



National Audit Office

BRIEFING FOR THE
JUSTICE SELECT
COMMITTEE

MAY 2013

Ministry of Justice

Funding of women's centres in the community

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Briefing for the Justice Select Committee

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The NAO has prepared this briefing for the Justice Select Committee in support of its inquiry into women offenders. The briefing looks specifically at the new funding arrangements for women's centres in the community, which have been funded partly by the Ministry of Justice, the National Offender Management Service, and partly by probation trusts since 2009.

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Part One

Background to the funding of women's centres

Introduction

1.1 The NAO has prepared this briefing for the Justice Select Committee in support of its inquiry into women offenders. The briefing looks specifically at the new funding arrangements for women's centres in the community, which have been funded partly by the Ministry of Justice, the National Offender Management Service (NOMS), and partly by Probation Trusts since 2009. Throughout this briefing we refer to the money allocated for women's centres by the Ministry of Justice, NOMS and Probation Trusts between 2009 and 2013-14 as 'justice funding'. The women's centres we refer to throughout this briefing all provide interventions for female offenders, which may include community sentencing options, as well as softer services which address other complex needs, and are funded (at least in part) from the justice funding.

1.2 In February 2013, the Justice Select Committee asked the NAO to look into changes to the way justice funding is allocated to women's centres by reviewing the funding arrangements for women's centres for the next financial year. We have reviewed the past and current funding arrangements for women's centres, analysed NOMS documentation and gathered views from women's centres through a call for evidence in order to bring together a picture of funding for 2013-14, and the impact of funding changes. Our briefing outlines the current situation and highlights areas of interest.

Characteristics of female offenders

1.3 Female offenders are more likely than their male counterparts to have multiple, complex needs, which influence their offending behaviour. They are often victims of sexual violence or domestic abuse and often have mental health problems, drug and alcohol problems, or debt problems. In 2007, following the deaths of six women in Styal Prison, Baroness Corston was commissioned to review the care of female offenders. She found that equal treatment of men and women going through the criminal justice system did not lead to equal outcomes, and she recommended that the Home Office¹ concentrate on addressing the complex and specific needs of female offenders as a means to improve outcomes and reduce their reoffending. One of her key recommendations was to establish a network of women's centres in the community providing services both for female offenders and for women at risk of offending to address their offending related behaviour. This network of centres would build on a handful of such centres that already existed.

¹ In 2007 the Home Office transferred responsibility for offenders to the newly formed Ministry of Justice.

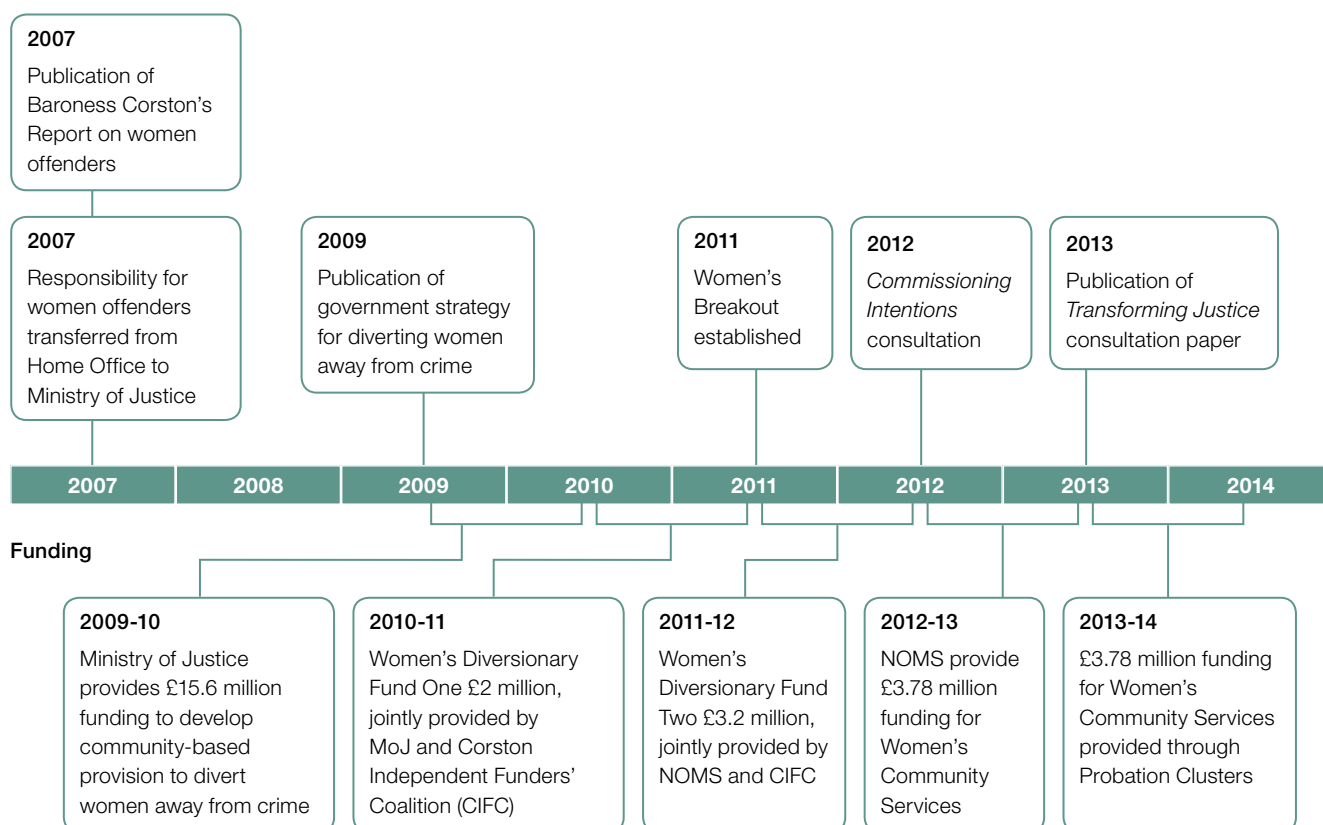
1.4 In 2009, the government produced a strategy for diverting women away from crime which recommended the use of women's centres as an alternative to custody, and to work with women at risk of offending.² The centres would work with Probation Trusts, and some would provide community sentences as well as wraparound services – such as counselling, or accredited courses – under one roof.

1.5 Since 2009, the Ministry of Justice and NOMS have provided some funding for women's centres. In 2011, Women's Breakout was established as an umbrella organisation to bring the centres together, and to work with them to make them sustainable. There are now 31 centres under the Women's Breakout umbrella. See timeline in **Figure 1** below.

Figure 1
Timeline of women's centres

Key events

Policy



Source: National Audit Office analysis of National Offender Management Service and Ministry of Justice documentation

² Ministry of Justice, *A Report on the Government's Strategy for Diverting Women Away from Crime*; December 2009.

1.6 Women's centres provide a range of services for female offenders and women at risk of offending, and all the centres provide different sorts of services. We received replies to our call for evidence from 21 centres, and among the services that they told us they were currently supplying are:

- community sentences including 'community payback' and 'specified activity requirements';
- counselling and psychological therapies;
- life skill training;
- support with court hearings;
- specialist support for domestic violence or sexual abuse; and
- accredited courses.

1.7 The women's centres developed organically across the country, through a combination of existing services being given Ministry of Justice funding and a handful of new services being established with the help of start-up funds from the Ministry of Justice. At the time centres started to receive Ministry of Justice funding there was no assessment of local need, and funds were allocated on the basis of providers applying for funding. The centres which received NOMS funding in 2012-13 were predominantly the original centres that had applied for funding from the Ministry of Justice in 2009. It is, therefore, unclear if the level of services currently provided is aligned to need in local areas and there were some areas which did not have additional resources dedicated to women offenders. In 2013-14 every Probation Trust has access to funds enabling them to provide additional women offenders services on the basis of need.

1.8 In addition to the justice funding, the centres receive a mix of other funding from a range of charities and other government departments. One centre told us that they would not be able to function without justice funding, which made up over 90 per cent of their funding, whereas another centre told us that justice funding made up only a small proportion of their total funds. NOMS believes that there is additional money being spent in addition to the justice funding we outline in Part Two and Figure 2 (page 10) but the total funding spent by NOMS via Probation Trusts on services for women offenders is not easily identifiable. NOMS are currently undertaking a stocktake of Probation Trusts spending which should report in May.

Local commissioning

1.9 NOMS took responsibility for funding the women's centres from the Ministry of Justice in 2011-12. At that point in time the Ministry of Justice was moving towards local commissioning, intended to reflect local need and to integrate with local structures. NOMS started to move to local commissioning of women's centres in line with this in 2011-12. They gave funding and contract management responsibilities to the Probation Trusts but the money remained ring-fenced for existing services to provide them with stability. They intended to move to full local commissioning by Probation Trusts in 2013-14.

1.10 In September 2012, NOMS wrote to all Probation Trusts confirming that there would be funding allocated to the community budget for additional services for women in 2013-14 as there had been in 2012-13. It stated that Trusts would commission and contract-manage services in 2013-14, with the aim of further establishing local commissioning. The letter explained that funds would be allocated at the Probation cluster level but there would be freedom for the cluster teams to move money between their Probation Trusts with the aim of widening and strengthening provision within currently funded Probation Trusts, and extending to unfunded Trusts where possible. NOMS gave indicative budget allocations to Trusts in October 2012, and cluster budgets were confirmed in January 2013.

Transforming rehabilitation

1.11 In January and February 2013, the government consulted on *Transforming Rehabilitation – a revolution in the way we manage offenders*, which contained proposals on reforming the delivery of offender services in the community. This superseded a consultation which the Department held on effective Probation Trust services in 2012. The proposals included opening the majority of Probation Trust services to competition, managing commissioning centrally and allowing providers more scope to innovate, with innovation in the rehabilitation of offenders incentivised through the use of payment by results. These proposals also state that the key functions of Probation Trusts will be retained within the public sector, including the direct management of offenders who pose the highest risk of serious harm. The government currently intends to respond to submissions to this consultation in May 2013.

Key findings

- **In 2013-14, funding for women's centres has been allocated through Probation clusters to Probation Trusts in line with local commissioning.** This reflects the direction of travel outlined in the NOMS *Commissioning Intentions* document 2012-13, which was later superseded by the *Transforming Rehabilitation* consultation.
- **The 2009 funding for women's centres was not allocated to centres based on a comprehensive assessment of local need. From 2013-14 the allocation of the justice money to Probation Trust clusters means that all Probation Trusts now have access to funds.** The geographical spread of additional justice funding for women's centres until 2011-12 reflected the location of those centres that applied for funding in 2009. As a result, some areas did not have specific, additional funding to provide a women's centre. In 2013-14 all Probation Trusts have access to funding, and there have been a small number of centres which have been given new funding from this pot.

Part Two

Funding of women's centres in the community

The history of women's centres funding (the Diversionary Fund)

2.1 The Ministry of Justice first began providing funding for women's centres in the community in 2009-10, using £15.6 million it had been allocated from the New Opportunities Fund for 2009-10 and 2010-11. This money was intended to tackle the complex causes of female offending, in line with the government's strategy for diverting women away from crime. The majority, £11.95 million, was provided in grant funding to voluntary sector organisations to develop community-based provision for women to divert them away from custody. £1.2 million was allocated to enhanced women's bail support services, £250,000 for family intervention projects, and £1.2 million remained unallocated.

2.2 The remaining £1 million was allocated to the Women's Diversionary Fund, a new fund that was set up in February 2010 with the specific aim of working with both offenders and vulnerable women considered to be at risk of offending to divert them from crime. The Corston Independent Funders' Coalition (CIFC), a collection of independent charitable funders and trusts, provided an additional £1 million and managed the fund. A grants committee, comprising of representatives from both the CIFC and Ministry of Justice, awarded 24 grants for 2010-11, 14 of which were to support voluntary sector organisations in developing new and existing 'one-stop shops' providing services to women offenders. The remaining grants awarded were focused on building capacity with the sector.

2.3 In 2011-12, NOMS assumed responsibility from the Ministry of Justice for contributing to the Women's Diversionary Fund, together with the CIFC. The fund committed a total of £3.2 million to the provision of women's community services, which were provided through 31 women's centres, most of which had received funding under the previous arrangements. In 2011-12 NOMS funded the women's centres directly and some Probation Trusts did not have any women's centres in their area funded from the ring-fenced funding.

2.4 In 2011-12, NOMS began a transition to new funding arrangements, announcing that from 2012-13 it would take over the funding of those women's services with a proven track record of tackling offending behaviour, with the CIFC ceasing to be involved. NOMS made available £3.78 million, ring-fenced for one year, for women's community services plus £185,000 for some trusts from Probation Trust cluster budgets. This money was allocated on the basis of existing provision, and continued to be paid to the 31 women's centres already receiving Diversionary Fund money. NOMS asked Probation Trusts to manage the contracts locally, conducting needs analysis and working with the centres to refine services in preparation for an intended move to full local commissioning in 2013-14. This was in line with the wider departmental strategy at the time, as outlined in Part One of this briefing.

Funding in 2013-14

2.5 In 2013-14, NOMS have provided £4.3 million for additional services for women which has been allocated to five regional clusters, each comprising a number of individual Probation Trusts.³ This money was allocated to clusters on the basis of the funding that women's centres received in 2012-13, which NOMS told us was done to minimise the impact on those centres which were already providing services. However, Probation Trust clusters are responsible for allocating that money to Probation Trusts so that they can commission services on the basis of local need.

2.6 Although the overall amount of NOMS funding available for women's services has risen since 2012-13 (as shown in **Figure 2** overleaf) it will be distributed differently, meaning that not all existing centres will receive the funding they did in previous years. The funding for 2013-14 consists of the £3.78 million ring-fenced funding (which is the same as 2012-13) with an additional £523,000 from Probation Trust cluster budgets. **Figure 3** overleaf shows the number of centres which have had their funding arrangements changed from 2013-14, as well as those under review.

2.7 There are 11 Probation Trusts receiving funds from the £4.3 million pot which did not receive any of this justice funding in 2012-13. This money has been used to commission new services and expand existing provision. There are now no trusts without any funding, either from the £3.78 million ring-fenced NOMS funding, or the £523,000 additional funding.

³ This does not include funding within Wales, which has a different commissioning model. NOMS told us that they gave 3 years funding to one service in Wales for 2011–2014, at a total cost of £1,050,000.

Figure 2

Total funding available by Probation cluster

Cluster	Funding 2011-12	Funding 2012-13	Funding 2013-14
East Midlands	£467,800	£757,800	£917,000
London and South East	£602,600	£602,600	£693,000
North East, Yorkshire and Humberside	£741,000	£740,640	£741,000
North West and Midlands	£1,376,050	£1,186,050	£1,186,050
South West and Wales	£658,750	£677,965	£769,535
Total	£3,846,200	£3,965,055	£4,306,585

NOTES

- 1 Funding total for the area covers both central and regional allocations.
- 2 In 2011-12 funding shown above was provided by the Ministry of Justice and the Corston Independent Funders' Coalition. From 2012-13 all the funding shown above was provided by NOMS, with NOMS making up the shortfall.
- 3 National Offender Management Service funding for Wales is not included in this table.

Source: Figures have been provided by the National Offender Management Service and not validated by the National Audit Office

Figure 3

Funding of centres

	Number of centres
Centres currently providing services	
Continue with increased funding	5
Continue with the same funding	5
New contract with reduced funding	9
New provision	
Expand current provision	4
Commission new provider	8
Centres where services are under review	
Three month extension while tendering	5
Three month extension, followed by nine month contract for redesigned services	3
Six month extension	3
Tender process underway, may or may not be awarded	2

Source: National Offender Management Service

Wider funding of women's centres

2.8 The funding arrangements that have developed for women's community services with the wider justice sector are complex, and the Ministry of Justice and NOMS are not the only sources of funding for women's centres. In addition to the Women's Diversionary Fund, centres have also received money from a range of other sources both within and outside of the Ministry of Justice. Prior to 2012-13, these included local Probation Trusts, local authorities and health commissioners. Individual charitable trusts have also awarded funding to some women's centres, and some trusts have come together to provide pooled funding for women's services. In 2012-13, in addition to NOMS funding, some centres continued to receive a small element of regional funding from Probation Trusts. NOMS are currently undertaking a piece of work to assess the total Justice funding being provided to women's centres in the community during 2013-14, as this is currently unclear.

Key findings

- **The overall Ministry of Justice funding for women's centres is more in 2013-14 than it was in 2012-13, but the money has been distributed differently and some centres have lost funding, while others have more funding.** There has been a slight increase in funding for 2013-14, but that funding is now divided between five Probation Trust clusters, which have used it to commission services as they see fit. The result of this is a fall in funding for some centres, but new funding for others.
- **Not all centres had their funding decision for 2013-14 on 5 April 2013, and some have interim funding which makes planning difficult.** On 5 April, eight centres were operating with three months of interim funding, and three were operating with six months interim funding. Two centres were still under review and did not know if they would have justice funding continued in 2013-14.

Part Three

Implications of the change in funding arrangement

Funding decision for 2013-14

3.1 Total NOMS funding for enhanced services for women in the community is £4.3 million in 2013-14 (Figure 2). To put this amount in context, the overall amount of funding NOMS supplied Probation Trusts the previous year was over £800 million, some of which will be spent on core Probation Trust services for men and women. In September 2012, NOMS wrote to Probation Trusts outlining plans to divide this ring-fenced funding for enhanced community services for women between five Probation Trust clusters. In that letter NOMS stated that the intention was for Probation Trusts to “review their locally commissioned services and consider what they get and how much they pay”. NOMS gave Probation clusters their indicative funding in October 2012 and formal confirmation of funding in January 2013. NOMS told us that they worked with the Probation Trusts to assist with, and review, commissioning plans. Probation clusters had three months to work with Probation Trusts to commission services before the beginning of the new financial year on 1 April 2013.

3.2 Most trusts have continued to fund some of the centres they already work with, at least in the short term. Twenty-three centres that had justice funding in 2011-12 have contracts for 2012-13, and there are eight new providers. The remaining 16 centres are under review, 14 with interim funding (as of 5 April, Figure 2, page 10).

3.3 We received evidence from 21 of the Women's Breakout centres⁴ about their future funding. Fourteen told us that their funding decision was given to them at short notice in the lead up to the new financial year, which made it hard for them to plan their services for the coming year. Five said that their funding decision was timely, or that they had been warned in advance of funding changes by their Probation Trusts. This has left centres with some uncertainty about their future funding. NOMS told us that annualised funding arrangements were inherently difficult for local providers to manage as compared with, for example, three-year funding arrangements.

4 Women's Breakout represent 31 centres who received justice funding in 2012-13.

3.4 For the centres with short-term funding arrangements, their justice funding will cease while women using the service are part way through their Probation Trust orders. One centre told us that they had started to put plans in place to direct women to appropriate alternative services in case they lose their funding before they have finished working with those women. Another centre told us that they did not know if short-term funding arrangements had, or will have, an impact on the willingness of courts or Probation Trust services to refer women to centres.

3.5 One centre told us that: “the repeated chaos and delay in decision making year on year by NOMS and now Probation [Trust] leaves projects yet again in a situation of making workers redundant and unable to effectively plan or fundraise for future services.” The centres who have short-term funding or reduced funding are concerned that they are losing valuable skills and experience. Centres that report difficulty in making long-term plans, and designing services, worry about the impact upon staff and the women they work with.

Future commissioning

3.6 There is uncertainty among women's centres over the services they will be required to provide and how they are expected to prove that they are effective when they are invited to tender.

3.7 Until such time as the Ministry of Justice *Transforming Rehabilitation* consultation finishes and the government responds, there will be uncertainty about how women's centres will be funded in the future, how tendering will affect the centres, and if, or how, they will be funded through payment by results. The National Audit Office produced a briefing for the Justice Select Committee on *Transforming Rehabilitation* in September 2012. The briefing followed the original *Punishment and Reform* consultation in 2012, which has been superseded by the on-going January 2013 consultation. NAO work on the Payment by Results pilot programmes offered by the Ministry of Justice found that providers considered risks within proposed schemes were unacceptable and exacerbated by the novelty of payment by results in the field of reducing reoffending.⁵ It is also unclear if there is an established market of providers with the capacity or desire to provide specialist women-centred services for offenders in the community.

3.8 The priority of the Ministry of Justice is working with offenders to reduce reoffending. They told us that it is not their primary responsibility to fund services for women at risk of offending although they recognise services will be provided for women at risk of offending as a by-product of their funding provided to the women's centres. Crime prevention is a Home Office priority and also sits with the locally elected police and crime commissioners.⁶ In 2013-14 NOMS will concentrate funding on those who have offended with the aim of reducing their reoffending.

⁵ The full briefing can be found at: www.nao.org.uk/wp-content/uploads/2013/03/Response_MoJ_consultation_Transforming_Rehabilitation.pdf

⁶ In 2007 the responsibility for offender management was transferred from the Home Office to the newly formed Ministry of Justice. The Home Office now has responsibility for crime and policing, while the Ministry has responsibility for offenders through an executive agency, the National Offender Management Service.

3.9 This is a big change for centres, which have been expected to work with both offenders and women at risk of offending since the original Ministry of Justice and Corston Independent Funders funding was allocated in 2009. Some centres will be able to continue their work with non-offenders by redistributing existing funds, and some centres will have started to turn women away and direct them to other organisations.

3.10 One centre reported to us that they were asked to start receiving additional referrals from Probation Trusts from January 2013 to provide specified activity requirements, which form part of a community sentence and mandate that an individual undertake specified activities, such as treatment for alcohol problems. This was an extension of work that they had been providing for over two years. In order to meet this increase in workload the centre started to direct some women to other services, reconfigure their business and provide additional training to staff. These additional referrals never materialised and in April 2013 they were told that they would no longer be providing the specified activity requirement. They have since been given three months of interim funding and will be expected to apply for funding for the rest of the financial year in June.

Measuring the effectiveness of services

3.11 It is essential that services can demonstrate their effectiveness if government agencies are going to commission good local services which are responsive to local needs. The NOMS' *Commissioning Intentions* document outlines the importance of commissioning on the basis of evidence that services can reduce reoffending.

3.12 The Ministry of Justice started collecting quarterly reports from women's centres in 2009, and this was continued by NOMS until March 2012. These include assessments of their engagement with other criminal justice organisations, targets for referrals, and an assessment of their financial positions. Centres were also asked to report the number of women making positive progress against a list of agreed needs, including skills and employment, drugs and alcohol, finance, benefit, and debt.

3.13 This information was intended to be used to inform future funding, but the NOMS commissioning intentions for 2012-13 require services to prove that they reduce reoffending. NOMS told us that the data has limitations which undermine its usefulness in measuring impact on reoffending. There were also variations in how centres interpreted the guidance and therefore variations in how data was recorded.

3.14 Given the limitations of this management information, NOMS shifted accountability for reporting to Probation Trusts. Since early 2012 Probation Trusts have reported which women they have referred to women's centres, and NOMS now has 12 months of data with which to measure whether women referred to women's centres have better reoffending outcomes than those who are subject to community sentences but not referred. However, NOMS do not know whether the women which Probation Trust have referred actually accessed the women's centre's services, whether other female offenders access services independently, or whether they completed programmes.

3.15 Measuring reoffending is inherently problematic, and a long process. It will be especially difficult with this small and complex group of offenders to get data which can generate significant and reliable results on which to measure services. NOMS are aware of this, but the Probation Trust data will provide more reliable and informative data than was collected in the past.

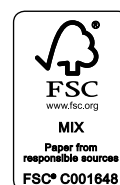
3.16 All the centres we spoke to measure their effectiveness in terms of 'distance travelled' for individual women, which usually includes a reoffending measure. A good example of the distance travelled is the 'Outcomes Star'. The ten spokes of the Outcome Star, representing key areas of need, are:

- motivation and taking responsibility;
- self-care and life skills;
- managing money;
- social networks and relationships;
- drug and alcohol misuse;
- physical health;
- emotional and mental health;
- meaningful use of time;
- managing tenancy and accommodation; and
- offending.

3.17 Counting the number of women who reoffend does not reflect the positive impact that centres have on the lives of individuals or the potential for the wider impact of women's centres. There is no way of knowing the cost saved to other government-funded services if women make progress against their particular areas of need, such as by reducing the number of referrals to the police for domestic violence or reducing healthcare costs as a result of progress made with drug or alcohol problems. This measure does not reflect changes in frequency or severity of offending.

Key findings

- **NOMS do not think that the data collected from centres between 2009 and 2012 is useful for understanding the effectiveness of these centres in terms of reducing reoffending.** The Ministry of Justice started collecting quarterly reports from centres in 2009, which was continued by NOMS, and collected information on positive progress made by women across a number of key areas of need. NOMS have told us that they do not think this data is helpful in measuring reoffending.
- **Measuring effectiveness on the basis of reoffending alone omits much of the positive impact that women's centres have for individuals.** Measuring reductions in reoffending fails to recognise distance travelled by individuals and wider benefits to society such as the improved health of the users of women's centres. The measure also fails to recognise a reduction in the frequency of offending, or a fall in the severity of offending. While the drive in NOMS is to measure reduced reoffending rates, NOMS told us that they do recognise that these services can have a beneficial impact on individuals' lives.
- **The Ministry of Justice no longer fund work with women who are at risk of offending.** The Ministry of Justice are not responsible for people who have not offended, and if centres are to continue providing this service they will need to find funding from elsewhere.



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