutual and social enterprises as well as VSOs) or the voluntary and community sector. The advantage of using the term voluntary sector is that it has a long history and is understood internationally. There are drawbacks, however. The inclusion of the word 'voluntary' is a misnomer suggesting that the services provided are free and exclusively by volunteers, that is, unpaid helpers. The reality is rather different. Whilst some VSOs rely entirely on either volunteers or paid staff, most have a mixture of both.

The policy context

Recently governments have sought to increase the involvement of VSOs in core criminal justice activities. Policy is rapidly moving towards a

mixed economy of service provision within criminal justice whereby core services, which have traditionally been provided only by statutory sector agencies, are supplied by a tripartite structure of statutory, private and voluntary sector organisations working singly or in partnership (MoJ, 2010, 2013; NOMS, 2014). In theory, the voluntary sector should be in a strong position to take this opportunity, having been involved in providing services in criminal justice for a considerable period of time. Nevertheless, its role is potentially being transformed from a provider of supplementary, 'nice to have' services to a provider of core criminal justice services, and in doing so arguably co-opting it, or at least parts of it, into the apparatus of the state (Maguire, 2012).

The motivations for greater involvement of VSOs have been dressed up in the cloak of greater civil society engagement in criminal justice, fostering greater public involvement in dealing with the crime problem (Morgan, 2012; Maguire, chapter three, this volume). VSOs have continued their traditional role of filling gaps left by statutory criminal justice agencies and supplementing the services they provide by becoming increasingly involved in core criminal justice activities. At the same time, government policy has colonised some areas of service delivery which have traditionally been the preserve of the voluntary sector. These include the provision of statutory support to prisoners released from prison having served sentences of less than 12 months from February 2015 and the increasing number of mentoring schemes funded by the government (MoJ, 2013). The landscape is not simply one in which more and more criminal justice services are being provided by the voluntary sector but one in which the voluntary sector is being expected to become the service deliverer of government policy. The government has asked the voluntary sector to do two things: one, to operate or at least become more involved in providing some services which have hitherto been provided by the state and, two, to maintain involvement in providing services in its traditional areas of operation but to do so from inside the criminal justice system and with government funding. It is not then a return to the 19th and early 20th centuries when VSOs operated largely outside of government control but one where the concern is that VSOs are becoming agents of the state. Such concerns are not new, as Dacombe and Morrow demonstrate in chapter four.

Government attempts to increase the involvement of VSOs in criminal justice services are motivated by a number of factors. Austerity measures have led to considerable cuts in criminal justice budgets and all agencies are being required to find new ways of doing the same (and in some cases more) for less. The voluntary sector is viewed as a resource which

can provide services more cost-efficiently than the statutory sector and potentially access sources of funding not available to statutory agencies (Hucklesby and Worrall, 2007). A second related driver has been the radical transformation of public services. Diversifying the providers of public services to include private and voluntary sectors is one part of a broader reform package which includes localism – devolving responsibility, decision-making and budgets and 'improving the transparency, efficiency and accountability of public services' (HM Government, 2010; HM Treasury, 2010: 8). The third motivation is linked to a policy trend to harness the power of civil society and strengthen its involvement in the lives of citizens and residents. It is claimed that the voluntary sector has a key contribution to make in all these regards and is quantifiably 'better' at providing services than the statutory sector. It is viewed as an innovative, nimble and flexible sector which is embedded in, and reaches out to, communities and particularly hard-to-reach groups. It can therefore contribute to transforming public services by providing innovative programmes and services, which may cause a ripple effect in the public sector, at a reduced cost (Etherington, 2006; Morgan, 2012).

Whilst supporters from within and beyond the voluntary sector will extol similar virtues of the sector, they also question some of the assumptions which form the basis of government policy. Primary amongst these is that the voluntary sector should not be viewed as a cheap or in some cases free resource. A considerable infrastructure is required to ensure that the voluntary sector can provide appropriate services; moreover, 'volunteers' are not free, and they, at least, require training and expenses (Hucklesby and Worrall, 2007). Second, moves to increase its involvement in criminal justice will inevitably result in some of the voluntary sector's positive attributes being undermined (Maguire, 2012). For example, the requirements of being contracted to provide government services will increase bureaucracy and make VSOs less innovative and flexible.

Of greater concern to some commentators is that the fundamental values of the voluntary sector and its critical voice may be threatened (Corcoran, 2008; Silvestri, 2009; Mills et al., 2011). At its heart are anxieties that the voluntary sector will lose its independence and legitimacy and be co-opted into the state's apparatus (Carlen, 2002; Hannah-Moffat, 2002). Concerns have also been raised about mission drift, whereby the values and objectives of VSOs might change to align more closely to government or partners' agendas in order to receive funding to provide services alone or in partnership. Values may be further undermined via involvement in coercive aspects of the criminal justice system. Hitherto these have been almost the exclusive roles of

statutory organisations (for an exception see Hucklesby, 2011). Greater involvement of VSOs in the criminal justice system, especially in its coercive elements, potentially threatens their trusted status and credibility amongst communities and hard-to-reach groups, putting at risk their work in local communities and thereby contradicting the basis of their appeal to the 'localism' agenda of the coalition and current conservative governments. Alongside the Lobbying Bill 2015, which seeks to define campaigning as 'political', it also puts at risk the dual roles many VSOs perform as service providers and advocacy/campaigning organisations, and potentially the VSOs' charitable status.

A key element of government plans under the *Transforming Rehabilitation* (*TR*) agenda (MoJ, 2013) is the introduction of Payment by Results whereby service providers will be paid according to reductions in reconviction rates which follow an intervention. Payment by Results is a controversial payment mechanism, particularly because it uses a binary measure of reconviction and transfers financial risks onto the service providers (Fox and Albertson, 2011, 2012). It also encourages 'cherry-picking' (working with those least likely to reoffend) and 'parking' (not working with those at high risk of reoffending). The risks to the voluntary sector are considerable, as Maguire explores in chapter three. Predominant amongst these are the withdrawal of specialist services provided to hard-to-reach groups, which have been to date an important element of VSOs' work. VSOs are also likely to have to expend considerable resources on an infrastructure to provide evidence of their work, thereby adding to their costs and making them more bureaucratic. Finally, volunteers might withdraw their services if they perceive that they are doing the government's work on the cheap.

There is much written about the distinctive contribution which the voluntary sector makes generally and within criminal justice. Yet, very little evidence is available which supports this view. Research on the voluntary sector in criminal justice remains a 'cottage industry' and there is no strong tradition of independent research within VSOs themselves. Consequently, many of the assertions about its effectiveness are not substantiated by robust or verifiable evidence, as Hedderman and Hucklesby argue in chapter six. What evidence is available varies in quality and reliability. Greater involvement in state-funded service provision brings with it requirements to measure performance and outcomes. In chapter six Hedderman and Hucklesby suggest that considerable investment will be required by the voluntary sector to meet the standards expected by the government (Harlock, 2014). Yet much of the contribution of VSOs will remain intangible and therefore immeasurable, for example their

influence on community cohesion or the culture of statutory criminal justice agencies (Nutley and Rimmer, 2002).

Critical commentary on the voluntary sector has been muted not only by a lack of empirical research but also by a general agreement that the voluntary sector is something which should be valued and that its values are necessarily positive. However, as Corcoran and Grotz demonstrate in chapter five, it is important to look beyond general assertions of value and delve deeper to unearth the reality. Greater knowledge about the value and contribution of VSOs to criminal justice alongside an awareness of what works and what does not will strengthen and not diminish the voluntary sector. It will also ensure that the services it provides are necessary and appropriate whether or not they are funded by the state.

Structure of the book

The book is split into two sections. Part I examines issues facing all VSOs involved in criminal justice. In chapter two, Clinks – the umbrella organisation which represents the penal voluntary sector – explores the voluntary sector's work with offenders and its contribution to criminal justice policy. The authors consider the role of the voluntary sector in the current policy climate and conclude that VSOs face an uncertain future. In chapter three, Mike Maguire considers the implications for VSOs in the growing marketisation of criminal justice services, concluding that it will have a transformative impact on the voluntary sector. Rod Dacombe and Elizabeth Morrow's contribution in chapter four looks backwards to debates which took place in the mid-20th century about what the role of the voluntary sector should be and traces continuities with the debates taking place today. They argue that a genuine appreciation of the relationship between the voluntary sector and the state can be achieved only by taking account of historical debates. In chapter five, Mary Corcoran and Jurgen Grotz question assumptions made about the benefits of using volunteers. The final chapter in this part examines issues raised when evaluating the work of the voluntary sector drawing on the experience of the authors, Carol Hedderman and Anthea Hucklesby. In chapter six, they examine the consequences of the requirements for VSOs to 'prove' their worth under new commissioning arrangements, arguing that the very characteristics which make involving the voluntary sector in service delivery attractive to funders also make them hard to evaluate in the ways in which the government and other funders increasingly require.

Part II of the book turns its attention to the work of the voluntary sector with different groups in the criminal justice system. In chapter seven, Alice Mills and Rosie Meek explore the work of the voluntary sector in prisons. They focus on the benefits and limitations of the work undertaken by VSOs in prisons from the perspectives of those directly affected by such work. They also explore the specific features and challenges of the partnerships between VSOs and criminal justice personnel and examine how these can impact upon both VSOs and prison cultures. Chapter eight, written by Paula Maurutto and Kelly Hannah-Moffat, discusses the role played by the voluntary sector in shaping and implementing criminal justice policy relating to women offenders in Canada, focusing particularly on women's imprisonment and domestic violence courts. The authors argue that existing debates underplay the ways in which VSOs contribute to criminal justice and their capacity for innovation. In chapter nine, Loraine Gelsthorpe and Jane Dominey explore the contribution that the voluntary sector makes to the diversity agenda in criminal justice and some of the potential impacts of the *TR* on the ability of criminal justice to treat offenders from diverse communities with fairness and sensitivity. The final chapter, written by Katherine S. Williams, examines the role of VSOs in supporting and campaigning for victims of crime. In chapter ten, Williams charts the symbiotic and sometimes turbulent nature of the relationship between victims, VSOs and governments through the use of case studies.

References

Carey, M. and Walker, R. (2002) 'The penal voluntary sector', in: S. Bryans, C. Martin, and R. Walker (eds) *Prisons and the voluntary sector*, Winchester: Waterside Press: 50–62.

Carlen, P. (2002) 'New discourses of justification and reform for women's imprisonment in England', in: P. Carlen (ed.) *Women and punishment: The struggle for justice*, Cullompton: Willan Publishing: 220–236.

Civil Exchange (2014) *Making good: The future of the voluntary sector*, London: Civil Exchange.

Clinks (2014) *Guide to the sector* at http://www.clinks.org/voluntary-community-sector/guide-vcs [accessed 27.02.15].

Corcoran, M. (2008) 'What does government want from the penal voluntary sector?' *Criminal Justice Matters*, 71 (1): 36–38.

Etherington, S. (2006) 'The transformation of public services – The voluntary and community sector and the criminal justice system', in: N. Tarry (ed.) *Returning to its roots? A new role for the third sector in probation*, London: Social Market Foundation: 53–61 at http://www.smf.co.uk/wp-content/uploads/2006/09/

Publication-Returning-to-its-roots-A-new-role-for-the-Third-Sector-in-Probation.pdf

Etherington, S. and Passey, A. (2002) 'The UK Voluntary Sector', in: S. Bryans, C. Martin and R. Walker (ed.) *Prisons and the Voluntary Sector*, Winchester: Waterside Press: 17–26.

Fox, C. and Albertson, K. (2011) 'Payment by results and social impact bonds in the criminal justice sector: New challenges for the concept of evidence-based policy', *Criminology and Criminal Justice*, 11 (5): 395–413.

Fox, C. and Albertson, K. (2012) 'Is payment by results the most efficient way to address the challenge faced by the criminal justice sector?' *Probation Journal*, 59 (4): 355–373.

Gojkovic, D., Mills, A. and Meek, R. (2011) *Scoping the involvement of third sector organisations in the seven resettlement pathways for offenders*, TSRC Working Paper 57, Birmingham: TSRC at http://www.birmingham.ac.uk/generic/tsrc/documents/tsrc/working-papers/working-paper-57.pdf

Hannah-Moffat, K. (2002) 'Creating choices: Reflecting on choices', in: P. Carlen (ed.) *Women and punishment: The struggle for justice*, Cullompton: Willan Publishing: 199–219.

Harlock, J. (2014) *From outcomes-based commissioning to social value? Implications for performance managing the third sector*, TSRC Working Paper 123, Birmingham: TSRC at http://www.birmingham.ac.uk/generic/tsrc/documents/tsrc/working-papers/working-paper-123.pdf

HM Government (2010) *The coalition: Our programme for government*, London: Stationery Office.

HM Treasury (2010) *Spending review 2010*. Cm 7492, London: Stationery Office.

Hucklesby, A. (2011) *Bail support schemes for adults*, Bristol: Policy Press.

Hucklesby, A. and Worrall, J. (2007) 'The voluntary sector and prisoners' resettlement', in: A. Hucklesby and L. Hagley-Dickinson (eds) *Prisoner resettlement: Policy and practice*, Cullompton: Willan Publishing: 174–198.

Macmillan, R., Taylor, R., Arvidson, M., Soteri-Proctor, A. and Teasdale, S. (2013) *The third sector in unsettled times: A field guide*, Third Sector Research Centre Working Paper 109, Birmingham: TSRC at http://www.birmingham.ac.uk/generic/tsrc/documents/tsrc/working-papers/working-paper-109.pdf

Maguire, M. (2012) 'Big society, the voluntary sector and the marketization of criminal justice', *Criminology and Criminal Justice*, 12 (5): 483–505.

Mills, A., Meek, R. and Gojkovic, D. (2011) 'Exploring the relationship between the voluntary sector and the state in criminal justice', *Voluntary Sector Review*, 2 (2): 193–211.

Ministry of Justice (MoJ) (2010) *Breaking the cycle: Effective punishment, rehabilitation and sentencing of offenders*, London: MoJ at http://webarchive.nationalarchives.gov.uk/20120119200607/http:/www.justice.gov.uk/consultations/docs/breaking-the-cycle.pdf

Ministry of Justice (MoJ) (2013) *Transforming rehabilitation: A strategy for reform*, London: MoJ at https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation

Morgan, R. (2012) 'Crime and justice in the "Big Society"', *Criminology and Criminal Justice*, 12 (5): 463–481.

National Offender Management Service (NOMS) (2014) *An introduction to NOMS offender services co-commissioning*, London: MoJ at http://www.justice.gov.uk/

downloads/about/noms/Introduction-to-NOMS-offender-services-co-commissioning.pdf
Norman, J. (2010) *The Big Society: The anatomy of the new politics*, Buckingham: University of Buckingham Press.
Nutley, K. and Rimmer, S. (2002) 'A governor's perspective', in: S. Bryans, C. Martin, and R. Walker (eds) *Prisons and the voluntary sector*, Winchester: Waterside Press: 121–129.
Panel on the Independence of the Voluntary Sector (2014) *An independent mission: The voluntary sector in 2015*, London: The Independence Panel & Baring Foundation.
Putnam, R. D. (2000) *Bowling alone, the collapse and revival of American Community*, New York: Simon and Schuster.
Salaman, L. (2013) *The resilient sector: The state of nonprofit America*, Washington: The Brookings Institution.
Silvestri, A. (2009) *Partners or prisoners? Voluntary sector independence in the world of commissioning and contestability*, London: Centre for Crime and Justice Studies.

Part I

2

Paved with Good Intentions: The Way Ahead for Voluntary, Community and Social Enterprise Sector Organisations

Clive Martin, Lesley Frazer, Ellie Cumbo, Clare Hayes and *Katie O'Donoghue*

Clinks is a membership or umbrella organisation that exists to support voluntary sector organisations (VSOs) that work with offenders and their families in England and Wales. Drawing on our extensive knowledge of VSOs working in criminal justice, this chapter explores the sector's past, current and future role in criminal justice, and the barriers and opportunities that organisations face in the current political and economic climate. It provides a background and historical context to the role of the criminal justice VSOs in England and Wales, noting that, despite the stated intention of successive governments, and numerous policy and structural changes, the full potential of the sector has never been realised owing to patchy and unstable support. It then gives an account of how Clinks was formed in response to these challenges, how infrastructure organisations have helped to shape the sector's independent voice and what the current threats are to this crucial aspect of the sector's role.

The varied nature of the present-day sector is depicted alongside an account of the most pressing challenges it faces in a turbulent policy environment, from commissioning and funding changes to fundamental debates about how to measure the impact and value of the interventions it provides. The chapter then explores the sector's distinctive contribution, demonstrating what may be lost if the sector is not supported, including its holistic, person-centred services that work with people's strengths, foster social capital and link to desistance from crime. It outlines the particular achievements of the sector in working with 'hard-to-reach' offenders, raising the profile of minority groups and promoting enabling practices, such as service user involvement. Overall, the authors conclude that, despite some progress from successive administrations,