

# RSA

Projects

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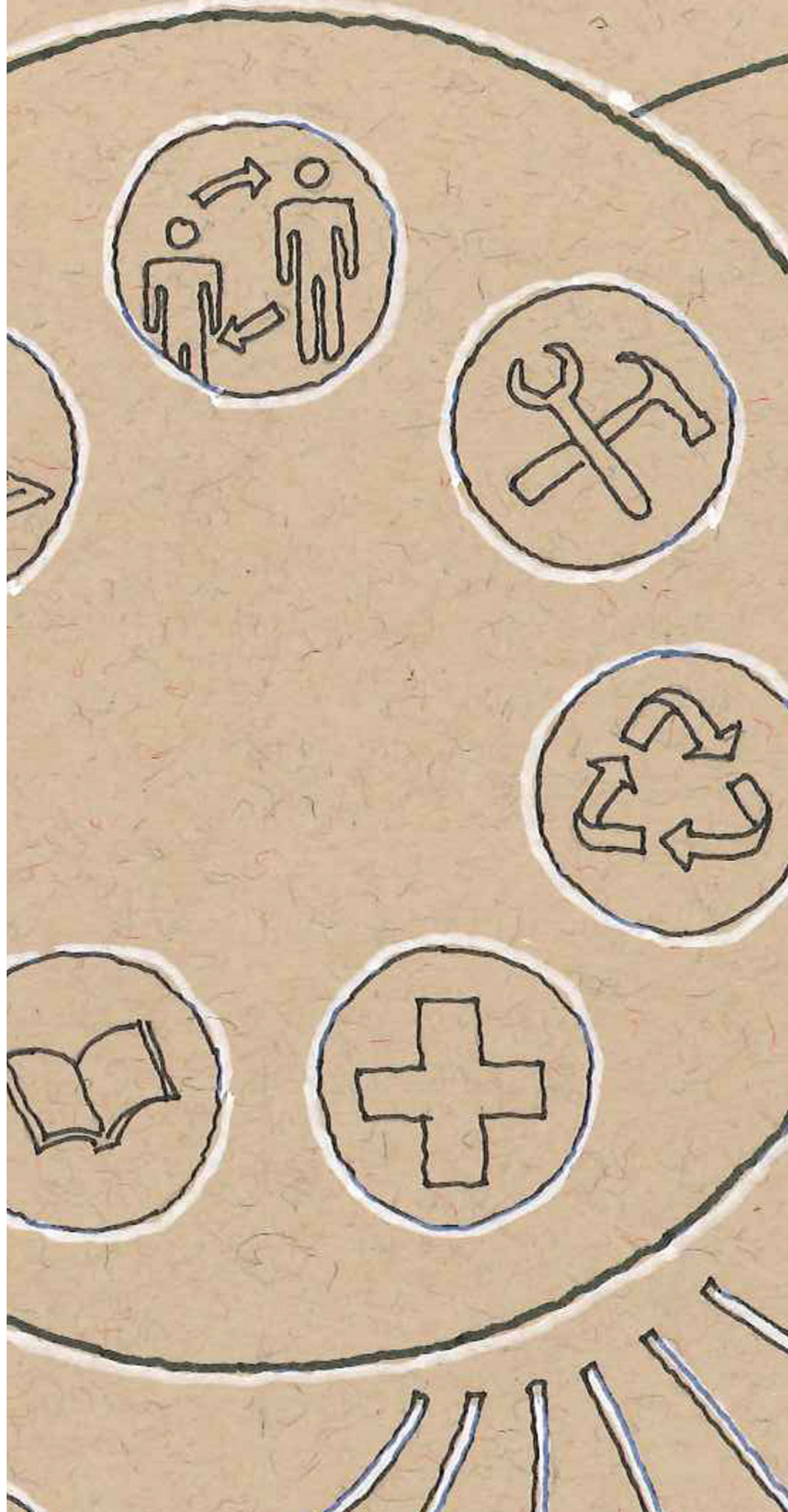
## RSA Transitions

A social enterprise approach  
to prison and rehabilitation

*Rachel O'Brien*

November 2011

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# Foreword

The RSA is a politically independent charity aimed at social improvement via the sustained search for innovative practical solutions to contemporary social problems. The RSA encourages the development of a principled, prosperous society and ‘the release of human potential’. Through its ideas, research and 27,000-strong Fellowship, it seeks to understand and enhance human capability to help close the gap between today’s reality and our hopes for a better world.

One of the key ways in which The RSA achieves this important aspiration is by researching, designing and testing new social models, with the help of experts in the field. Drawing on such expertise means that they bring together some of the best existing ideas, based around evidence, and turn them into practicable proposals.

Their Transitions model is a fine example of this kind of work. It proposes a new model of community prison and ‘through the gate’ provision based on the concepts of learning and

social enterprise. It is wholly consistent with existing practice, but attempts to offer a ‘co-productive form of public service management’ that is explicitly and uncompromisingly rehabilitationist. A transitions facility should be ‘a place of employment, learning, and activity’. It would be ‘co-designed by service users, local employers, local people and civic institutions’. Good models of successful social enterprise (such as the the Clink restaurant at HMP Highdown) exist, and are built into this proposal. They show how a new set of relationships between government and a wider set of ‘providers’ could be harnessed to enable those sentenced to imprisonment, those working with offenders, and the communities to which both belong, to flourish.

The RSA have delivered some outstanding projects in the fields of education and drugs treatment. The complex and contested world of prisons needs a ‘social productivity test’ and a new model that passes this test. The RSA have worked imaginatively and

responsibly to set out this idea and show how it might work in practice. They should be congratulated on having the energy and vision to make a convincing case for an innovative ‘Transitions’ facility.

**Professor Alison Liebling**, Director, Prisons Research Centre Institute of Criminology, Cambridge University

# Summary

This paper was commissioned by the RSA to inform the development of a major new practical project it is considering. It aims to set out a vision for RSA Transitions, a new model of community prison and “through the gate” provision which would be designed, built and managed around a culture of learning and social enterprise with the aim of rehabilitating people through increasing their capacity to work and resettle.

This is a major and controversial potential innovation. The RSA has been keen to stage its development and to engage policymakers, practitioners and RSA Fellows. The RSA is very grateful to all those who have taken part; this paper reflects our latest thinking based on this engagement and is based on some informed assumptions made which represent a *starting point* for detailed further research and development. Here we aim to set out the context in which the RSA's thinking is taking place, the

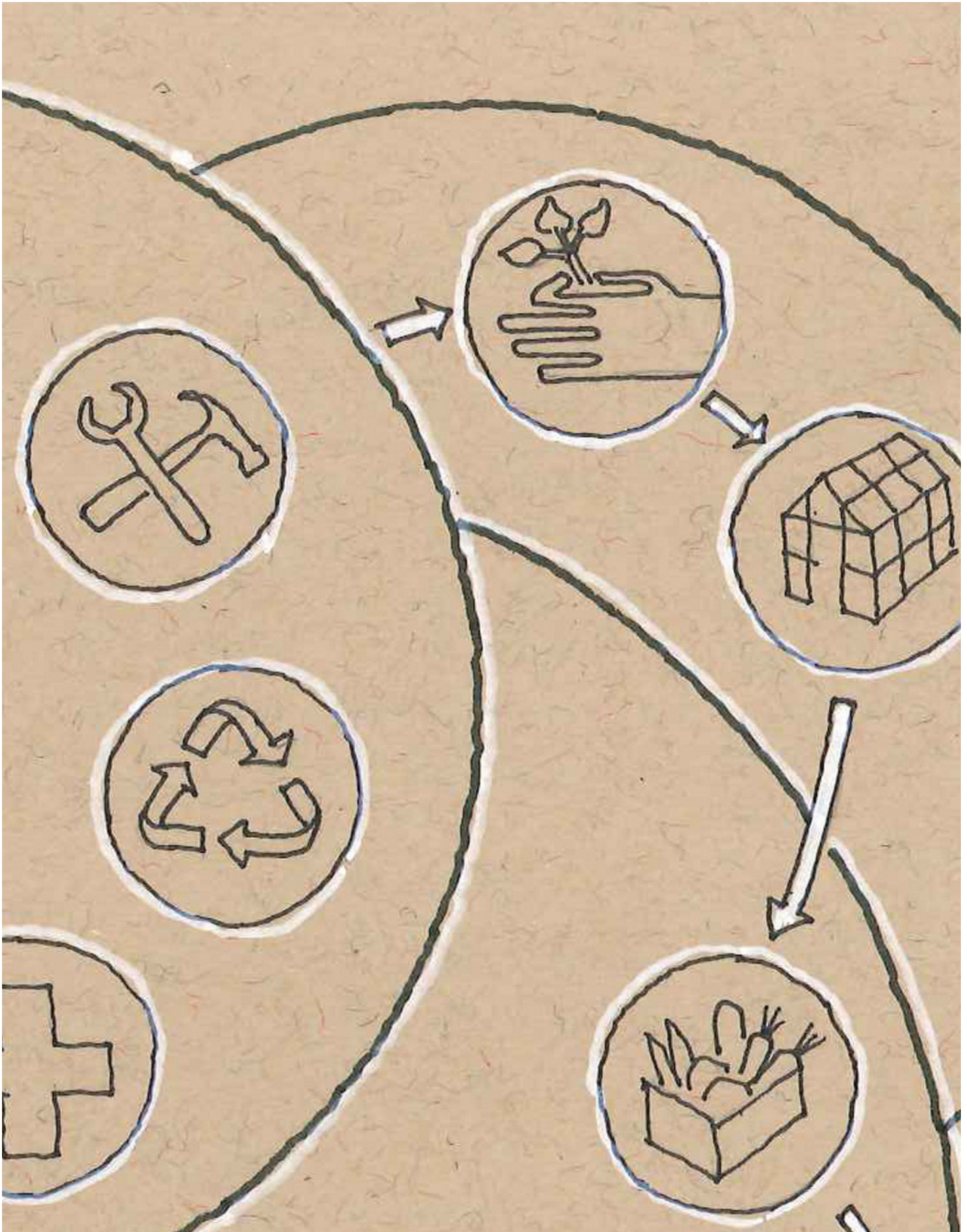
principles underpinning the idea and some of the key characteristics of the proposed new institution.

## **RSA Transitions**

- Seeks to provide a new model of custody and rehabilitation services based on a single site, and working with between 500 and 700 people (in custody and transition) at any one time. It would build on the best practice already taking place within the criminal justice system and social enterprises.
- Would pay prisoners to work in social enterprises while in custody. This would continue through the gate in a Transition Park with the aim of normalising work, addressing resettlement needs and securing employment in the community. Salaries would make a contribution towards reparation to victims, individual savings towards resettlement and, potentially, running costs. There would

also be an element of staff and service user ownership linked to performance and rehabilitation.

- Would be run as a social business under the RSA brand with a central holding company, working with different social enterprises within a framework agreement. This framework will be underpinned by shared values and objectives including embedding consistent and rigorous evaluation methods designed to identify what works to reduce reoffending and its drivers.
- Would involve employers, service users, local services and community members in its design, delivery, learning and skills content and governance.
- Would be driven by ethics, security and environmental and economic sustainability and aims to influence the way in which other services work and provide a model for future prison and through the gate provision.



# The RSA

“Pro-social strategy must involve a new type of debate in society, a new set of practices in politics and new ways of working in public services and making local decisions. Pro-social strategy therefore allies itself with three other sets of arguments: for participative forms of policy making, for devolved forms of decision making, and for co-productive forms of public service management”

Matthew Taylor, Speech, RSA, 2007<sup>1</sup>

The RSA has a record of developing legacy projects. In 1999 the RSA developed its own curriculum, Opening Minds, which is now applied in over 200 secondary schools in the UK. In 2008 it opened its Tipton Academy in the West Midlands. The Academy’s approach – including its new building, which opened on the same site in 2010 – was designed around Opening Minds.

The Academy had its first HMI Ofsted inspection in 2010; it was deemed to be making ‘Good progress, with Outstanding Capacity for continued improvement’. The RSA is extending its Academy model, targeting schools in areas of high deprivation. This speaks to the direction of travel that its Chief Executive, staff and Trustees have taken its projects, which already have a strong action research element. This includes its Whole Person Recovery Project, which

is working with local agencies to develop user-centred drugs services, and the Citizen Power initiative.

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**200**  
schools

are now following the  
Opening Minds curriculum

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The Whole Person Recovery Project followed a major drugs commission that the RSA completed in 2007 and which argued for drug mis-users to be given more choice and involvement in determining how services were delivered. Citizen Power includes a partnership

## RSA Opening Minds

In April 2006 the CBI published research on the skills that employers were looking for among school leavers and graduates. As well as basic skills in literacy, numeracy and specialist skills in the areas of science and technology, it highlighted the 'employability skills' valued by employers:

- self management
- team working
- problem solving
- communication and application of literacy
- business awareness
- customer care
- application of numeracy
- application of ICT

Opening Minds is designed to develop skills in these areas. It promotes innovative and integrated ways of thinking about education and the curriculum. Teachers design a curriculum for their schools based around the development of five competences: Citizenship, Learning, Managing Information, Relating to People and Managing Situations. This approach enables students to acquire subject knowledge and to apply it within the context of their wider learning and life. It offers students a holistic and coherent way of learning that allows them to make connections and apply knowledge across different subject areas.<sup>3</sup>

[www.thersa.org/projects/education/opening-minds](http://www.thersa.org/projects/education/opening-minds)

between the RSA, Peterborough City Council and the Arts Council aimed at developing new approaches to civic activism and innovation.

## RSA and criminal justice

In 2010 the Commission on 2020 Public Services based at the RSA called for more public investment to be evaluated in terms of a 'social productivity test': whether it builds individual and community engagement, resilience and reciprocity.<sup>2</sup> Embedded in this thinking is the question of what role service user engagement and co-production can have in improving services and public satisfaction, particularly in relation to people who have multiple needs.

This question is beginning to be given more attention in relation to the victims of crime and, more recently, to offenders. It has underpinned the RSA's recent work in the criminal justice sphere, including Social Animals, a project led by the RSA's design team on rethinking prison visits.

These issues underpinned the RSA's Prison Learning Network, which published its final report in 2010.<sup>4</sup> The Network was led by practitioners and commissioners of services. It explored learning and skills practice and looked at how – amidst a negative debate about prisons – success could be identified, celebrated and built on. The Network's final report argued that reform would need practitioner and political leadership around the shared principles summarised below.

- *Prisons need to be seen as a core public service that serve us all*, not just victims and offenders. As such, many of the aspirations applied elsewhere in public services should be applied in this context.
- Rehabilitation is too difficult and important to leave prisons 'behind the curve'. *A braver strategy on modernisation*, that utilises the best tools and thinking, is required. Most notably, there are huge benefits to be gained in using technology in a way that better balances risk and benefits.
- *Increased and appropriate user engagement* in the delivery and design of prison services to deliver greater efficiency, build skills and emphasise personal responsibility.
- Fair, transparent and effective services are most likely to emerge through a process of *wider community participation*, by forging partnerships with employers and others, and through direct public involvement.

The report concluded that these changes were more likely to occur in the context of more reasoned public debate underpinned by a stronger evidence base on what works to reduce reoffending.<sup>5</sup>

## Understanding behaviour

These principles, including the call for stronger evidence in changing public opinion and directing resources, inform our thinking here. They are consistent with the RSA's overall mission and focus:

that of increasing understanding of human capability in rising to the major challenges of today.

The RSA has the advantage of being multidisciplinary, informed by theory and action. This is exemplified by its Social Brain project, which has developed the idea of 'neurological reflexivity' in which an awareness of what lies behind our decisions enables us to change our behaviour. This is a practical notion that has relevance in the prison context where informed self-awareness can make a tangible difference to people's lives and choices.<sup>6</sup>

RSA Transitions will enrich and be enriched by other RSA projects and by its Fellowship. The proposal sits well with the Society's political independence and its record of taking on thorny, sometimes polarised, issues. It builds on recent work and speaks to our historical concern for the role of enterprise in fostering innovation and to our interest in building institutional and individual capacity in tackling some of our most persistent contemporary challenges.

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1. "Pro-Social Behaviour: the Future – it's up to us", speech by Matthew Taylor, RSA 2007.

2. The Commission on 2020 Public Services. *From Social Security To Social Productivity: a vision for 2020 Public Service*. 2020 Public Services Trust 2010.

3. *Shaping up for the Future*. CBI 2006.

4. O'Brien R. *The Learning Prison*. RSA 2010.

5. *Ibid.*

6. Grist M. *Steer*. London: RSA 2010.



# The context

“Take rehabilitation of prisoners; it’s a classic example of where we need a Big Society approach rather than a big state approach. The big state approach, our big prisons, are failing... what really matters to everybody in this country ... is how do we turn them round? How do we rehabilitate them?”

Prime Minister David Cameron, February 2011<sup>7</sup>

The prison system has three core objectives: to protect the public, to punish and to rehabilitate. It is charged with undertaking all these functions in a humane and transparent manner. There are those who would like to see a sizeable reduction in the use of prison with an expansion of non-custodial responses and an end to short sentences.<sup>8</sup> Others disagree, arguing for more frequent use of prison, longer sentences and harsher conditions.<sup>9</sup>

Despite these differences most people would agree that the prison service has done well in protecting the public, if we measure this purely in terms of security. It is clear that prisons serve their basic function of incarcerating offenders, giving their communities respite for a period of time. Indeed the number of people accommodated by the prison service at any one time has doubled since the early 1990s.<sup>10</sup>

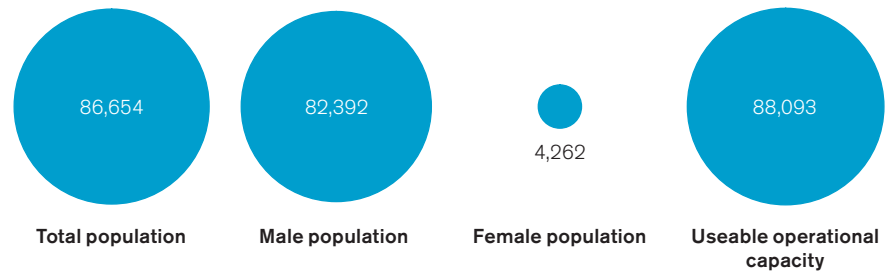
When the last Labour government came to power in May 1997, the prison population was just over 60,000. At the time of writing it had reached a record high of 86,654 (up just over 1,500 people compared to the same week a year earlier).<sup>11</sup> A 2003 review of prisons concluded that the increase in the use of custody had reduced crime by around 5% during a period when crime fell by 30%.<sup>12</sup> So why not build more prison capacity?

## Does prison work?

Police and Criminal Justice Minister, Nick Herbert has pointed out that calls for the UK to imprison people at the same rate per crimes committed as some other countries – for example, Spain – would take our prison population to around 400,000 and cost something in the region of £15bn.<sup>14</sup> It is not clear that the public would get the results they may expect: research for the Home Office



## HMPS Population and Capacity Briefing for 19 August 2011



published in 1993, estimated that for every 1% reduction in overall crime, we would need to increase the prison population by a quarter. There is also some evidence to show that *re-offending* rates rise proportionately with the prison population.<sup>15</sup>

While the public tends not to resist additional investment in prisons, people are sceptical about its impact. Around half those surveyed for an Esmée Fairbairn Foundation report thought that people leave prison worse than they go in and, when asked where they would invest £10 million to reduce crime, only 2% chose to spend it on prison places.<sup>16</sup>

Debates about the optimum use of prison will continue. The fiscal squeeze means it is more important than ever to ensure that productivity within the prison system – whatever its size – is measured on its capacity to reduce reoffending, or as the 2020 Commission on Public Services put it, increase social productivity.<sup>17</sup>

This brings us to prisons' third function: rehabilitation. Here there is broad agreement that prisons (and related services) are failing or, at best, falling short. About half of prisoners reoffend within a year of release. This increases for those serving short sentences and for younger people. The National Audit Office estimates that reoffending in England and Wales alone costs the public up to £10bn a year.<sup>18</sup>

The tension here is *between* prisons' different functions and the weight that each of these is given, particularly in an estate that is overcrowded and which includes institutions built in the Victorian era. While numbers are important, policy thinking about the future of the criminal justice system needs to place greater emphasis on

what kind of prison service we want: what are our expectations and what kinds of approaches are most likely to meet these?

### Breaking the cycle

The election of the coalition government and substantial cuts to public spending, combined with the sense that the prison system is outdated and not working when it comes to rehabilitation, has opened up a debate about the future of prisons and their place within the criminal justice system. This could be seen in the justice green paper, which included proposals to:<sup>20</sup>

- create 'working prisons' with the aim that all prisoners learn the discipline of regular working hours;
- open up opportunities for voluntary sector and private providers to deliver services;
- introduce payment by results linked to success in reducing reoffending;
- improve rehabilitation by getting more offenders off drugs;
- increase reparation to victims of crime through greater use of restorative justice and implementing the Prisoners' Earnings Act;
- give local people and communities a more central role in criminal justice;
- simplify the sentencing framework with the aim of increasing transparency, while enhancing judicial discretion;
- review the indeterminate sentence of Imprisonment for Public Protection;
- introduce more demanding tasks in the community, with greater use of tough curfew requirements.

The green paper's emphasis on localisation, citizen engagement and payment by results, represented

a fundamental change from using centrally planned and standardised interventions, delivered to meet national key performance targets. It chimed with the government's Big Society narrative and with its emphasis on the role of voluntary organisations (and volunteers) taking a bigger role in service delivery.<sup>21</sup> Meanwhile, the criminal justice system budget is shrinking. The Home Office is losing nearly a quarter of its £8bn budget, the police service is facing 20% cuts and the Ministry of Justice (MoJ) is losing 14,000 posts, with further reductions being made to the National Offender Management Service (NOMS), the Youth Justice Board, probation, legal aid and courts.<sup>22</sup>

### A rehabilitation revolution?

The government's criminal justice strategy is facing major challenges and is beset by tensions and contradictions. In 2010, as part of the coalition's 'rehabilitation revolution', Kenneth Clarke announced proposals to reduce the daily prison population by around 3,000 within four years.<sup>23</sup> The intention was to achieve this through a combination of sentence discounts for early guilty pleas, speedier repatriation of foreign nationals and risk assessment of prisoners on parole, and decanting prisoners with serious mental health problems to health funded facilities.

A number of things have happened which have undermined this approach including a rethink on sentencing and early pleas. At the time of writing, the riots that took place in August in London and other English districts have resulted in over 2,000 arrests, with over 1,100 people charged. While it is too early to say how many of those charged will end up in the adult secure estate, the prison population increased by over 1,000 between the day before the riots and two weeks later.<sup>24</sup> It seems the events – which resulted in five deaths, 16 injuries, people losing their homes and businesses and cost many millions of pounds – may serve to toughen criminal justice policy.

At least in the short to medium term, the UK prison population is highly unlikely to decrease in size; indeed continued increases are likely. What is less clear is what this means for the government's rehabilitation agenda

in the longer term; both in terms of the practical obstacles to rehabilitation that overcrowding presents, and the potential hardening in public attitudes and policy responses.

The government has already announced that three prisons – HMPs Featherstone 2, Doncaster and Birmingham – will now be run by private providers and that HMPs Latchmere House and Brockhill will close by the end of 2011. In July 2011 the Ministry of Justice outlined a competition strategy for the management of a further nine prisons. All but one of these are public sector establishments being competed for for the first time.

A critical question will be the extent to which the tendering process are able to place rehabilitation – and innovations that seek to try new approaches – at their heart in an environment where public funding will be squeezed.

These decisions – and the development of this project – takes place in the context of the Big Society narrative; which emphasises a greater role for the community in making local decisions and in running public services. At the same time, the Open Public Services White Paper sets out how the government intends to improve public services, underpinned by five key principles: choice, decentralization, diversity (with an emphasis on opening up provision to a wider range of providers), fairness and accountability.

16. *Rethinking Crime and Punishment*. Esmée Fairbairn Foundation 2004.

17. *From Social Security To Social Productivity: a vision for 2020 Public Services*. PST 2010.

18. *Managing offenders on short custodial sentences*. National Audit Office 2010.

19. Making prisoners pay to support victims, Kenneth Clarke, 5 October 2010.

20. *Breaking the cycle*. MoJ *ibid*.

21. David Cameron's speech on the Big Society, 14 February 2011.

22. *2010 Budget*. HM Treasury 2010.

23. Kenneth Clark, Speech 5 October 2010.

24. Population and Capacity Briefings for 5 and 19 August 2011. MoJ.

7. Big Society speech by David Cameron, 14 February 2011.

8. *Do Better Do Less: The report of the Commission on English Prisons Today*. Howard League 2010.

9. See Michael Howard in the *Times* 7 December 2010 on the relationship between prison and crime numbers and Dalrymple T. New English Review, September 2009.

10. Making Sense of Criminal Justice, Consultation Facts.

11. HMPS Population and Capacity Briefings.

12. Carter P. *Managing Offenders, Reducing Crime: A New Approach*. Stationary Office 2003.

13. [www.homeoffice.gov.uk/media-centre/speeches/nick-herbert-policy-exchange](http://www.homeoffice.gov.uk/media-centre/speeches/nick-herbert-policy-exchange)

14. Nick Herbert speaking at *The Times* Wilton's debate Does Prison Work? January 2011.

15. Hedderman C. *Building on Sand*. Centre for Crime and Justice Studies 2008.

“Like the NHS, perhaps it is time to tell the public directly that this is not a criminal justice system, opaque, unaccountable and distant, but a criminal justice service, which exists to serve and protect them, just as much as it exists to serve the interests of justice”

Nick Herbert, Policy Exchange speech, July 2009<sup>13</sup>

# The vision

In the previous section, we have outlined the changing context in which crime, prevention and rehabilitation programs operate, even before we take into account the potential knock on effects of rising levels of unemployment and reduced public spending on other related services, such as housing and education.

On the one hand, the RSA Transitions project speaks to government's emphasis on working prisons and its Big Society agenda at a time where policy interest in the role of social enterprise is growing. On the other, the RSA is considering what will be a major and long-term commitment in a landscape that is characterized by tough social and economic pressures.

The RSA needs to maintain its ambitions in the face of these and more challenges. Therefore, it is essential that RSA Transitions, and any articles of agreement and terms of business for the new institution, are tied to agreed

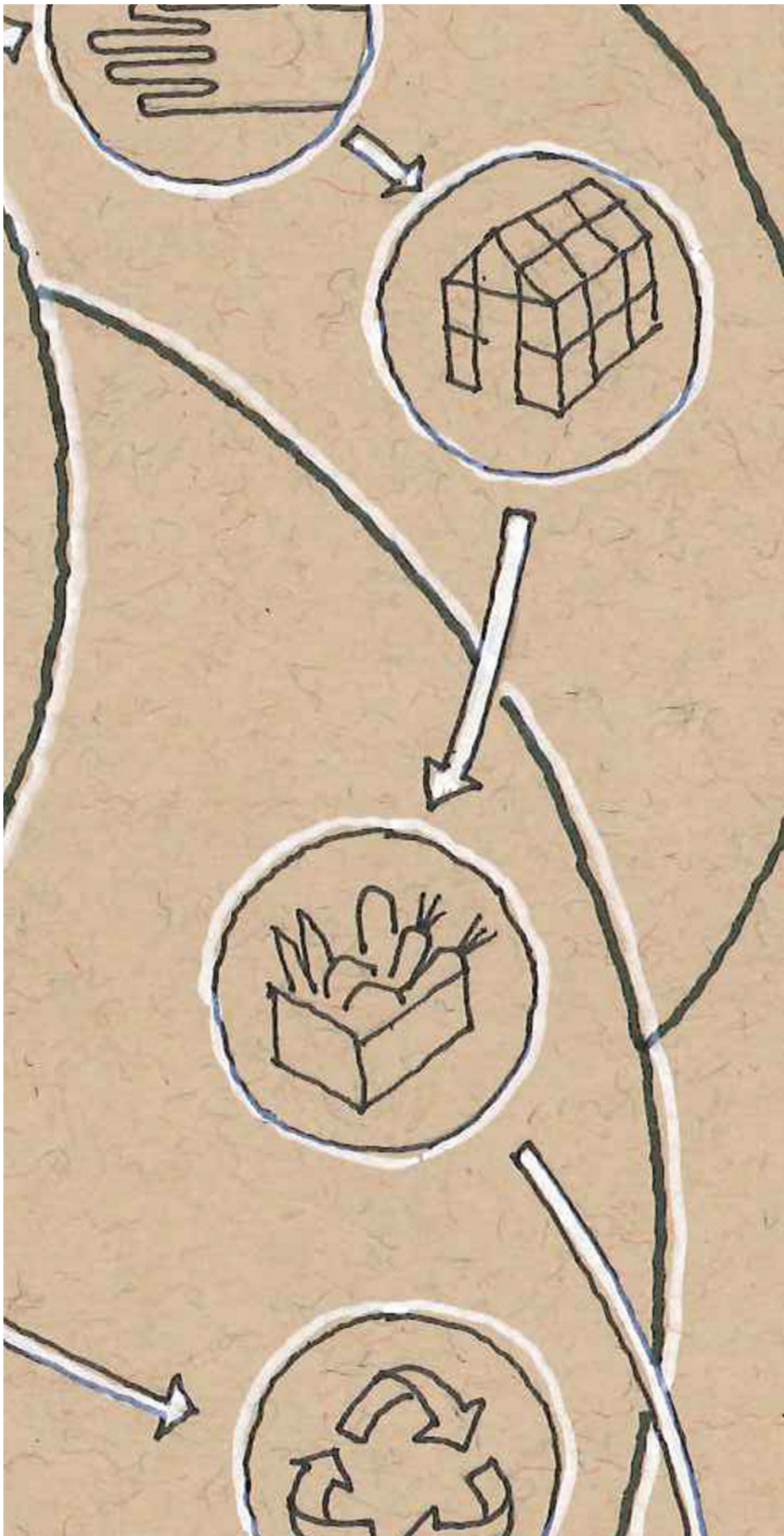
principles that cannot be set aside for the sake of expediency when the going gets tough. In the following sections we describe what these may look like.

The development of RSA Transitions started with two basic assumptions. The first is that when people commit a crime and are imprisoned, the removal of their freedom is the fundamental punishment. The second is that pretty much everything else that takes place within prison should be driven by what is most likely to deliver rehabilitation and longer-term public safety should be judged on its contribution to this end.

Prisoners at RSA Transitions would enter a place of employment, learning and activity. Not all will start work immediately: during their induction and training period they will undergo thorough needs and skills assessments. Some will need to undergo detox and other interventions before they are able to begin learning and work activity.

Particular attention would need to be given to ensure that the needs of disabled prisoners are met. Those people serving short sentences will be offered a 'contract', which would mean they can choose on release to continue – with conditions – to work with the institution via its on-site through the gate services.

Prisoners would quickly be made aware of the expectations on them to get engaged in co-producing services, the 'offer' they face and the pay and conditions they can expect and be subject to. The aim would be to break down some of the barriers that exist between staff and prisoners and to blur the current distinction between those staff focused on security and providers of skills, learning and enterprise. Staff would be recruited and trained to create a culture of learning, work and enterprise, alongside a safe and secure establishment.



## Principles

While this vision is radical, it is not entirely new. It seeks to build on best practice being undertaken within the UK prison system and shares some characteristics of past proposals including Learning Works, developed in 2002 by Buschow Henley, and Rideout's 2004 proposals for a Creative Prison.<sup>25</sup>

In order for this vision to become a reality, the decisions that the RSA makes at each stage of this project will be determined by satisfying a range of conditions. These will include internal capacity to deliver, securing a site, construction costs, the project's feasibility as a long-term financial model and the level of support it has from government, partners and the public.

The purpose of this document is to begin to clearly articulate the principles that inform this work. As with any project of this scale, complexity and sensitivity, there will be need to strike a balance between idealism and pragmatism and to make trade offs against practical realities. But these need to be informed by a clear sense of 'non-negotiables'.

### A model of future good practice

For some the RSA's proposal will be seen as lacking in principle: the issue of whether we would in effect be 'expanding' the prison estate has already been raised. Two key issues arise: demand and purpose. As we have seen, there is little evidence to suggest that prison numbers are going to decrease or that the provision of what plans to be a relatively small community prison would increase overall numbers; reducing the number of incarcerated is not the same as reducing the number of prisons.

Once more, even with the recent announced closures, there are parts of the secure estate that are no longer fit for purpose. The estate is also overcrowded and, in some areas, there are high levels of demand, resulting in many prisoners being held many miles away from their families (when we know family contact can have a positive impact on rehabilitation).<sup>26</sup>

More significantly the RSA believes its model could make an important contribution to the future shape of the prison estate. As an independent body, it is well placed to innovate and do things

that the government or the private sector cannot or will not do. The RSA's vision is of a different approach, drawing on existing models of social enterprise within and beyond the criminal justice service in improving the outcomes for prisoners and the community.

### **Reducing reoffending and being seen to do so**

RSA Transitions would be designed around building prisoners' capacity to work and resettle on release. We have not set targets here: this needs to be done when there is clarity on the likely profile of service users (for example, the proportion of short stay prisoners) and will be central to any payment by results agreement. However the aim will be to reduce reoffending at a higher level to comparable practice and enable prisoners to make a positive social and economic contribution.

One of the challenges facing the criminal justice system is complexity and the lack of reasoned public debate about crime and punishment. This is in part due to the difficulty in collating persuasive evidence about what specific interventions work. The Surveying Prisoner Crime Reduction (SPCR) work, commissioned by the MoJ, alongside other research, is strengthening evidence of what works in broad terms.<sup>27</sup>

However, the factors that relate to rehabilitation are myriad and the number of interventions and (often relatively small) organisations involved are multiple. With this in mind, the proposal is to build evaluation into the core operation of RSA Transitions, measuring impact on reoffending levels (and related factors). This would include assessing wider social impacts and 'spend to save' assessments, developing shared methods with the social enterprises involved and an overarching payment by results approach. The aim is that RSA Transitions will be able to aggregate impacts across the institution and identify which specific programmes work best with different groups to reduce reoffending and increase resettlement.

### **Shared solutions**

This paper raises criticisms of the prison service's record on rehabilitation and touches on the important role that

political capital plays in allowing space for innovation. RSA's earlier work on this agenda acknowledged that prisons were operating under acute pressure, and that making a step change in approach required political leadership and the broader engagement of employers, communities and service users.<sup>28</sup>

RSA Transitions would be co-designed and delivered by service users, local employers, local people and civic institutions; all would have a voice in how it is designed and run. It will draw on the approach developed through the RSA's Area Based Curriculum, piloted in Manchester and Peterborough, where local employers and civic institutions are not just involved in schools, but help to provide and deliver the content of learning.

### **Ahead of the curve**

User and community engagement in prisons – for obvious reasons – has lagged behind other parts of the public sector, where participation is considered critical to creating modern responsive services. The same applies to the use of technology. The RSA has argued for a much bolder technology strategy on the basis of the 'double digital exclusion' of prisoners and the speed of technological change.<sup>29</sup> Without this, prisons will continue to play catch up at best and, at worse, fall further behind, undermining the employability of ex-offenders and the skill set of prison staff. Ensuring that appropriate restrictions are in place, the RSA will seek to deploy cutting edge technology and engage the private sector.

### **Sustainability**

There is a strong case to be made for making environmental sustainability a core characteristic of the prison, including the options this opens up for investment, income and savings. Even during the recession there has been a rise in the social enterprise sector, particularly those working in the sustainable sector.<sup>30</sup> Demand for 'green collar workers' is growing.<sup>31</sup> There is evidence that suggests employees are more likely to be satisfied with their jobs if they are working for an organisation that is perceived to be 'green'.<sup>32</sup>

Further work will be done in the research and development stage of this

project to determine the potential for focusing on green social enterprises and the extent and level of technical skills involved in this job market. However, focus on the broader public benefits of sustainability could contribute to public support and prisoners' and ex-offenders' sense of purposeful activity.

The RSA is aware that this project represents a significant long-term commitment and of the implications for government and wider criminal justice services. RSA Transitions will adopt financial and governance models that are both realistic and transparent.

These principles are a starting point for the kinds of benchmarks against which the RSA makes judgments about the evolution of this project at each stage, including any articles of association it develops and any framework agreements it enters into.

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25. [www.scribd.com/doc/6708020/The-21st-Century-Model-Prison](http://www.scribd.com/doc/6708020/The-21st-Century-Model-Prison) and [www.rideout.org.uk/creative\\_prison.aspx](http://www.rideout.org.uk/creative_prison.aspx)

26. *Reducing re-offending: supporting families, creating better futures: a framework for improving the local delivery of support for the families of offenders*. MoJ 2009.

27. See the MoJ commissioned Surveying Prisoner Crime Reduction at the Institute of Criminology at the University of Cambridge and *The Case For and Against Prison: update*. Matrix Knowledge Group 2008.

28. O'Brien op cit.

29. Ibid.

30. The RBS SE100 IData Report. Social Enterprise Live and RBS 2010.

31. *Green is the new blue: the rise of green collar working*. Royal Haskoning 2008.

32. Walsh C. and Sulkowski A. *Going green promotes employee job satisfaction*. Charlton College of Business at University of Massachusetts, 2011.

# Does work, work?

The criminal justice system struggles to identify the efficacy of many of the individual interventions that take place within the prison estate and elsewhere. This is in large part due to the complex needs of prisoners, the range of interventions needed and the myriad of organisations working across the estate and in the community.

This is likely to present a hurdle for the government's payment by results agenda if smaller not-for-profit organisations continue to struggle to evaluate and compare outcomes. Given the scale of the reoffending challenge and the reduction in public spending, it is simply not enough to state that, say, X mentoring or Y education programme 'works'. Much more granular information is needed in relation to cost benefits and what specific approaches make the most difference and in what context.

That said there is clearer evidence on the *broader* barriers that need to

be addressed in order to have a positive impact on reoffending levels.<sup>33</sup> These were reflected in the justice green paper and in NOMS' 'pathways'.<sup>34</sup>

- *Accommodation and support:* it is estimated that stable accommodation can reduce the likelihood of reoffending by more than a fifth.
- *Education, training and employment:* having a job can reduce the risk of reoffending by between a third and a half.
- *Health:* offenders are disproportionately more likely than the general population to suffer from mental and physical health problems.
- *Drugs and alcohol:* two thirds of prisoners use illegal drugs in the year before imprisonment and intoxication from alcohol is linked to a high percentage of crime.
- *Finance, benefit and debt:* about 81% of ex-offenders claim benefits on release.

- *Children and families:* maintaining strong relationships with families and children can play a major role in helping prisoners to make and sustain changes that help them to avoid reoffending.
- *Attitudes, thinking and behaviour:* successfully addressing attitudes and behaviour during custody may reduce reoffending by up to 14%.<sup>35</sup>

Yet many people still leave prison with no money other than a discharge grant (£46), a travel warrant, a bag with their possessions in and one or two night's accommodation. Each year, 90,000 prisoners are released in England and Wales. Of these, around 30,000 will have nowhere to live on release.<sup>36</sup>

Many prisoners, particularly those held many miles away from home, struggle to maintain relationships with their families and leave with no one

to meet them at the gate. Even those who have had some success in relation to drug and alcohol misuse, can find themselves very quickly back using and relying on the same networks that got them into trouble.<sup>37</sup>

Overcrowded prisons struggle to engage prisoners in pathway activities. A 2007 survey of 17 prisons conducted by HM Prisons Inspectorate found that only three could provide the mandatory ten hours a day out of a cell. In nine prisons, the best outcome for a prisoner who was not working in prison industries, amounted to less than four hours a day out of his cell; the worst could be less than an hour.<sup>38</sup> Overcrowding reduces the number of prisoners able to work as pressures on security, space and staff dominate.

This is of particular concern for people on IPP (Indeterminate Public Protection) sentences where their release is dependent on completing courses that they cannot access.<sup>39</sup> In addition, prisoners serving short sentences often receive little intervention in custody or through the gate: if they have been inside for less than a year, they do not fall under the statutory umbrella of probation services.<sup>40</sup> Any new prison, social enterprise or not, which aims to demonstrate that it can make further inroads into tackling recidivism, will need to address the balance between security and rehabilitation work and seek to provide a different 'offer' to those on short sentences.

## Employment

Most ex-prisoners struggle to secure work due to a combination of factors (including the inter-related barriers above), low skill levels and discrimination. According to the Home Office, 26% of newly released offenders found a job upon release during 2008 and 2009. Ex-prisoners make up 2–3% of the average monthly inflow to the unemployment total.<sup>41</sup> Ex-offenders are 13 times more likely to be unemployed than the general public.<sup>42</sup>

There are strong arguments to be made about whether there exists a social duty to offer ex-prisoners more of a fighting chance to rebuild their lives. There is a value for money argument too. A former prisoner who

re-offends costs the criminal justice system an average of £65,000 up to the point of re-imprisonment and an average of £40,992 a year to keep them there.<sup>43</sup> Being in work reduces the risk of re-offending by between a third and a half.<sup>44</sup>

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Ex-offenders are  
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Many prisoners will not have worked (legally). Some will have earned money through crime. For many the chaotic nature of their early lives makes the prospect of securing employment unrealistic. Add to this evidence that shows that extended periods of worklessness reduces people's chances of ever getting a job – and increases the prevalence of other difficulties including mental health problems – the scale of the challenge and its vital importance becomes clear.<sup>45</sup>

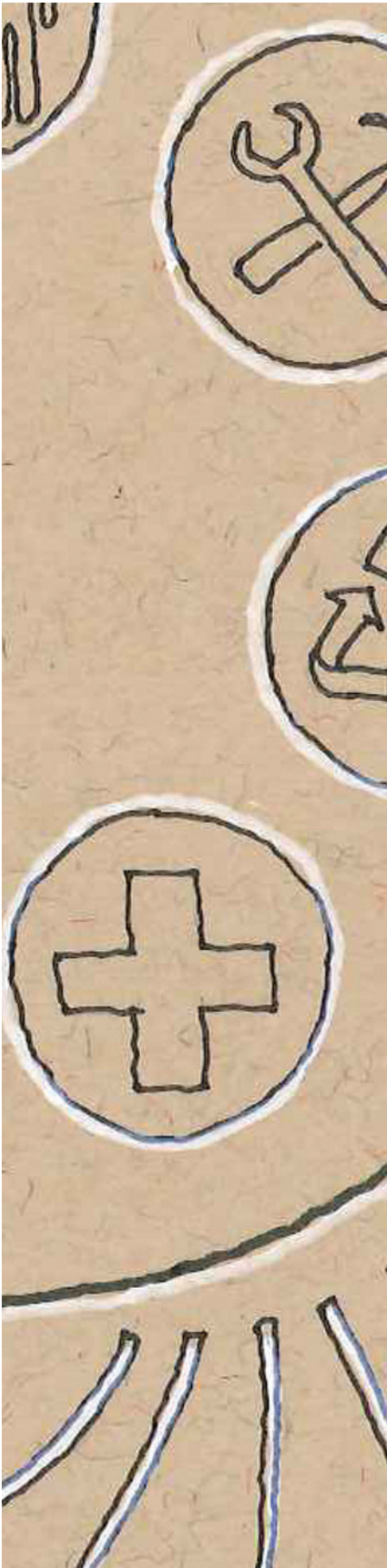
The justice green paper set out proposals to increase work in prisons.<sup>46</sup> The aim is for prisoners to work a 40-hour week, normalising the working day and increasing people's capacity to secure employment on release. The attraction to working prisons is understandable but much will depend on the detail: levels of pay; what activities can be accessed; and getting the right balance between work and other interventions. Any approach to tackling re-offending cannot afford to ignore the factors that can contribute, including behavioural interventions that can make a significant impact.<sup>47</sup> While there is less clear evidence of the impact of education programmes, there is a strong link between basic skills and employment.<sup>48</sup>

## The American experience

There are prison work programmes elsewhere, notably in the US. Human rights organisations are amongst those







who have condemned some of the forced work programmes as exploitative. There are around 2 million people in prisons throughout the US, which accounts for 25% of the world's total number.<sup>49</sup> Black people represent around 13% of the US population and make up around half of the prison population.<sup>50</sup> Evidence on the impact of poverty and racial bias in sentencing raises major issues around social justice.<sup>51</sup>

Increasingly US prisons are provided by the private sector and they represent one of the fastest-growing private industries in America, buoyed by income from work programmes. The value of the goods and services provided by prisoners in 2002 was estimated to be \$1.5bn.<sup>52</sup> By 2006, the minimum estimate of the annual value of prison industrial output exceeded \$2 billion. The wages paid vary but were as low as \$0.23 an hour in 2007.<sup>53</sup>

This begs the question of how the expansion of prison work in the UK can be implemented in a way that is not exploitative and whether profit motives can be consistent with human rights and the wider public interest. It also raises the question of local wages being undermined with cheap labour. RSA Transitions will need to balance its objective of raising income and getting prisoners working with longer-term aims of rehabilitation and resettlement. The project shares the government's emphasis on the benefits of normalising work. However, with the characteristics of the offender population as they are, we are working on the assumption that a percentage will struggle to work on arrival, particularly those whose primary issues will need to be attended to as a pre-condition to work. A 2009 HM Inspectorate of Prisons review of care and support for prisoners with a disability concluded that the prison service underestimated the number of disabled prisoners, estimating that rather than 5%, the percentage was more like 15%.<sup>54</sup>

We are assuming that at any one time, around 20–25% of people would be unlikely to be working because of a combination of these issues. Our emphasis is on the benefits that social enterprise can bring in providing offenders with opportunities to work for the broader public good as well as

develop their own capacity to work and resettle. We believe this could be transformative.

33. *Reducing re-offending by ex-prisoners*. Social Exclusion Unit 2002.

34. [http://webarchive.nationalarchives.gov.uk/20100809035916/http://noms.justice.gov.uk/managing-offenders/reducing\\_re-offending/reducing\\_re-offending\\_pathways/](http://webarchive.nationalarchives.gov.uk/20100809035916/http://noms.justice.gov.uk/managing-offenders/reducing_re-offending/reducing_re-offending_pathways/) Additional pathways include meeting the particular needs of women and victim awareness.

35. Social Exclusion Unit. Op cit.

36. *Drug related mortality among newly released offenders*. Home Office 2003.

37. *Time out of cell: A short thematic review*. HM Inspectorate of Prisons December 2007.

38. Jacobson J. and Hough M. *Unjust Deserts: imprisonment for public protection*. The Prison Reform Trust 2010.

39. National Audit Office 2010. Op cit.

40. Prison Reform Trust. [www.ws3.prison-reform.web.baigent.net/subsection.asp?id=381](http://www.ws3.prison-reform.web.baigent.net/subsection.asp?id=381)

41. Ibid.

42. E Solomon, C Eades, R Garside, M Rutherford, *Ten Years of Criminal Justice under Labour: An Independent Audit*, Centre for Crime and Justice Studies, 2007: [www.crimeandjustice.org.uk/opus55/ten-years-of-labour-2007.pdf](http://www.crimeandjustice.org.uk/opus55/ten-years-of-labour-2007.pdf)

43. Social Exclusion Unit. Op cit.

44. *Worklessness and health – what do we know about the causal relationship?* NHS March 2005.

45. *Breaking the Cycle*. Op cit.

46. For an overview of what works see *The impact of corrections on re-offending: a review of 'what works'*, Home Office 2004, and *Overview of Offender Rehabilitation: Something Old, Something Borrowed, Something New*, Hollin 1999.

47. *Economic Impact of Training and Education in Basic Skills*. BIS 2009.

48. *Human Rights Index: US Prisons* (Winter 2009–2010). University of Iowa Center for Human Rights 2010.

49. Todd R. Clear, George F. Cole, Michael D. Reisig. *American Corrections*. Wadsworth Publishing Company 2008.

50. Western B. and Pettit B. "Incarceration & social inequality," *Dædalus*. MIT Press Summer 2010.

51. Jon Swartz, USA Today, July 6 2004.

52. *Federal Prison Industries RL32380*. Congressional Research Service 2007.

53. *Disabled prisoners: A short thematic review on the care and support of prisoners with a disability*. HM Inspector of Prisons March 2009.

# Why social enterprise?

“A social enterprise is a business with primarily social objectives whose surpluses are principally reinvested for that purpose in the business or in the community, rather than being driven by the need to maximise profit for shareholders and owners”

Social Enterprise Unit 2002

A 2009 survey of prison and probation services showed that 47% of prisons and 95% of probation services were interested in developing social enterprise and wider third sector work.<sup>55</sup> It concluded: “*There is little evidence of social enterprises being contracted by prisons and probation services to deliver the core services that they might purchase from a private business. The only examples of this type of transaction were in catering.*”

The previous Labour government and the current coalition have favoured greater involvement of social enterprises in the criminal justice system. The perception is that, in comparison to the public or private sector, social enterprises are better able to: balance commercial and social outcomes; work with excluded groups and reach out to communities; build on offenders’ entrepreneurialism and meet their need for self-employment; and be flexible

and innovate. The Open Services White Paper seems to support this approach.

As the US statistics highlight, tensions arise when prisons are run for profit, particularly in an unequal society like the UK and when work enters the equation. The risk is that shareholders’ gain at the expense of exploiting an unpopular group and that providers do not invest in meaningful skills training and work, reasonable reward and building people’s capacity for employment.

With the scale of profit seen in the US (which rises as the prison population increases) it is easy to see the potential for moral hazards and perverse incentives in increasing work in prisons. Linking payment by results to reoffending levels should provide additional incentives. This is as long as mechanisms are put in place to prevent cherry picking the ‘easier to reach’ individuals and to ensure a balance

is struck between the recognition of real progression, and endlessly retrofitting indicators towards outcomes. It is too early to know how payment by results in relation to the rehabilitation of the adult prison population will be structured.

If we are going to see real progress in rehabilitation, the government will need to avoid unrealistic thresholds, which fail to recognise the often slow and complex journey that many people – particularly those with drug and alcohol misuse problems – make towards recovery and rehabilitation. A revolution in rehabilitation will require evidence-based targets, investment in what is known to work best and the trialing of new approaches to through the gate services and custody.

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A 2009 survey showed that

**47%**

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There is scope for a different approach: one that can benefit from the innovations and freedoms that can come with private investment, but with the ethical constraints and focus of the public and voluntary sector. One that pays prisoners at a level that enables them to save for resettlement while not undermining local employment. A model that is financially sustainable, but where there is less pressure on short-term financial returns. This recognises the empowering role that enterprise can play but does not pretend that the criminal justice system functions under the traditional rules of supply, demand and choice.

### **Excluded groups and social enterprise**

According to Social Enterprise Live, the UK is home to 55,000 social enterprises (or 62,000 according to contested figures from the Cabinet

Office).<sup>56</sup> Despite this, proof of impact is patchy. There is evidence to suggest that social enterprises are particularly well placed to respond to excluded groups, although these claims seem to have been overplayed. Analysis by the Third Sector Research Centre (TSRC) concluded that:<sup>57</sup>

- more economically focused social enterprises were effective at enabling excluded service users to secure employment;
- those that were more socially focused could provide important spaces for bonding capital and meeting people in similar circumstances;
- hierarchical social enterprises tended to be better at service delivery;
- democratic organisations were better at generating social and linking capital.

The RSA aims to achieve these outcomes: to increase employment, empower users and staff, build peer support and networks. The proposed model of a central organisation, operating as a holding company, with cross sector social enterprises operating underneath, would ensure there is a shared vision across the institution.

There are models from which the RSA can learn, including the Delancey Street Foundation in the US, which runs five residential self-help organisations for former substance abusers, ex-prisoners and other excluded groups. Started in 1971 with four people in San Francisco, each project now provides capacity for up to 500 beds and claims to have rehabilitated 14,000 people.<sup>58</sup>

Delancey Street is run by its inhabitants and each site partners with local colleges in providing training and qualifications and the projects run restaurants, moving firms, furniture making companies, cafés and bookstores. Neither Delancey Street, nor a similar Italian model, San Patrignano, are prisons. Even though many of those living at both will share many characteristics with prisoners, the fact they are not within the secure estate is significant in terms of costs, governance and links with community.

However, both projects have become beacons of good practice in relation to rehabilitation and recovery. In its 40 years Delancey Street has not

received state funding but has relied on philanthropy and its social enterprises for income. In 2003 almost half of its \$15m annual operating costs came from the variety of businesses it owned and operated.<sup>59</sup> San Patrignano has been the subject of numerous academic studies: the results, backed up by retroactive medical tests, show that after completing the programme, over 70% of residents are fully reintegrated into society and remain drug-free.<sup>60</sup>

### **Delancey Street**

There are Delancey Street projects operating in New York, San Francisco, New Mexico, North Carolina and Los Angeles. The minimum stay is two years while the average resident remains for almost four years. During their time, residents receive a high school equivalency degree (GED) and are trained in three different marketable skills. Beyond academic and vocational training, residents engage in 'softer' skills including values, social and interpersonal relationships. Residents learn to work together promoting non-violence through a principle called 'each-one-teach-one' where each new resident is responsible for helping guide the next arrival. Delancey Street now employs reformed ex-residents to visit prisons across the US to recruit new candidates for the programme.

[www.delanceystreetfoundation.org/www.php](http://www.delanceystreetfoundation.org/www.php)

### **San Patrignano**

The San Patrignano project in Italy, a residential facility, shares some of its characteristics with Delancey Street, including its aim to rehabilitate socially marginalised individuals and drug addicts without any social, political, or religious discrimination. The project offers this service free of charge to those who need it and their families, and is not funded by government. Focused on addiction, San Patrignano stresses the importance of personalisation in recovery, while stressing the role of professional training in rehabilitation. The project works with residents' families and raises part of its income through social enterprise.

[www.sanpatrignano.org](http://www.sanpatrignano.org)

The RSA seeks to learn from these projects, in particular their emphasis on user empowerment and the role of peers, community and civic engagement in developing programmes and social enterprises.

We will also draw upon good practice in the UK. This includes large-scale social enterprises like Turning Point. Through 230 projects, the organisation provides services for people with complex needs, including those affected by drug and alcohol misuse, mental health problems and those with a learning disability. All revenue comes from trading, with around 15% of this arising from contracts with prisons and probation services.<sup>61</sup> On a smaller scale, the Clink restaurant at HMP High Down and the PACT Lunch, a social enterprise running in 11 prisons across the UK, provide models and potential partners.

### The Clink

The Clink restaurant at HMP Highdown opened in 2009. Its customers can expect high quality food with organic ingredients supplied directly from the restaurant garden with the aim of making the business self-sustaining. The restaurant is staffed by prisoners, who continue to eat standard prison fare: they prepare and serve meals to prison staff and invited members of the public. It offers prisoners an opportunity to gain catering qualifications, work experience within an operational business, and guidance to a full-time job on release.

[www.theclinkonline.com](http://www.theclinkonline.com)

### Offenders and enterprise

Many ex-prisoners face huge difficulties in securing work and face high levels of discrimination when it comes to securing employment.<sup>62</sup> While the RSA does not assume that prisoners will go on to work in enterprise on release, for some self-employment may be a practical way forward.<sup>63</sup> There is also some evidence to show that offenders may be suited to enterprise.

One US study used motivational factors associated with entrepreneurial success and compared a sample of prisoners to entrepreneurs, including

those who had started a business, and those working in slow grow and fast grow firms.<sup>64</sup> With the exception of the entrepreneurs of high growth firms, prisoners attained the highest scores. While this research is echoed elsewhere, these studies have their weaknesses. This includes the fact there is not a neatly identified and agreed set of attributes required for people to be considered 'enterprising'. Likewise characteristics emerge from the literature (for example, flexibility and leadership) that are highly generic.

It may be true that many offenders will have shown considerable entrepreneurial spirit in their lives. Some will have operated successfully in the 'grey market' and demonstrated adaptability, creativity and an ability to take risks, however negative the consequences. But many offenders will not have honed these skills or personal capabilities such as reasoning and resilience. The experience of working in the social enterprise context, which has the added value of bringing wider community benefits, may well have more relevance for offenders than many traditional learning approaches.

Most offenders will have struggled at school. For some, prison will be the first time they have been involved in structured learning and experience has shown this can result in high levels of disengagement in formal education settings.<sup>65</sup> This does not imply the abandonment of basic skills such as literacy and numeracy, or more advanced learning but that aspects of learning need to be embedded in hands on activity that brings relevance to learning.

While we are not suggesting that the RSA's Opening Minds approach can be simply transferred to the offender context, we do believe that an adapted competencies approach, alongside our ideas for rehabilitation and recovery capital, have much to add and should be explored in more detail in the next stage of development.

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55. *Reducing Re-offending Through Social Enterprise*. MoJ, Cabinet Office and the Social Enterprise Coalition 2009.

56. See 'Complex calculations reveal 62,000 UK social enterprises,' Social Enterprise Live, July 2010.

57. Teasdale S. *Can social enterprise address social exclusion? Evidence from an inner city community*. TSRC 2009.

58. [www.delanceystreetfoundation.org](http://www.delanceystreetfoundation.org)

59. Cited in 'San Francisco Foundation To Help Set Up Program For Ex-Offenders', The Chattanooga.com. Feb 2003.

60. *Beyond the Community, Multidisciplinary study of retention in treatment and follow-up on former residents of San Patrignano*, San Patrignano 2003.

61. [www.turning-point.co.uk](http://www.turning-point.co.uk)

62. Social Exclusion Unit. Op cit.

63. Ibid.

64. Lussier R. and Barbato R. The entrepreneurial aptitude of prison inmates and the potential benefit of self-employment training programs. *Academy of Entrepreneurship Journal* 2001.

65. *The Contribution of Non-formal Learning to Young People's Life Chances Learning from the Evidence*. National Youth Agency 2008.

# RSA Transitions

“Social Finance has forecast that a £50m bond could fund sufficient rehabilitation work to cut the current 60% reoffending rate for short-sentence male prisoners by 20%. The savings this would achieve would allow four prisons to be closed within five years at a saving of £62m in running costs”

The Guardian 6 October 2010

RSA Transitions has been developed through a series of roundtable discussions and seminars with experts in the criminal justice system, RSA Fellows, staff and former prisoners and governors. The next stage of this project will include further work on identifying the precise business model. Much will depend on scale and location and the implications these factors will have for costs. For the purposes of this paper, the critical point is to emphasize that the primary purpose of RSA Transitions is social: to reduce reoffending.

Whatever its final shape, the core business of RSA Transitions will be substantial and will involve strong interdependent relationships with a portfolio of other businesses, state and third sector bodies. Neither the core business, nor the set of social enterprises, will be capital funded by the state: while they may be able to attract capital

philanthropic donations, these are not expected to make up the bulk of capital funding requirements.

The set of enterprises involved need to be capable of making a trading surplus, which can be used to service invested capital. The project will have a strong asset at its heart and it should therefore be possible to raise a mortgage-type loan to finance part of this asset. An additional major source of finance will be required to complement the mortgage and the RSA is exploring both philanthropic donations and share capital approaches.

This is a long-term project and must have the flexibility to adapt to changing market conditions for its various constituent businesses and the changing needs of its beneficiaries. Given these characteristics, some organisational options emerge. RSA Transitions should:

- have its own legal structure offering limited liability;



- be a social enterprise;
- retain a strong incubation, governance and branding relationship with the RSA;
- have a corporate structure capable of attracting investors interested in investing sums in millions of pounds.

Going forward the RSA will explore whether a public limited company (plc) structure is necessary or whether an industrial and provident society is an option. Either way, a Community Interest Company (CIC) corporate ‘overlay’ would clarify that the business is a social enterprise primarily for a social purpose. The RSA has done more detailed work on the potential business models available and suitable to this project, as well as some financial modeling. However, much of this remains fairly academic at this stage and will need to be developed further in light of commissioning issues, site and scale.

### Funding and finance

The issues of design, technology and environmental sustainability will all have an impact on potential costs and future income. It is impossible at this stage to give accurate costs. Our aspiration is that the main build RSA Transitions will be capitalised through social finance; this is ambitious as it assumes half mortgage, and half social investment. We would also seek to develop the Transition Park as a social impact bond.

Recent work by the Third Sector Research Centre found that the concentration of investments were around the £250k mark, with very few deals over £500k. Although the report concludes: “*There is some evidence that suggests that this is the consequence of demand-side issues rather than a lack of investment capital.*”<sup>66</sup>

Even with this note of optimism, the scale of investment that the RSA would be looking for may well be above recent trends. The social impact bond pilot at Peterborough, raised £5m from investors. The £5m raised by the project was invested by a small number of trusts and foundations. In raising the money needed RSA Transitions would need to avoid having too many smaller funders to make it possible or desirable once due diligence costs are factored in.

### Options

Going forward, we will not be ruling out the option of taking the principles of RSA Transitions and working within an existing prison. However, we recognise that the depth and breadth of culture change that we are proposing may be difficult to bring into an existing prison (notwithstanding the issues around infrastructure).

Another variation would be to focus on the Transition Park model and ‘taking’ this to an existing prison with land capacity. While this option will be investigated further, the question of culture is raised again with concerns that the Transition Park model is determined by consistency of approach inside and outside. One of the stubborn problems facing the current system is the ‘oil and water’ nature of the relationships that can exist between those whose job is judged by security outcomes, and those – often, external providers – charged with providing rehabilitation services.

In the next stage of the project the RSA will also look at *securing an existing site and building*. This option is attractive; however we would be extremely fortunate if there exists such a site that fits all the criteria set out above.

Another option is to look at a different financing model, including working with a private prison provider; this would only be possible if the institution would be able to run on a social enterprise model and if we can avoid the pressure of high returns and the impact this has on the model’s underlying principles.

### Social impact

The aim is to make the prison as self-financing as possible. The RSA would not be asking the government to pay for set up costs. However, our thinking is based on – initially at least – the payment from government of the standard per capita payment. We are assuming that the Transition Park would be self-financing.

The model does assume an element of payment by results (PBR). A key question for this is how each social enterprise will use PBR. Our preferred model is for all parties to be a part of a single agreement with payments shared out at the key trigger targets are met. The advantage of this would be providing shared incentives for

## Peterborough Prison

£5m has been raised through social impact bonds to kick start the Peterborough Prison payment by results pilot. The money will fund rehabilitation work with 3,000 short stay prisoners expected to leave the prison over the next six years. The aim is to work with them through the gate on a range of issues. Investors will get payouts if a 10% reduction in reoffending rates is achieved for the first 1,000 prisoners through Peterborough.

The reoffending rate of these prisoners will be measured against a control group of 10,000 prisoners also serving less than 12 months in other jails across the country but without the support of the services provided by the social impact bond. The two groups will have similar age profile and criminal histories. Investors are unlikely to get any return on their money much before the fourth year. The payout pot is to be funded by £6.25m of Big Lottery cash as well as MoJ money. The trigger for payments falls to 7.5% reduction in overall reoffending rates once all 3,000 prisoners have gone through the scheme.

[www.justice.gov.uk/news/announcement100910a.htm](http://www.justice.gov.uk/news/announcement100910a.htm)

making the whole prison work. The disadvantage will in relation to shorter-term social enterprises that may be needed and who therefore would not get a return in the short term. In taking the first route, a key challenge will be to ensure fair distribution of return and ensure social enterprises are incentivised to work with the hardest to reach.

As the Young Foundation has argued, social impact models will not expand significantly unless pilots are supported by government and investors, can measure impacts and produce statistically significant data.<sup>67</sup> This evidence will need to be developed alongside robust local and national 'spend to save' measures that take into account the full costs of RSA Transitions against evidence of future crimes not committed and savings to local services.

### Pay

We are assuming that 25% of people will not be working at any one time, that

of the remainder, 25% are working full-time (40 hours a week), 25% are three quarters time (30 hours a week) and the remainder are working half-time (20 hours a week). Our model is based on the assumption that all social enterprises would pay prisoners the minimum wage once they start working; there may be a period before this when they are in training where they will receive less. This allows for the introduction of progression and incentives, but does not undercut local salaries.

One option is to incentivise ex-offenders further by paying some on release towards resettlement and the balance later. So, for example, someone who has built up a significant pot (say £10,000) through in prison work, might get 50% on release and 25% in six months, and 25% if they have not reoffended. An additional proposal is to adopt a 'John Lewis model', where prisoners and staff are allocated shares in the holding organisation, linked to their time in the prison. The attraction of this is that it incentivises both to want the project to work: a prisoner who reoffends on release undermines the value of shares. Staff would receive direct shares. This cannot be done easily in relation to prisoners as it introduces the potential moral hazard of incentivising longer stays. In the next section we turn to the issue of the service user role and suggest here a different approach.

The RSA needs to test these ideas, the level of pay and claw back against what combination provides a sufficient incentive. Each social enterprise operation would be encouraged to clearly identify 'staff development' routes and the training and support needed for people to be able to progress. Salary and incentives would reflect prisoners' effort, engagement and distance travelled and all social enterprises will be required to undertake inductions and regular appraisals.

Paying prisoners will be contentious. Some will think we should pay minimum wage – or more – from day one, whether prisoners are in training or not. Others will oppose the very idea. We have tried to suggest an arrangement, which is sensitive to local markets and public acceptability, which tries to bring to the purpose of work a key factor – salary – and which allows for incentives and work progression.



Pay will be divided between money ploughed back into the prison in the form of rent, another component that would go into a victims' compensation scheme, and the balance which would be held by the prison as a savings fund to be transferred to the ex-offender on release for payment. This will enable them to save for rent deposits and settle outstanding debts and help to prevent homelessness and reoffending. The detail of how salary will be split will depend in part on government expectations in relation to victim reparation.

## Population

On starting this work, the RSA made some assumptions, which it wanted to test. One was that whatever category we worked with RSA Transitions would operate on the basis of referral. As the RSA has argued in its previous work on prisons, there is a need to better engage the public and local communities in the criminal justice system.<sup>68</sup> The risk with a referral prison would be, as offenders would be sent from around the UK, there would be less incentive for employers and the local community to engage, and more resistance to a new site. We also considered a women's prison. In relation to our ambition of creating a new model for future mainstream development, we decided to focus on adult males.

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In a survey of 1,435 prisoners,

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to a life of crime

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We have concluded that the prison should be a mixed community facility (providing custody for what is currently termed Cats C and D). We do not anticipate RSA Transitions providing places for high security prisoners or those on remand. It will take people from the surrounding area and the RSA

will consult with the wider community, employers, the local authority and their agencies in development and design.

There were diverse views on the custodial capacity we should aim to provide: recommendations ranged from 100 through to 700 and focused on two key issues: cost ratios and the provision of a new model.

In making the model financially sustainable a balance needs to be struck between the number of prisoners and the volume of social enterprise needed. The model would need to be able to balance the build, running costs and payment to offenders, with income raised through per capita payment from government and revenue raised through work. In general, there was a consensus that a smaller scale custodial element would make it harder to do this on a number of levels including securing support from employers and social enterprise partners.

However, there are good reasons to favour a smaller custodial element. HM Prisons Inspectorate compared large and small prisons and found that the most significant predictors of how prisons performed in relation to safety, respect, purposeful activity and resettlement, were:<sup>69</sup>

- size of population;
- age of the prison;
- private or public management;
- percentage of prisoners held more than 50 miles from home.

Each desired quality had a main predictor. In the case of resettlement this was most likely to happen where there were fewer prisoners 50 miles or more from home. In relation to purposeful activity the main predictor was whether a prison was built after 1938. The aggregate score was predicted by the size of the prison population and the age of the prison: put simply smaller modern prisons work better. Smaller prisons were four times more likely to perform well overall than large prisons holding more than 800 prisoners, when the age of the prison was controlled for.<sup>70</sup>

Even with cost ratios issues in mind, there emerged amongst those we spoke to a strong preference for RSA Transitions to have a custodial capacity of no more than 200. It seems that in light of the evidence and expert opinion, if affordable, smaller is better. The final

number will depend on potential sites and in taking a 'bottom up' approach to what these allow for and how this squares with our business model, including the number of people engaged in through the gate services on site.

## Through the gate

The justice green paper stresses the importance of through the gate services in ensuring that people leaving prison have the best possible chance of resettling. It identifies the need for continued support with substance abuse where needed, and for support with housing, benefits and securing work.<sup>71</sup>

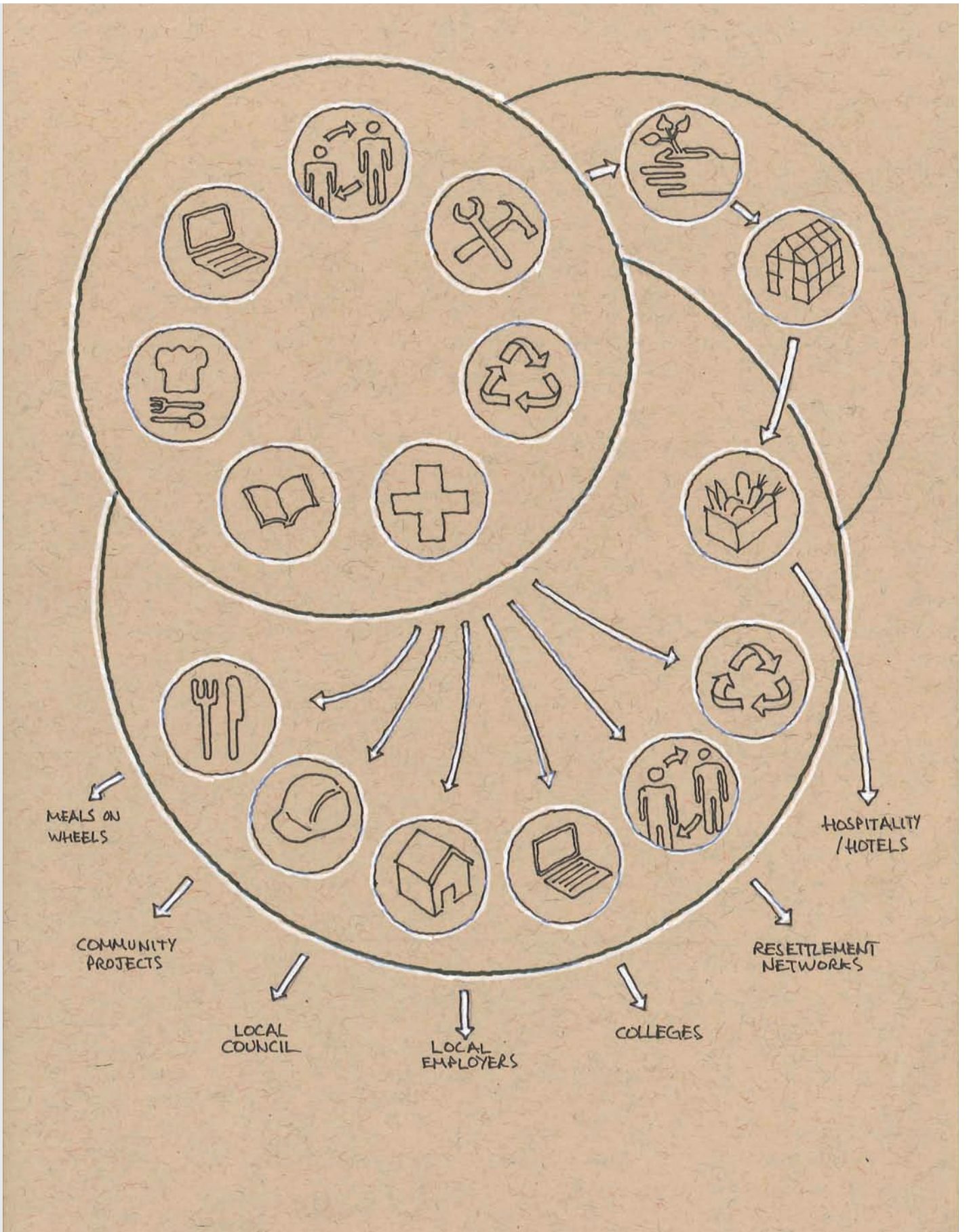
In a survey of 1,435 prisoners, 68% named a job as the most important factor in preventing them going back to a life of crime after leaving prison, while for 60% it was having somewhere to live.<sup>72</sup> The risks can be acute: research published in 2008 found that 95% of the deaths that occur within the first two weeks of release from prison were drug related.<sup>73</sup> Ex-prisoners are also vulnerable to suicide.<sup>74</sup>

Good through the gate services have shown to be cost effective: an economic analysis of the St Giles' Trust Through the Gates project, which works with ex-offenders who have been inside for at least a year, concluded that it provided substantial positive net benefits to society.<sup>75</sup>

The RSA's focus is on providing a new prison where a social enterprise approach would bring a different emphasis to how through the gate needs would be met: for example, through increasing basic financial literacy or catering skills through the involvement in social businesses inside. We were keen to address some of the major problems around ex-offenders' readiness to work and explore how the culture within the prison would help to strengthen working habits and skills and embed links with employers and the local economy.

The challenge was to create greater continuity between work inside the prison and employment on release. In addition, we wanted to find ways of increasing user involvement (including peer-to-peer work) and community engagement, which have shown to be beneficial in empowering citizens, changing attitudes and helping to meet broader policy outcomes.<sup>76</sup>





## Transition Park activity

**A transitional space where ex-offenders can access support services while continuing to work and earn**

Temporary accommodation  
Housing advice  
Benefits/CAB  
Health services  
Jobcentre Plus/CV surgery  
Budgeting/financial advice  
Legal advice  
Skills/training/IT centre  
Education provision/continued learning

**More seamless social enterprise streams from custody to the community**

Gardening  
Recycling  
Café/restaurant  
ITC based work/graphic design  
Construction/decorating/plastering/plumbing  
Peer-led social enterprises

**A space for engagement with the community, employers, ex-offenders and prisoners' families**

Parenting classes  
Peer-to-peer mentoring  
Volunteering  
Family advice centre  
Gym

**A new model for provision**

Potential to make savings elsewhere  
One stop shop

This challenge becomes harder if we are to provide a mixed community facility, as this would inevitably include people serving sentences of less than 12 months. This group present particular problems: in 2007, individual prison reconviction rates varied from 26.7% to 76.6% for offenders sentenced to less than 12 months and 2.0% to 54.9% for offenders sentenced to more than 12 months.<sup>77</sup>

These figures represent people whose offending tends to be persistent – often linked to drug or alcohol misuse – but whose crimes are neither dangerous nor serious enough to warrant longer sentences. Short stay prisoners have little time to engage with treatment inside, let alone learning and skills programmes. Not subject to probation supervision on release, they receive little or no support when they leave. This led us to think about how we could change the ‘offer’ for short stay prisoners.

### The Transition Park

Our model would include what we have called here the Transition Park: a space where the full range of through the gate services will operate, alongside social enterprises linked to work inside.

This changes the ‘offer’ available to short-stay prisoners whose sentence plan could include continued intervention in drug and other issues from custody through to the Transition Park. It changes the arrangements for the organisations we work with: providing a way of engaging employers through the gate and tailoring work and other interventions from custody, to the Transition Park, through to the community, in line with people’s increased independence. We believe the RSA model has significant potential to encourage others to reimagine services; it opens up the potential for other local services to change the way they work including potentially providing new sentencing options for local courts.

The Transition Park could encourage new approaches to policing like that developed by C2 in Hertfordshire. Here the police work in partnership with local courts, providing some prolific offenders – many who have some form of addiction – with the opportunity to have their sentence deferred for six months on condition that they admit

all offences and undertake an extensive rehabilitation programme. If they do not stick with this programme, they are bought back to court and re-sentenced, taking into account all offences admitted to. C2’s clients normally spend a short spell in prison to get treatment and the rest of the time in the community.

The Transition Park begins to address other questions: including the difficulties offenders can have in developing new networks on leaving prison; the importance of improving family visiting arrangements; the benefits of community engagement; the challenge that some ex-prisoners face in living independently and negotiating different agencies; the value of providing a transitional space, particularly in the weeks following release. Not all work in the prison would necessarily be based in the local area (particularly where remote working and technology can be utilised), but the emphasis of Transitions is a localist one; where work in custody can seek to serve the local community, be designed and delivered in partnership with the community and with the aim of securing work for ex-offenders in their neighbourhoods on release (see diagram opposite).

### Social enterprises

The RSA community interest company would be the holding company. It would enter into contracts with a number of organisations providing support services, social businesses (or a combination of both). Each would be independently managed day-to-day but would need to sign up to the company’s overall principles, including agreed evaluation methods.

The capitalisation of the various social enterprises within the prison would need to be approached on a case-by-case basis. No business will be taken forward if it is not commercially viable. The RSA aims to involve private sector employers and anticipates a role for companies to use the prison as a ‘test bed’ for products – for example, new technologies – where this is appropriate and where companies are willing to work within the terms of any future framework agreement.

Each operation would require a management structure, supervisors and a trained and qualified workforce, with

## Transition Park activity

New business incubator (for entrepreneurial prisoners preparing for release/reintegration into the mainstream employment market).

	Inside	Transition Park – Community
Infrastructure enterprises	Prison and other public and commercial fleets	Garage space, work with young offenders in the community
	Prison building	Transition Park facilities Community maintenance, civic properties, construction companies
	Prison laundry Taking in laundry from local business and hospitality	Launderette on Transition Park site Local hospitality/laundry business
Green business	Prison canteen, visitors' café, and food production for sale. Including provision for hospitals, schools and other industrial catering	Café and Clink style restaurant Local catering and hospitality industry, meals on wheels, take away services
	Prison cleaning Health and safety	Transition Park facilities Hospitality, local employers
	Prison recycling and external contracts	Transition Park recycling, community contracts
	Generation at the prison, options including wind, photovoltaic and biodiesel	Feed in tariffs from government Local green energy and product manufacturers
	Renewable energy products e.g. wind turbine blades and other situations where there is an excess of demand	Sustainable business in the community
Support services	Peer-to-peer advice on housing, benefits, debt etc. Training sessions	Transition Park Though the Gate hub Specialist expert by experience advice to Shelter, CAB, local authority services Transition Park credit union
	Counseling, advice and support to leavers Hospital support Treatment services	Drugs counseling in Transition Park wellbeing centre Expertise to local drugs services Recovery capital community
	Technical support IT training Web based work/graphic design	Transition Park enterprise and skills hub Web based work/graphic design

an emphasis on peer-to-peer support and learning. Each would be based on social enterprise principles with structures that allow prisoners to start as trainees and, with training support, be able to develop as full-time employees and take on increased responsibility. This would allow for prisoners to develop according to their individual skills and empower them to take responsibility in furthering the collective aims of the prison.

The social enterprises would service the needs of the prison (including laundry and catering) and prisoners (including training and qualifications where appropriate). They would offer services in the Transition Park and to the local community. Profits would be re-invested in the offender rehabilitation services which are not income generating such as healthcare and offending behaviour programmes.

Many activities will lend themselves to basic skills training in literacy, numeracy and ITC skills. The provision of education and training will be designed around a 'competencies curriculum' focused on learning in work. Prisoners will have an option to include qualifications: from basic hygiene, health and safety and food preparation on the one hand, to those which require longer term study including Level 2 and 3 NVQs, GCSEs and A Levels. Training and skills strategy will be informed by employers' feedback on importance and skills deficits.

Other areas could be operated on social enterprise principles in partnership with third sector agency specialists. For example, the prison charity, PACT (Prison Advice and Care Trust), adopts a social enterprise approach in the running of visitor and family services (see diagram opposite). The aim would be to develop social enterprises that meet the needs of the prison, through the gate services and the wider community. Non-enterprise activities – such as doctors' appointments – will, where possible, happen outside 'work time'.

### Ahead of the curve

As a public service, the prison service tends to lag behind. A key feature of RSA Transitions is our aim to provide a model of modern provision and to approach its development as a key local public service. This will influence our

choice of site and building, as well as the way the institution will work.

Most people we spoke to, who had an overview of the current estate, its pressures and of demand, were clear that London would be preferable as a location. The challenge will be finding sufficient land space in an urban area that can support enterprise activity.

### Building and design

Nearly half of operating prisons were originally opened in or prior to the 19th century. A National Audit Office 2009 report showed that 46 prisons were operating in buildings where the majority of construction had been completed in the latter part of the 19th century. Only one had been built since 2000.

Buildings matter enormously, as the evidence mentioned earlier from HM Prisons Inspectorate shows.<sup>78</sup> Prison architecture has shown to have a discernable impact on prisoners' behaviour, staff and prisoner morale and operational capacity.<sup>79</sup> Although stalled by funding cuts, the Building Schools of the Future programme stressed the role that modern design can play, not just in supporting learning but also in providing spaces, which are sustainable in the long term as education changes in nature. There is evidence to show that teachers perceive a benefit by way of pupil attainment, motivation and behaviour, as well as better working conditions.<sup>80</sup>

The standard method for designing a prison is to list the requirements of a standard institution and its population and then design buildings and spaces accordingly. The RSA's preference is to build for purpose: this has been its experience in relation to its Academy in Tipton where the new building was designed around first principles: the Opening Minds Curriculum.

For example, the Opening Minds curriculum suggests very different forms of learning at different times and in relation to specific competences. The Academy classrooms have movable walls that allow for flexibility in room size and use. Pupils, teachers and community were all engaged in the design and build: the building, in a deprived area, has become a considerable source of local pride. Whether we find an existing building or not, the site would need to

be able to serve the needs of learning and social enterprise first, followed by an analysis of the gaps and how they could be addressed.

### Technology

In The Learning Prison, the RSA recommend a bolder 'ahead of the curve' strategy for technologies in prisons running up to digital switchover in 2012 (a deadline which has already driven public debate on digital exclusion). Five drivers need to underpin our approach:

- *The 'double digital exclusion' of prisoners:* on entry to prison, offenders are much more likely to be digitally excluded than the average population. Incarceration restricts them from a wide range of learning and they enter a system that lags behind other public services in relation to technology. ITC skills are now seen as part of the basic skills framework and ex-offenders without these skills will face an additional barrier to future employment.
- *The speed of technological change:* without continued innovation and investment, ongoing advances in technology could make progress made in prisons obsolete. The risk is that prisons will continue to play 'catch up' at best and, at worse, fall further behind. The RSA approach will be to try and engage with the private sector in developing the prison as a site for testing new innovations.
- *Public assurance:* as technology use and tools change, the challenge will be to ensure consistent and appropriate restrictions are in place alongside clarity on actual risks.
- *The relevance of technology to a closed environment:* new innovations in ITC have revolutionised learning and work in schools, colleges and communities. Many recent innovations are characterised by their ability to access information, work, communicate and learn remotely, with 'closed' intranets and virtual learning environments becoming the norm.
- *Technology to enable social enterprise:* few industries can survive without modern technologies. Many of the activities involved in RSA Transitions will be enabled by its use of basic word-processing and budgeting, virtual mentoring,



marketing and the potential for web-based business.

- The benefits of technology in prison to learning and work are multiple and should justify enhancing its current use.

### **Sustainability**

The RSA is to explore the potential for the infrastructure of RSA Transitions, and the activities that take place within it, to include considerations for the environment, beyond the basics. The scoping period to date has strengthened our view that there are potentially substantial social and financial benefits to be gained in taking an ambitious environmentally sustainable approach.

Further work is needed on this, including on the scope of green enterprises and the likely required level of skills needed: many green industries are highly technical and specialised. We believe there are additional gains to be made in strengthening the public benefit emphasis of the work that prisoners are undertaking. In the list of activities above, many of the standard services and industries already included in the estate – agriculture and food production, recycling and cleaning – lend themselves to developing a core green enterprise model.

### **User and community engagement**

There is broad consensus that better public services require deeper engagement with their users. This is based on evidence that achieving high-quality, responsive public services requires empowering service users as much as addressing their needs. Greater user involvement implies a rebalancing of the relationship between practitioners and clients. Not surprisingly, this agenda has not been fully embraced in the prison service.

A recent survey of governors found that prisoner inclusion was rated behind security and staff competency as the third most important attribute necessary for the successful running of a prison.<sup>81</sup> When asked how the prison service currently delivers this, inclusion was rated last; those at the sharp end of managing the service think prisoner inclusion is crucial, yet it is largely absent in delivery priorities.

RSA Transitions would place service user engagement at the heart of its work: we would argue that as well as broader benefits, the social enterprise model depends on this aspect. We intend to engage prisoners and ex-offenders in the next stage of our work. In particular, the RSA will need to assess what service users believe are the most important and effective forms of learning, skills and social enterprises and their views and experiences of peer-to-peer models of support and mentoring.

### **Mentoring and peer-to-peer approaches**

Peer-to-peer mentoring programmes in which offenders or ex-offenders work with those in prison or attempting to resettle, are popular with policy makers and practitioners, can be cost-effective and speak to our intuitive sense of reciprocity and altruism. In 2004 a survey of 139 prisons found that peer mentoring schemes, such as Toe by Toe, which recruits volunteer literate prisoners to teach other prisoners to read, were being used in over 80% of prisons.<sup>82</sup> A recent review of evidence on mentoring and peer mentoring found some positive effects in research literature.<sup>83</sup> These include:

- positive effects on intermediate outcomes, such as mental health, which may in turn have a positive effect on outcomes such as recidivism;
- improvements in mentee attitude and behaviour;
- improvements in interpersonal relationships and integration into the community;
- some reductions in recidivism; and
- some improvements in academic achievement and integration into education and training.

However, the evidence is very mixed and many of the studies reviewed reported no significant impact on the outcomes noted above. In emphasising the role of peers and of mentoring, the RSA would need to assess the particular models and characteristics of mentors, which seems to make an impact. Getting this early work done is important: the RSA is well placed to engage mentors with its project through its Fellowship

### **HMP Isle of Wight**

In 2009/2010, User Voice piloted its model in the three prison sites that make up HMP Isle of Wight (Camp Hill, Parkhurst and Albany). The aim was to test the model with different groups (including long-term, short-term and vulnerable prisoners). User Voice worked with prisoners and staff in exploring what each party may concern itself with; for example, The Housing and Employment Party, The Training and Education Party, The Community and Environment Party or The Resettlement Party. Each party chose a spokesperson who, in consultation with other prisoners and staff, developed his party's manifesto, presented this to other prisoners and recruited a campaign team.

*The Power Inside, User Voice 2010*

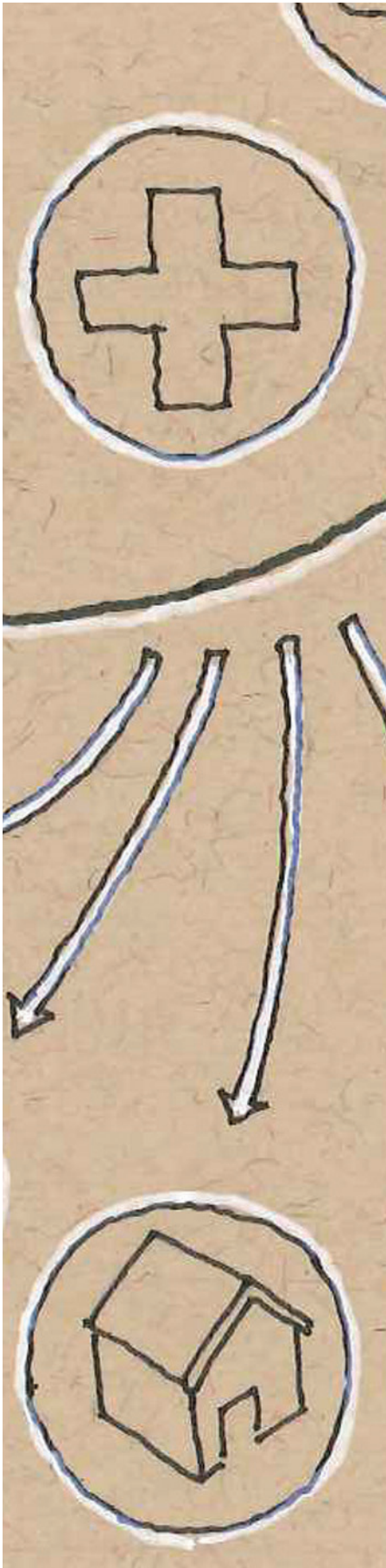
and having criteria for doing so would assist impact.

### **Prison councils**

Prison councils are broadly defined as 'any structure that exists for consulting prisoners on a wide range of issues'.<sup>84</sup> A 2004 review concluded that councils were effective in encouraging prisoners to take more responsibility and contribute to their own rehabilitation. Governors welcomed them as a way of sharing proposed changes, and giving prisoners a chance to respond. Councils benefited staff/prisoner relationships by breaking down barriers and led to greater understanding between prisoners and staff.<sup>85</sup>

RSA Transitions will establish very quickly a prison council based on evidence of current practice that will arise from the current review being undertaken by NOMS. We will draw on the experience of the User Voice model of prison council, which has been established for HMP Isle of Wight and in HMP Maidstone.

The findings from Isle of Wight are promising: at the Albany site, there has been a 37% reduction in complaints from prisoners over the period that the council functioned. At Parkhurst the number of segregation days – a good indicator of prisoner dissatisfaction and tensions – has been reduced from 160 to 47 days over the same period. Parkhurst



decided to bring its two regimes – vulnerable prisoners and Cat B prisoners – together for the User Voice pilot. The result has been joint working on issues as well as more shared activities. This represented a huge cultural shift, involving two sets of prisoners that were otherwise separated at all times.

Taking the User Voice model as a possible starting point, voting (which is independently monitored) could include allocation of funds on an annual/quarterly basis of a percentage of the resettlement fund to additional goods or services that proves most popular and is approved by the governor. This way shares are earned independently (possibly as part of the incentives regime) but spent in the collective interest and linked to rehabilitation.

### Rehabilitation capital

The RSA Whole Person Recovery Project shows that drugs and alcohol misusers can play a far bigger role in designing the services that seek to help them, whether in relation to formal treatment services or in the institutions that can provide end-to-end support for the entire process of recovery. The project was informed by the emerging theory of Recovery Capital – the sum total of personal, social and community resources that someone can call on to aid their recovery – and provides a more holistic foundation on which to develop strategies that can spark and sustain recovery. It concluded that:

- Involving drug and alcohol users more directly in the design of services substantially increases the likelihood of services targeting resources where they are most likely to have a meaningful impact on individuals' recovery and enable commissioning for recovery.
- A systems based approach to understanding, mapping and visualising users' experiences can help to harness the assets available to aid recovery.
- Recovery is 'contagious'. Users should be part of networks of people who have recovered or who are recovering from problematic drug and alcohol use and those people that support recovery such as non-using family and friends. There needs to be a collective response to recovery, primarily in the form of 'recovery communities'.

### Peterborough Curriculum

An area based curriculum for Peterborough will provide an opportunity to build on the experience and recommendations that came from the Manchester pilot and take the concept to a new level: one that seeks to create sustainable and dynamic links between schools and external partners and generate new networks of learning outside schools. The project will seek to:

- move towards means of developing a city wide approach;
- draw on the knowledge and resources of parents and immediate local communities;
- work to address city wide logistical challenges facing school and partners; and
- encourage reflection and clarity around the concepts of area, place, and locality.

The project will provide a model for a curriculum that encourages participation, attachment and innovation.

[www.thersa.org/projects/education/area-based-curriculum/the-peterborough-curriculum](http://www.thersa.org/projects/education/area-based-curriculum/the-peterborough-curriculum)

Asked to define the kind of service they would find most helpful, those involved in the project concluded that it would be peer led and would inform standards of other services, care pathways and a variety of different protocols. The service would have a fixed base with satellite outreach to ensure the service remained flexible. It would have two main aspects: advocacy and buddying and would seek to be open to everyone, from those who are not yet engaged in treatment to those who have gone through treatment and might need continued support. The service would offer a 24-hour helpline. The RSA will apply lessons from this project to its approach to RSA Transitions, in particular its emphasis on the role of networks, peers and self-help.

### Community engagement

The RSA will need to engage communities before this project becomes a reality and – once we have identified a possible site – will need to map the local stakeholders that need to be engaged:

- Employers and business

- Police
- Service users
- Social Services
- Offenders
- Probation
- Housing
- Drugs services
- Community and voluntary sector
- Benefits/job centre
- Local authority and other civic leaders
- Courts/magistrates
- Local MPs and councillors
- Local people

The RSA should not underestimate the extent of opposition that may arise and needs to learn lessons from where plans have been overturned. Its approach needs to be one of engaging early, ensuring inclusiveness and that we are trying hard to reach groups as well as more vocal individuals and organisations. This process would begin to identify community champions, and employers willing to get involved and could form the basis of a Transitions Consortium going forward.

Drawing on our experience of the area-based curriculum in Manchester and Peterborough, the stakeholders identified through our early consultation should include those who could help the RSA in developing learning, skills, and enterprises. It should also identify networks that can play a key role in ensuring wider community participation and ensuring the prison serves local people and the local economy. The RSA will explore the potential for introducing an element of community ownership in the longer term and a volunteering strategy that engages members of the public in day-to-day work as well as public events hosted in the Transition Park.

Prisons, January 2009.

70. Ibid.

71. *Breaking the Cycle*. Op cit.

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82. Toe by Toe was evaluated by CfBT Education Trust on behalf of the Department for Education and Skills' Offenders' Learning and Skills Unit in 2005: [www.shannontrust.com/olsu-executive-summary0508.pdf](http://www.shannontrust.com/olsu-executive-summary0508.pdf)

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84. E Soloman and K Edgar, *Having Their Say: The work of prison councils*. Prison Reform Trust, 2004.

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66. Nicholls A. *The Social Enterprise Investment Fund (Seif) Evaluation: The landscape of social investment in the UK*. TSRC December 2010

67. Mulgan G. et al. *Social Impact Investment: The opportunity and challenge of Social Impact Bond*. The Young Foundation 2010.

68. O'Brien. Op cit.

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# Conclusion

“The really big opportunity for charities and voluntary bodies... as we open up public services and say we will pay you by the results you achieve, [is] they have a massive opportunity to get involved in rehabilitating criminals, in terms of getting people off drugs, in terms of running services in health and education”

David Cameron, Big Society speech, 14 February 2011

This paper sets out an idea for a 21st century prison. The RSA believes that language and narrative matter: in rethinking the function of prison and through the gate services, we wanted to begin by trying to articulate our ambitions in terms that speak to the public, employers and to offenders. Too often ambition and creativity get squeezed of all life by the bureaucracy and jargon of a highly complex system; while new ideas get stifled by the combined pessimism of some prison reformers and those who think prison ‘is too good for’ offenders.

But it is still only an idea and the RSA is fully aware of the huge challenge we face in making this happen in practice. The RSA is now developing a dual strategy for taking this forward, based on a combination of ‘top down’ approaches aimed at further engaging policy makers and investigating commissioning options, including the potential role of Police and Crime Commissioner. Having identified

a potential site we will also explore the option of piloting a hyper-local version of RSA Transitions.

The RSA will need to embark on research and development that takes the ideas set out here as a starting point. It may be RSA Transitions shifts shape to accommodate some of the changing political and financial realities as they arise. However, the principles set out here will not change.

We are very grateful to all those people, including RSA Fellows, who have been involved in the development of these principles and this vision. What has struck us in our discussions was that while many people acknowledged that as a vision, RSA Transitions is ambitious, complex and challenging, they were (almost universally) supportive and believed the proposal to be entirely reasonable and rational.

Some working within the criminal justice system or social enterprises



had considered or developed similar approaches, if not ‘a whole prison’ approach. And we are clear that while RSA Transitions is the brainchild of those who have been involved in our discussions, and is unique in its proposed combination of approaches, it is not an entirely new idea.

Similar proposals have been made in the past only to be thwarted by a combination of lack of political will, government commissioning processes which stifle innovation and the particular risk aversion that dogs the criminal justice system. At the time of writing, the government is in the process of awarding new contracts for nine prisons. At the same time the prison population stands at an all time high. The combination of controversy over provision, over crowding and pressures and funding make the government’s rehabilitation revolution both harder to achieve and more urgent. By the end of 2012, the nature of these prisons will be clear, as will be the nature of working prisons and the design of payment by results mechanisms.

Working prisons in the US make money for private business and save states some shorter-term costs. However, a 2002 study survey showed that among nearly 275,000 prisoners released in 1994, 67.5% were rearrested within three years and over half were back in prison.<sup>86</sup> As it drives its emphasis on full-time work, seeks to cut the costs of prison (with the inevitable pressure to increasing size and decreasing ‘softer’ interventions), the government needs to ensure it avoids going down the American route.

But there are some reasons to be cheerful and to believe that this time it could be different. First, as some of the case studies highlighted here show (and there are many more), the prison service and those working within the criminal justice system can innovate; even if the public and political discourse around crime and punishments serves to obscure, ignore or vilify this much of the time.

Second, the involvement of the RSA could prove to be very significant. Not just because of its political independence and longevity but because it has a history of successful innovation and some 27,000 Fellows who can help make this happen.

Finally, we believe that the time is long overdue for a new approach to prison and that RSA Transitions can – with the right support and effort – go where private business and the public sector cannot go. For some time the UK has failed to significantly reduce the reoffending rate. We have continued to build and run prisons – some better than others – hamstrung by models which are not fit for purpose to serve the three functions of prison: to protect, to punish *and to rehabilitate*. We believe that the current circumstances provide an opportunity for radical change. In the words of one of the people who worked with us: if not now, when?

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# RSA

21st century enlightenment

The Royal Society for the encouragement  
of Arts, Manufactures and Commerce

8 John Adam Street  
London WC2N 6EZ  
+44 (0)20 7930 5115

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