

Enhancing arts and culture in the criminal justice system

A partnership approach



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Supporting the voluntary sector
working in the criminal justice system

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Written by Jessica Plant and Dora Dixon with support from artists, practitioners and others working in criminal justice settings.

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FOREWORDS

Edward Argar MP

Under Secretary of State, Ministry of Justice



The positive impact of arts and culture in criminal justice settings is increasingly clear for all to see.

Evidence demonstrates that having a creative outlet is not just a good in itself, but actually improves the safety and wellbeing of those in prison, and can help people to refocus their lives, supporting effective rehabilitation. It draws people towards positive choices and decisions in their lives, and frequently puts them shoulder to shoulder, working with others in a common endeavour, taking them away from the drivers of their offending behaviour.

I have seen this first-hand. Watching Intermission Youth Theatre's fantastic production of *Much Ado About Nothing*, performed by young people with convictions or at risk of entering the criminal justice system, I was inspired by how specialists and their organisations bring their passion and skills to engage and enthuse people who may never have seen themselves as creative and help them find their latent talent. It is these artists and organisations that we need to support, reach out to and then give them the knowledge to work effectively within the criminal justice system.

The criminal justice system can be daunting, and working in secure settings like prison can be a further challenge. I realise that some artists or creative organisations might view this as a barrier. Where this happens, it is an opportunity lost.

This guide is a further step to help remedy that problem, providing the insights, know-how and encouragement to those who want to make a difference but might be struggling to know where to start. I am delighted to endorse it, and thank all those involved in its production.



Darren Henley OBE

Chief Executive, Arts Council England



Arts Council England has for many years been supporting and investing in arts and cultural work in the criminal justice system.

We have done so out of a passionate belief that engaging in creative activity can make a critical and positive difference to people's lives and attitudes, offering new possibilities and fresh directions for people from our most marginalised communities.

The growing body of evidence available online in the National Criminal Justice Arts Alliance (NCJAA) Evidence Library bears out the value and impact of the Arts Council's continuing investment in this work. We are working with key groups in the field of criminal justice, and talking with the Ministry of Justice to explore what we mean by good practice in this field, and how we might be able to share the opportunities the arts provide more widely.

An impressive community of knowledge has grown up around arts in criminal justice, drawing on decades of practice by companies like Clean Break Theatre Company, now 40 years old, and Koestler Arts, backed by an increase in dedicated research and independent evaluation. The NCJAA, which I am glad to say is now part of our National Portfolio of regularly funded organisations, plays a critical part in developing and disseminating this across the country.

Beyond this core provision, we particularly welcome the way in which new work in this field is being commissioned by more mainstream organisations, working in partnership with specialist companies and artists. Organisations as diverse as FACT Liverpool, the Watts Gallery in the South East and London's Donmar Warehouse have generated new and innovative approaches, both to artistic practice and to wider audience development in their collaborations with the arts and criminal justice sector.

This is a highly rewarding area of work for participants and practitioners alike. However, the criminal justice system can be difficult to navigate. Learning how to work effectively in secure settings or with groups of people with convictions can be challenging. It takes time and requires a high level of sensitivity. This guide dispenses a wealth of useful advice and practical guidance for anyone working in, or planning to work in, this sector. Beyond that, it makes a compelling case for why more artists and cultural organisations should consider getting involved in this work, the value it can bring to their artistic development, to the diversity of their audiences, and to the people they will be working with.

Jessica Plant

Director, National Criminal Justice Arts Alliance



Arts and cultural activity in the criminal justice system can bring about ground breaking creativity and have a profound impact on individuals, institutions and communities.

In recent years we have seen prison governors set up week long arts festivals in their prisons, enabling local and high profile artists to programme work together with prisoners. We have seen Kestrel Theatre Company support men released on temporary license (ROTL) from HMP Springhill to rehearse and perform their co-written play, *Broken Dreams*, at London's Royal Court Theatre. Britten Sinfonia and the music charity Orchestras Live have forged partnerships in high security prisons, delivering workshops and performances that see prisoners perform alongside professional orchestras. Koestler Arts has worked with renowned artists such as Antony Gormley, Jeremy Deller and Sarah Lucas to curate work by people in the criminal justice system, reaching new audiences and challenging stereotypes about what is possible.

Trailblazing, specialist organisations such as The Irene Taylor Trust and Good Vibrations have developed innovative programmes to address safety and mental health issues in criminal justice settings. New writers such as Harriet Madeley have entered the sector, working with both perpetrators and victims of crime to co-produce verbatim theatre with restorative justice at its core. Arts Council England, the Ministry of Justice and many forward thinking trusts and foundations have supported much of this work.

“Art’s the closest thing to magic for me. I really like how it can heal and how it can make me feel, because I’m not happy if I’m not making art. It helps people address root issues and uncover the archaeology of their past behaviours that got them in to trouble. We all know this.”

Project participant

There is a long and vibrant history of arts and culture in criminal justice settings. Yet, despite robust evidence highlighting the benefits, prisons and probation services engaging with arts activity remain vulnerable to changing political climates, and media and public opinion. There is a lot to celebrate today, but we should not be complacent about the current challenges. Our prisons are suffering from staff shortages, poor conditions and increasing levels of violence, self-harm and drug use. Probation services face further reform with the restructure brought in by the Transforming Rehabilitation programme described by the Chief Inspector of Probation as irredeemably flawed. Reoffending rates remain stubbornly high. Funding and commissioning processes that work alongside criminal justice agencies are complex to navigate and increasingly competitive. Arts delivery within this context continues to face challenges and remains fragile.

However, the sector continues to make remarkable progress and our focus as an alliance in recent years has successfully moved from how to make the case for arts in criminal justice to how to embed this practice in order to ensure everyone in the criminal justice system has the opportunity to engage in arts and culture. As Andy Watson MBE, Artistic Director of Geese Theatre Company, asked at our 2019 annual conference, “if we know arts and culture works – which we do – how can we ensure it’s not just a happy accident for a lucky few?”

It is crucial that any individual or organisation developing arts practice in criminal justice settings understands the complex and sensitive nature of the environment and the delicate balance between benefit and potential harm. Therefore, our new vision must consider how to improve, sustain and expand creative activity across all areas of the criminal justice system, putting people with lived experience at the heart of delivery, continuing to enrich more lives and enhancing the cultural landscape for us all.

The NCJAA wants to focus on how we can work together more effectively across the arts, culture and criminal justice sectors to inspire exciting collaborations that push creative boundaries, showcase new voices, challenge public perceptions, and enhance rehabilitative experiences for people serving sentences both in prison and the community. This publication aims to support our vision, share good practice and offer guidance, particularly to those new to delivering arts in criminal justice settings.

“It is one of the few times in my career I’ve felt like theatre has a genuine purpose.”

Luke Barnes, writer



SETTING THE SCENE

A close-up photograph of a woman with blonde hair, smiling broadly and looking down. She is wearing a dark purple top and a gold hoop earring. The background is blurred, showing a white wall and a blue object.

The purpose of this guide and who it is for

This guide is for artists, arts organisations and cultural institutions interested in working in criminal justice settings. It is designed to assist the development of high quality arts and cultural practice in these unique environments, emphasising the practical, creative and ethical considerations.

This document outlines the complex and changing nature of the criminal justice system and makes the case for why reaching out through the arts to those who are socially excluded is valuable, not only to the individual, but for arts and culture collectively (**page 11**). The toolkit in this guide provides practical information on how to deliver work in these settings (**page 23**). It sets out some principles of best practice, putting individuals with complex needs at the heart of effective interventions, encouraging partnership work and ensuring artistic quality.

Learning from experience: a partnership approach

Throughout this guide case studies from experts working within arts and criminal justice are used to demonstrate excellence in both prisons and in community settings. We hope the guide can be used as a tool to foster new relationships, inspire new programmes and encourage those who haven't worked in this unique sector before to make brave, new, quality work in criminal justice settings.

The latest evidence

Understanding how and why it works

Professor Laura Caulfield

Chair of the Institute for Community Research and Development, University of Wolverhampton

In 2013, Northumbria University and Bath Spa University, in partnership with the NCJAA, carried out a research project to explore the impact of arts in criminal justice settings, both in prison and the community, and across art forms. *Re-Imagining Futures: exploring the process of desistance*¹ highlights examples of how the arts can support positive changes linked to personal agency, efficacy and identity, which are linked to the highly individualised journey of desistance.

“[Desistance is] the process by which people who have offended stop offending (primary desistance) and then taken on a personal narrative² that supports a continuing non-offending lifestyle (secondary desistance).”³

Key findings from the report revealed some interesting learning points:

- Participation in arts activities enables individuals to begin to redefine themselves
- Arts projects facilitate high levels of engagement
- Arts projects can have a positive impact on how people manage themselves during their sentence, particularly on their ability to cooperate with others
- Engagement with arts projects is associated with increased take-up of other opportunities within the prison
- The status of arts practitioners as professional artists is highly significant in the success of projects and their impact on participants
- Arts projects provide safe spaces for individuals to have positive experiences and begin to make individual choices
- Showcasing creative work can provide opportunities for people to reconnect with families and friends and is an important aspect of the work.

Since 2013, researchers and arts organisations have built upon the findings of *Re-Imagining Futures*, to understand more about not only if, but how the arts have an impact and to continue to improve the methods used to ensure we can be confident about the findings.

There are numerous studies that suggest that arts-based interventions can influence the process of desistance by creating a sense of personal agency.^{4,5,6,7} As Caulfield et al. note:

“It is clearly unreasonable to suggest that such projects can be directly responsible for reducing reoffending – and nor do they seek to be – but it remains important to consider how a variety of experiences can be relevant in shaping the path an offender takes towards desisting from crime.”

Re-Imagining Futures called for more “longitudinal research, combining both qualitative and quantitative methods.” Some studies have responded to this, implementing mixed methods to better understand the value and contribution of the arts in criminal justice. For example, Winder et al. found that through engagement with arts-based activities, participants learned to foster their emotions in a safe way, and became ready for more formal treatment programmes in prison.⁸ Recent research, which took a mixed methods approach in community youth justice settings, found that music programmes can have a positive impact on sentence engagement and engagement with education.⁹ These studies combined quantitative data to understand if any change was happening, with in depth qualitative interviews to understand how this change might be happening, foregrounding the voice and experience of participants.

Researchers have now begun to take stock and analyse what the research that has been conducted to date tells us. For example, a recent review of 12 studies on music programmes in prison concluded that they “are perceived by participating prisoners as a liberating process, which encourages participation and allows for noncoercive personal development.”¹⁰ It is thought that this is mostly due to increased protective factors, including social support, that music programmes can provide.¹¹

The new role models found in participants’ peers and art facilitators can be a particularly important protective factor.¹² Potentially the most powerful bonds that form may be between the arts facilitators and the participants.

Policy context

Current policy

The Department for Digital, Culture, Media and Sport's *Culture White Paper* puts inclusivity at the heart of arts practice.¹³ *The Creative Case for Diversity*¹⁴ set out by Arts Council England, alongside its recent assessment of the current evidence base¹⁵ provides a welcome signal that they will continue their advocacy, support and investment into arts and culture in criminal justice settings and health and wellbeing. Dame Sally Coates' review of prison education on behalf of the Ministry of Justice, *Unlocking Potential*,¹⁶ and the Ministry of Justice's 2018 *Education and Employment Strategy*¹⁷ provide further important opportunities for the development of long term joined up strategies for both arts and criminal justice sector organisations:

“The arts are one route towards engaging prisoners when they have had negative experience of traditional classroom subjects, or struggle with self-esteem and communication. They can be the first step towards building confidence for more formal learning.”

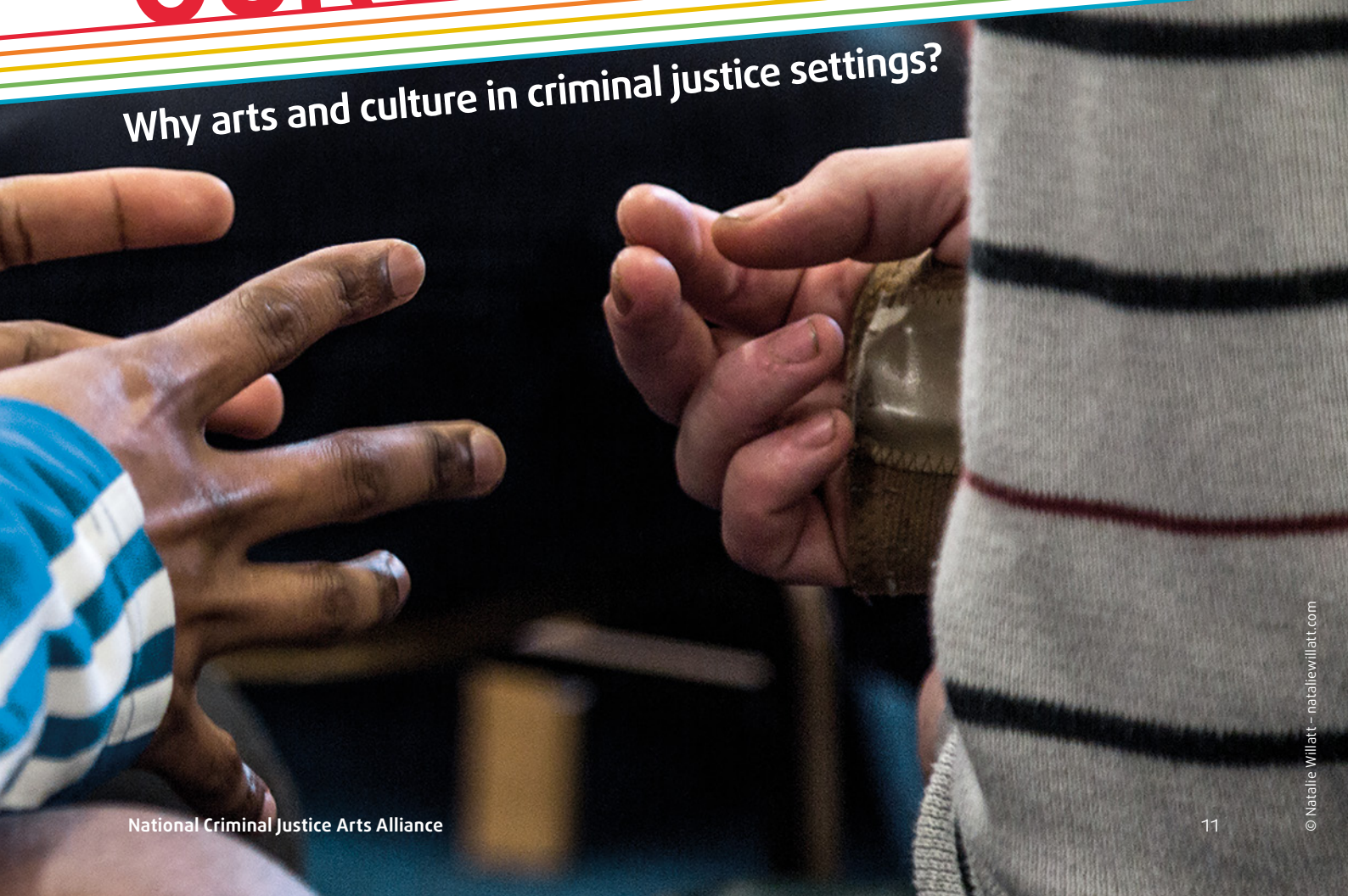
Unlocking Potential

Popular opinion

The growing acceptance of the transformative power of arts and culture in criminal justice settings at policy level is mirrored in popular opinion. As a demonstration of how far the sector has come in the past 10 years, a 2018 Nat Cen survey found only 11% of people thought the arts shouldn't be available to those in contact with the criminal justice system. However, this work deals with sensitive issues that can trigger emotive responses and we know our criminal justice system faces ongoing scrutiny, with public and political opinion capable of changing quickly. It remains paramount to ensure that we are equipped to work with the media and policy makers to demonstrate the value of arts and culture in criminal justice settings.

OUR VISION

Why arts and culture in criminal justice settings?



Why do arts in criminal justice settings matter?

The state of the criminal justice system

The prison population has seen a 70% increase over the past 30 years. There are currently 83,005¹⁸ adults and children (under 18) housed in over 122 prisons in the UK. Currently 15 of these are contracted out of the public sector to organisations such as G4S and Serco.¹⁹ A further 261,196 people are under probation supervision (community sentences and post-release supervision).²⁰

The people in contact with the criminal justice system are drawn, to a large extent, from some of the most marginalised and disadvantaged people in our society. The Prison Reform Trust's 2018 *Bromley Briefing* highlights the overrepresentation of people from low socio-economic groups, care leavers and those from black, Asian and minority ethnic (BAME) communities, with particular overrepresentation from black, Muslim and Gypsy, Roma and Traveller communities.²¹ Despite making up just 14% of the population, BAME men and women make up 25% of prisoners in the adult estate. In the youth estate, the situation is even worse, with over 50% of children in Youth Offending Institutions identifying as BAME.²² Research also points to the high prevalence of adverse childhood experiences,²³ poor mental health – in particular for women prisoners – poor physical health and low educational attainment.

The prison system is struggling under the pressure of an increasing population and aging infrastructure. The Justice Committee's report, *Prison population 2022*, described the current situation as "an enduring crisis in prison safety and decency."²⁴

The probation service underwent a major reorganisation under the 2015 Transforming Rehabilitation reforms, which contracted out offender management for low to medium risk offenders. This model has since been widely criticised and the government announced in May 2019 that the system was to be reformed again and all offender management would become the responsibility of the National Probation Service from Spring 2021 (2019 in Wales).

Find out more about how prisons and probation services are run, and the latest changes, in our overview of the criminal justice system in **Appendix 2, page 44**.

Against this backdrop it is challenging for people in the criminal justice system to get the support they need, including access to arts and culture. Reoffending rates are high. 48% of adults are reconvicted within one year of release and for those serving sentences of less than 12 months this increases to 64%.²⁵ The cycle of reoffending costs up to £13 billion a year.²⁶

What we know

- Art, design and creativity have the power to transform lives, enabling personal development and fostering positive relationships
- Arts and cultural opportunities can help reduce crime by unlocking untapped talent, improving wellbeing and boosting employability
- Exhibitions and performances engage wider communities and challenge negative stereotypes about people with criminal records
- Art produced by diverse and unheard voices enhances art and culture for all.



Discovering artists

Finding Rhythms

Finding Rhythms has been running intensive, 36-hour music projects in prisons led by some of the UK's top touring artists for the past seven years. After taking part in a Finding Rhythms course 91% of participants said the course helped them to work with other people and 92% said it helped them feel more confident about what they could achieve in the future. Former participant Ross reflects on his time with the music charity:

“It’s not only the song writing experience that was important, but working with other musicians. The collaborative process was revelatory to me in terms of how much more can be done and how far superior it can sound. Finding Rhythms has helped me realise that I wish to engage fully with a creative life now I’ve been released. I’m proud to call myself a creative and an artist now.”

What's the evidence?

The NCJAA's internationally influential digital Evidence Library hosts over 100 evaluations outlining the impact of arts and cultural activity in criminal justice settings.²⁷ Current leading evidence from academia²⁸ and the Ministry of Justice²⁹ indicates that the arts support the process of desistance from crime. Alongside fostering empathy, building family connections and playing a role in restorative justice, arts and culture in criminal justice settings have been found to improve safety and wellbeing in prisons and can play a further role in building safer communities.³⁰ Access to arts and culture in criminal justice settings is cost effective because it reduces crime and criminal justice costs and increases the employment opportunities of people with convictions.³¹

“Re-offending rates among young people who took part in Summer Arts Colleges (SACs) were 54% compared to a national re-offending rate of 72%. Every young person from the SACs who does not re-offend saves the criminal justice system £14,000 a year. Between 2007 and 2010 this saved the criminal justice system more than £1 million.”³²

Cultural Learning Alliance

Artistic development

Whilst the impact on service users is clear, research into arts and cultural practice in criminal justice settings also suggests further benefits for organisations. Arts activities support the professional development and wellbeing of staff and service providers.³³ The impact on artistic output and audiences can be huge. Arts and cultural institutions should not underestimate their capacity to lead the way and bring about considerable change by changing public perceptions of people with criminal convictions.³⁴

“Very insightful to get into the minds of those society forgets about and neglects. Art is universal, this exhibition proves that.”

Comment from a Koestler exhibition visitor

A strategic vision for enhancing arts and culture in criminal justice settings

Creative pathways

Building on our 2018 publication, *What does success look like for arts in criminal justice?*³⁵ the NCJAA would like to see opportunities for people to engage with arts and culture at all points of their journey through the criminal justice system, from arrest to release and beyond. Our vision is for people to be able to move from audience member, to creative participant, to freelance artist or employee in a thriving creative economy. Within the criminal justice system we would like to see arts and culture valued and embedded across all areas of prison and probation, from health and education to industry and in rehabilitation and resettlement services. See **Appendix 1, page 40** for a diagram of our vision for a creative pathways model.

A partnership approach

Artists, governors, policy-makers and institutions – including galleries, museums, theatres and prisons – all have an important role to play in developing creative pathways for people in contact with the criminal justice system. The key to success is partnership working. In particular, specialist arts in criminal



Courtesy of Geese Theatre Company – geese.co.uk / © Ian Cuthbert – cuthbertdesign.com

Staff development

Geese Theatre Company

Geese Theatre Company has been delivering work in criminal justice settings for over 30 years. Alongside supporting service users, it also provides innovative opportunities for professional development for criminal justice sector staff. One example of this is its use of theatre and drama-based group work to explore a trauma-informed approach, helping staff to understand what this means and encouraging them to think about the issues they might face in their everyday role when implementing this way of working. This ensures a positive impact on the wellbeing of men and women in prison, even without working with them directly. After taking part in a session, the chaplain at HMP Styal fed back:

“This was a very innovative performance which really made me stop and take stock of how I treat women. Even though as a Chaplain I believe I am extremely empathetic, I realised how desensitised I may have become. Thank you for reopening my eyes.”



justice organisations have unique expertise in this sector and can be valuable partners. The NCJAA's network includes established organisations such as Clean Break (which this year celebrates its 40th anniversary), Open Clasp (20 years), Synergy Theatre Company and The Irene Taylor Trust (20 years), and Good Vibrations (10 years). Partnerships with specialist arts organisations such as these provide expert knowledge and insight, enhance creative output, ensure sustainable cultural engagement, unlock new talent, diversify work and reach new audiences. Their enormous value must be recognised.

“Setting the production [all-female Shakespeare trilogy] within the context of a women’s prison intentionally pushed the challenge of cultural ownership and diversity beyond gender, placing the words of our greatest writer into the mouths of some of the most voiceless women in our society. It was important for us creatively to ensure we were doing so with the greatest possible authenticity, sensitivity and respect. Work in partnership with experts to ensure best practice: the value of arts when working outside your known community, reaching into and engaging with new ones, is creatively and culturally enormous, and well worth all the effort!”

Kate Pakenham, former executive producer at the Donmar Warehouse, worked in partnership with Clean Break Theatre Company and York St John University's Prison Partnership Project

Specialist arts organisations

Specialist arts organisations working in criminal justice are one of the key innovators in these settings. With small and limited resources they have sustained the sector to its current standard. This group must play a crucial role in continuing to drive quality arts and cultural practice and sharing learning opportunities. They provide specialist training for artists, prisoners and staff. In many cases they work in partnership with mainstream cultural providers to develop public facing exhibitions and performances. They provide opportunities upon release for mentoring and specialist training and education in creative development. Years of experience and successful partnership work gives these specialist organisations a significant reputation and means they offer important opportunities, both in prisons and in pathways out of it, to other stakeholders and partners.

Cultural institutions

Larger mainstream arts and cultural organisations and buildings can take an important position to expand opportunities for people in criminal justice settings. Embracing diverse influences not only elevates the work of our artists and our cultural offer, but is also the key to the future success and sustainability of the sector. Effective arts and cultural practice in criminal justice settings strengthens the case for public investment in arts and culture, which, according to Nesta's 2018 horizon scan, will become increasingly important for arts organisations to demonstrate.³⁶

Galleries, theatres, libraries and other cultural spaces and institutions should make sure they are open and accessible to people with experience of the criminal justice system and proactively engage with and include the voices of those on the margins of society. Many high-profile organisations have already developed delivery expertise through longstanding and successful local partnerships with prisons in their communities, such as the Watts Gallery (with 10 years' outreach work in young offender institutions) and Snape Maltings (with 20 years' work at HMP Warren Hill).



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Learning from experience

Warwick University

A five year Wellcome Trust funded research programme into the history of prisons and health gave historians at Warwick University the chance to develop projects in prison combining history and the arts. Professor Hilary Marland and the team wanted to present historical themes in creative and engaging ways that are not usually available to academic researchers. Partnerships with specialist arts organisations with a wealth of experience in criminal justice settings was vital to the success of this work.

Partners included Geese Theatre Company – who developed a series of workshops at HMP Peterborough exploring life in prison as a mother, resulting in a piece of theatre of testimony – and Rideout, who facilitated three unique history and theatre residencies that explored how policies and practices relating to food in prison have changed over the last 150 years. Evaluation of the project strongly demonstrated that participants' mental health and coping skills had improved and it has resulted in an ongoing programme of work.

“ We have seen the value of working with experts in this kind of work, and the benefits of pooling our skills and knowledge to make something stronger than their constituent parts.”

Professor Hilary Marland, University of Warwick



Courtesy of Snape Maltings

Singing together for two decades

Snape Maltings and HMP Warren Hill

Since 1999, Snape Maltings, an internationally renowned concert hall and creative campus, has been delivering song writing and performing sessions in HMP Warren Hill, one of the longest continuous partnerships between an arts and culture organisation and the criminal justice system. Now, the sessions run at the prison once a week throughout the year, leading up to concerts in the prison in July and December, with an emphasis on singing together in order to make positive change both collectively and individually. Snape Maltings has ensured the impact of the project goes beyond the prison walls by taking advantage of its locality to ensure the voices of those leaving the prison are included in its ongoing work.

“Commitment, collaboration, respect and mutual support is key in order to produce a high-quality performance. We remain in contact with those who have taken part after they are released, from providing work experience opportunities to simple emails or phone calls. For me, this is where the impact can be seen.”

Lizzie Woods, Head of Learning and Inclusion, Snape Maltings



Employment for people with convictions in the creative industries

Despite overwhelming evidence that employment is a leading factor in reducing reoffending, only 17% of former prisoners are in PAYE work a year after release.³⁷ Considering that creative industries are growing at twice the rate of the economy, and contribute £101.5 billion per year,³⁸ there are significant opportunities for people with experience of the criminal justice system. One step arts and cultural organisations might want to take is to review their current employment practices and consider whether there are any barriers for people with experience of the criminal justice system to work for them. Find out more information about removing these barriers on **page 38**.



Partnering with a cultural institution Kestrel Theatre Company and Royal Court Theatre

In December 2017, specialist arts organisation Kestrel Theatre Company developed a half-hour play, *Broken Dreams*, with nine men from HMP Springhill and performed it to an invited audience at The Royal Court Theatre. This marked the beginning of a longer partnership between the London theatre and the specialist organisation. As Arabella Warner, Kestrel Theatre Company's artistic director says, "The Royal Court thought the play deserved a longer run. We thought so too."

A two-week run the following year gave men released on licence from HMP Springhill professional experience of theatre and the chance to connect with their families, improve their wellbeing and develop skills to improve employability. It also allowed the group to engage wider audiences and challenge negative stereotypes of people in prison. The partnership was the first of its kind. Challenges included recruiting and maintaining a regular cast and setting clear boundaries and responsibilities in a professional setting. The project had many successes. Being away from the interruptions of prison meant the men could focus on developing quality work, and both The Royal Court Theatre and HMP Springhill were supportive and engaged. The shows sold out and *The Times* and *The Stage* newspapers ran positive coverage.

"The company were extremely warmly received by the building as a whole. The outcomes of this were that the company became really embedded in the building for the duration of the run and there was an authentic creative exchange between Royal Court staff and the performers."

Vishni Velada-Billson, Head of Participation, The Royal Court Theatre

Individual artists

Independent facilitators and artists have much to contribute – and a great amount to gain – by engaging with the criminal justice system. They can provide something unique in a criminal justice context, including new perspectives, flexible approaches and positive role models.

Art tutors in prisons support and inspire students in prisons around the country. Visionary artists/writers-in-residence have a long history of delivering innovative programmes of creative work within prisons. Alongside being employed directly by local authorities, prisons or probation services, many professional artists and practitioners work on a freelance basis in criminal justice settings independently or via cultural institutions.

Koestler Arts provides training for artists, writers, producers and craftspeople to become mentors to prisoners on their release, ensuring their positive engagement with arts and culture continues through the prison gates. See **page 32** for more information on gathering resources as an individual artist working in criminal justice settings, and for training in this area.





Creative pathways to employment

Synergy Theatre Project

Michael, a former prisoner at HMP Brixton, has worked with Synergy Theatre Project (a company that supports people in prison and on release) to develop acting, facilitation and stage management skills.

Since Michael's release in 2016 Synergy Theatre Project has helped him to discover his passion and go on to achieve distinction in a stage management course. He will be stage managing Synergy Theatre Project's next show at Theatre 503 in February. Michael is about to undertake a work placement at the National Theatre, London and hopes this will lead to a future career in the industry. He says the arts helped turn his life around:

“It was the only thing that helped me see I had a possible future outside crime, the arts enabled me to see I had something to offer, something I was good at.”





Courtesy of Crowded Room – www.thisiscrowdedroom.co.uk / © Hannah Anketell

TOOLKIT

How to deliver arts and culture in criminal justice settings

Working in criminal justice settings can be unpredictable and you may find a range of barriers in your way. But, the results can be life changing – for your participants, your artists and your audiences.

Arts and culture can be disruptive, challenging and emotive, and especially so when working in these environments. Thinking about the wellbeing of all involved and the impact of any creative output should remain at the forefront of planning. Addressing questions of compliance, freedom, voice, power and expression can produce powerful work, which when practiced well, drive equality and enhance culture for all. Prepare carefully, risk assess properly and be willing to be flexible and innovative when faced with problems. With the right amount of consideration and creativity, the benefits can be huge.

Whether you are touring a performance or a film, or setting up a long-term strategic partnership, this toolkit can help you and your organisation to think about what steps you need to take before embarking on arts and cultural work in criminal justice settings.

This guide aims to support those wishing to work in prison or probation settings and many of the same principles apply to both. A majority of the case study examples in this guide refer specifically to prison settings, given its unique environment. We would however encourage artists and arts organisations to consider working in both prisons and the community as this is the most effective way to support people with experience of people in the criminal justice system.

Introduction to working in criminal justice

The criminal justice system

The criminal justice system is large and complex, comprising a number of agencies that include policing, courts, local government, prisons and probation. For a more detailed overview of these, see **Appendix 2, page 41**.

Prisons and probation should aim to keep the public safe and prevent further harm. Staff working in prisons and community services have demanding caseloads and logistical pressures to manage, and may have different facilities and approaches to arts and culture. Often they have very committed staff that understand and promote the value of arts across different aspects of the work. In prisons, governors, heads of learning and skills, education managers, heads of reducing reoffending, arts tutors, officers and librarians provide a crucial link and can be the key to success for arts projects. Understanding the needs of the criminal justice setting and finding common goals will set you on the right road to designing a worthwhile and lasting partnership.

“Prisons should be places of care, control and compassion. Using arts and culture can help us to achieve each of those, all the while allowing those people under our supervision the opportunities to reinvent, build hope and demonstrate positive contributions. Society will benefit from this, and that is why must find ways to allow the arts inside our walls.”

Governor, HMP Kirkham

Where do arts fit in?

Across the criminal justice system, arts and culture are engaged in many ways across different settings, with people at risk of coming into contact with the criminal justice system as well as with people in custody or with convictions in the community, all with significant benefits. See **page 14** for more on the impact of arts in criminal justice. Arts activities can take place in education, health, substance misuse, safer custody, resettlement or through the gate services. They are delivered through formal education providers, innovative specialist organisations and mainstream cultural institutions, at local and national scales. Arts are also independently practiced in prison cells, with extraordinary results.

People with experience of the criminal justice system

When delivering arts and culture in criminal justice settings it is vital to consider the inequalities of opportunity that people in prison and on probation may be faced with. See **page 12** for more information about the state of prisons and probation services, and the needs of the people in contact with them. Artists and organisations working in this field should be sure their practice is flexible and sensitive to the people they are working with, and embrace the diverse experiences on offer in order to deliver high quality art with high quality outcomes. See **step 8** of the toolkit for the practical and safeguarding steps you need to take before delivering work in criminal justice system.



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Good practice principles

The NCJAA wants to encourage meaningful, safe practice. These twelve good practice principles aim to promote an effective way of working that supports arts and culture as a springboard to positive change. While they could apply across all good participatory arts practice, the importance of these principles is heightened in criminal justice settings and particularly for participants facing extreme disadvantage.

1

Work with integrity and optimism

2

Set out clear aims and objectives from the start

3

Consider and measure the impact of the work

4

Be open, engaging and collaborative

5

Seek to understand and support the context you are working in

6

Amplify the voice of people with lived experience

7

Recognise and work to tackle inequality and discrimination

8

Put the needs and experiences of participants at the heart of what you do

9

Prioritise partnership working

10

Have high expectations, both creatively and professionally

11

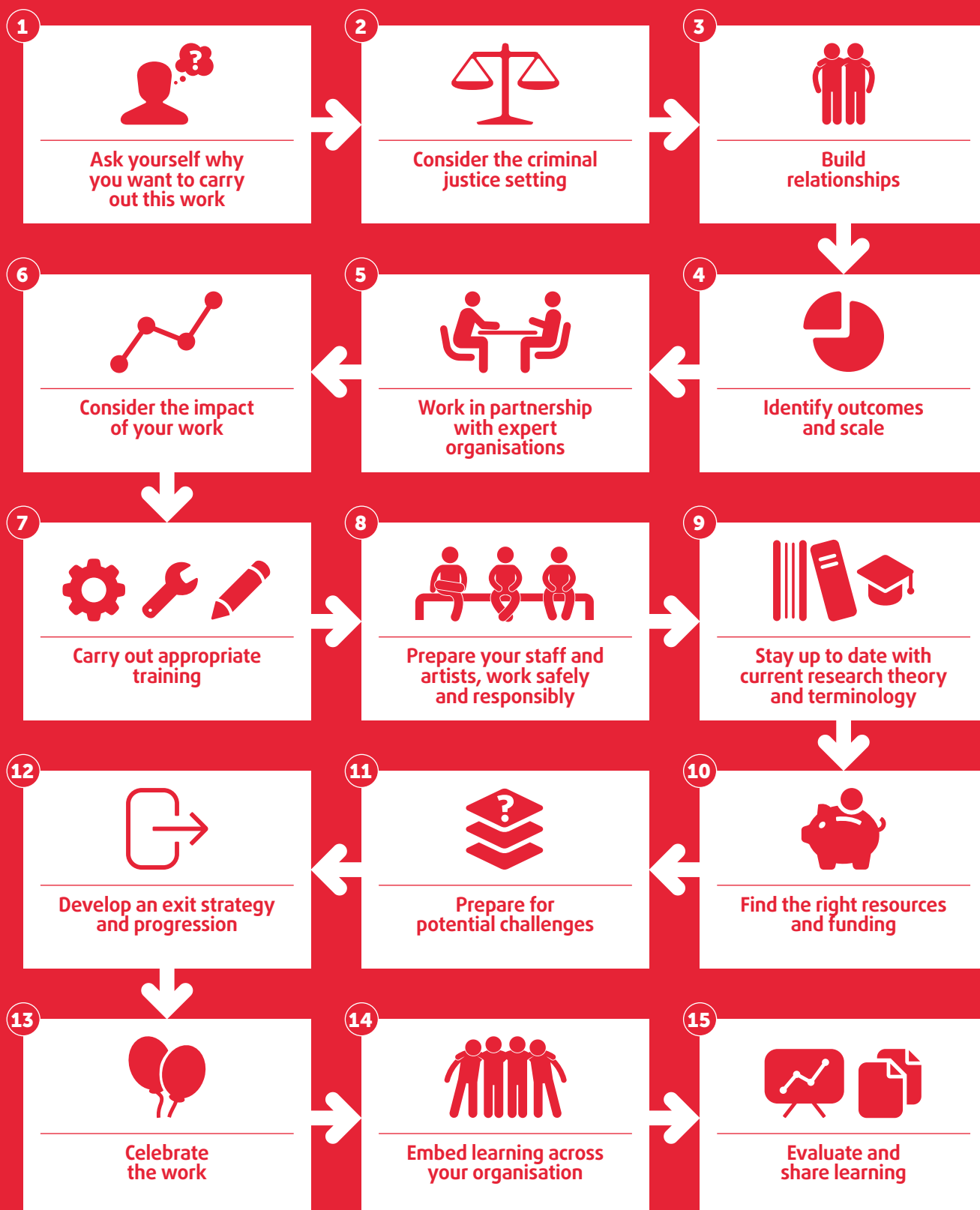
Ensure appropriate training, risk assessment and support is in place

12

Plan an exit, share learning and evaluation

Step-by-step guidance to developing a project

This step-by-step guidance will take you through a series of practical steps and considerations to think about before embarking on arts and cultural practice in criminal justice settings.



1 Ask yourself why you want to carry out this work

Make sure you have a very clear understanding of the purpose of your project, who benefits from it and the objectives you want to achieve. Explore your values and approach, identify what you are trying to achieve in this context. Will your project be done to, for or with your audience? If you are promising co-creation or co-production, ask yourself where the power and agency genuinely lies. Be sure that you are committed to delivering on this and be transparent and honest with partners and participants from the outset.

Reaching young people and BAME communities

Intermission Youth Theatre

Alongside delivering bespoke drama programmes in young offender institutions, Intermission Youth Theatre (Intermission) delivers a 10-month programme for 16-25 year olds in London that may be vulnerable, economically disadvantaged or isolated, a majority of which come from black, Asian and minority ethnic backgrounds (BAME). It aims to turn young people away from crime by giving them a voice and the tools to make better, informed choices through the use of theatre and Shakespeare.

Through Intermission's partnerships, including with Shakespeare's Globe and the Royal Shakespeare Company, its members have had opportunities to perform on mainstream stages, as well as venues such as Westminster Abbey and St Paul's Cathedral. Many have gone on to further education and into employment in the arts and elsewhere. Of the 150+ young people who have engaged with the programme over the past ten years, only one has repeat-offended, and of the remaining deemed at risk of offending, none have offended. One of Intermission's key strengths is that its leaders have experience of the criminal justice system and are therefore able to engage with the participants and speak openly and honestly about this world.

“Most of the young people I come across have fantastic skills that need to be channelled in the right direction. We use theatre to initiate positive transformation in the lives of our young people.”

Darren Raymond, Artistic Director

“Intermission has opened my eyes to see that it is possible to break free from negative influences.”

Intermission member



For more information please see Arts Council England's resources on working with children and young people: www.artscouncil.org.uk/how-we-make-impact/children-and-young-people

Please note: Whilst this guide does touch upon working with young people and will be useful for this work, important and specific issues about working with people under 18 are not considered in depth.



2 Consider the criminal justice setting

Consider the setting that you think would benefit best from your creative intervention. What can you bring, on a local or national scale, that adds value and innovation? Does your project suit prison or probation settings? If the project is specifically aimed at particular groups (defined by age, gender, race, ethnicity or faith, etc.), set the referral criteria and agree this with your stakeholders. Think about the mix of people you are inviting into this space and whether it will be safe. Who won't you work with?



Courtesy of Imagine If Theatre Company – imagineiftheatre.co.uk

Starting a new organisation Imagine If Theatre Company

Since Imagine If's inception four years ago, the company has designed, tested and evaluated various drama programmes in prisons and the community to prepare prisoners for release by developing their self-esteem, pro-social attitudes and motivation for work. The company was set up by Francesca Joy, who has first-hand experience of how the criminal justice system can affect people and communities, and holding this deeper understanding and empathy is key to Imagine If's success. The company involves, and pays, people with convictions across its work and encourages inclusive approaches, such as asking participants to respond in pictures instead of using written feedback forms on its programmes.

“It's not easy – emotionally, mentally or physically – working in the arts or criminal justice sector, and the environment is constantly evolving. Start small, do as much research and training as you can, and surround yourself with good and knowledgeable people. Most importantly, don't helicopter in and exploit the voices of others. Identify an act of change and commit to this.”

Francesca Joy, Artistic Director

“It shows what you can achieve with a bit of confidence and hard work. I have a brighter outlook for my future upon release.”

Participant



3 Build relationships

Most importantly, you will need to build trusting relationships with key leads and secure buy-in from senior leadership in order to ensure your project is sustainable. Your way in could be with the education department, the chaplain, a gym officer or a particular probation officer. Good relationships with staff at different levels will help your project run smoothly and give participants the best chance of continued engagement with arts and culture. Consider running a staff briefing or a series of sessions in which key stakeholders can experience the project in order to fully understand what support you might need from them. Always aim to consult local experts and specialist organisations, and reach out to those with experience in the field.



Clinks' directories provide information on voluntary sector organisations and are searchable by geography, prison and probation areas: www.clinks.org/directory

4 Identify outcomes and scale

Identify what your arts and cultural activity in this criminal justice setting is trying to achieve. Does it aim to improve the mental health and wellbeing of the participants, teach creative skills, provide qualifications, reduce reoffending, all of the above or something else? Are you trying to produce a play, book or performance? Your work might support prisoners, family members, former prisoners or those at risk, or it may be a staff development opportunity. In some cases, developing a theory of change may help you improve your work.

Ask yourself if you want to deliver a one-off creative project, or is there scope to develop a longer-term relationship? Do you want to deliver workshops, produce new work or provoke discussion with wider audiences? How will you evaluate your work? Will there be a creative product such as tour or performance? Funders, other stakeholders, partners and participants will welcome a well thought out, shared vision for your project.

5 Work in partnership with expert organisations

If you are new to this sector, working in partnership with specialist arts in criminal justice organisations will provide valuable insight and knowledge. There are many people working in the field of arts and criminal justice with years of experience of quality practice. See **page 14** for more information on the value of partnership working. If you are a large organisation it is worth bearing in mind that many of the small organisations have limited and often overextended resources.

Whatever shape the partnership takes, it is important to remember there may also be a difference of culture in practice and audiences. Early, honest conversations can help prepare for unforeseen problems at critical project stages. Setting out agreed aims and outcomes alongside a fair budget and work plan before getting started will ensure equity between partners. Try not to rely on only one contact at an organisation or an establishment, as this leaves you and your project vulnerable if this person leaves.

If you are keen to work with a specialist arts organisation, contact the NCJAA to help find a suitable match. For more information about effective partnership working and putting together contracts see:



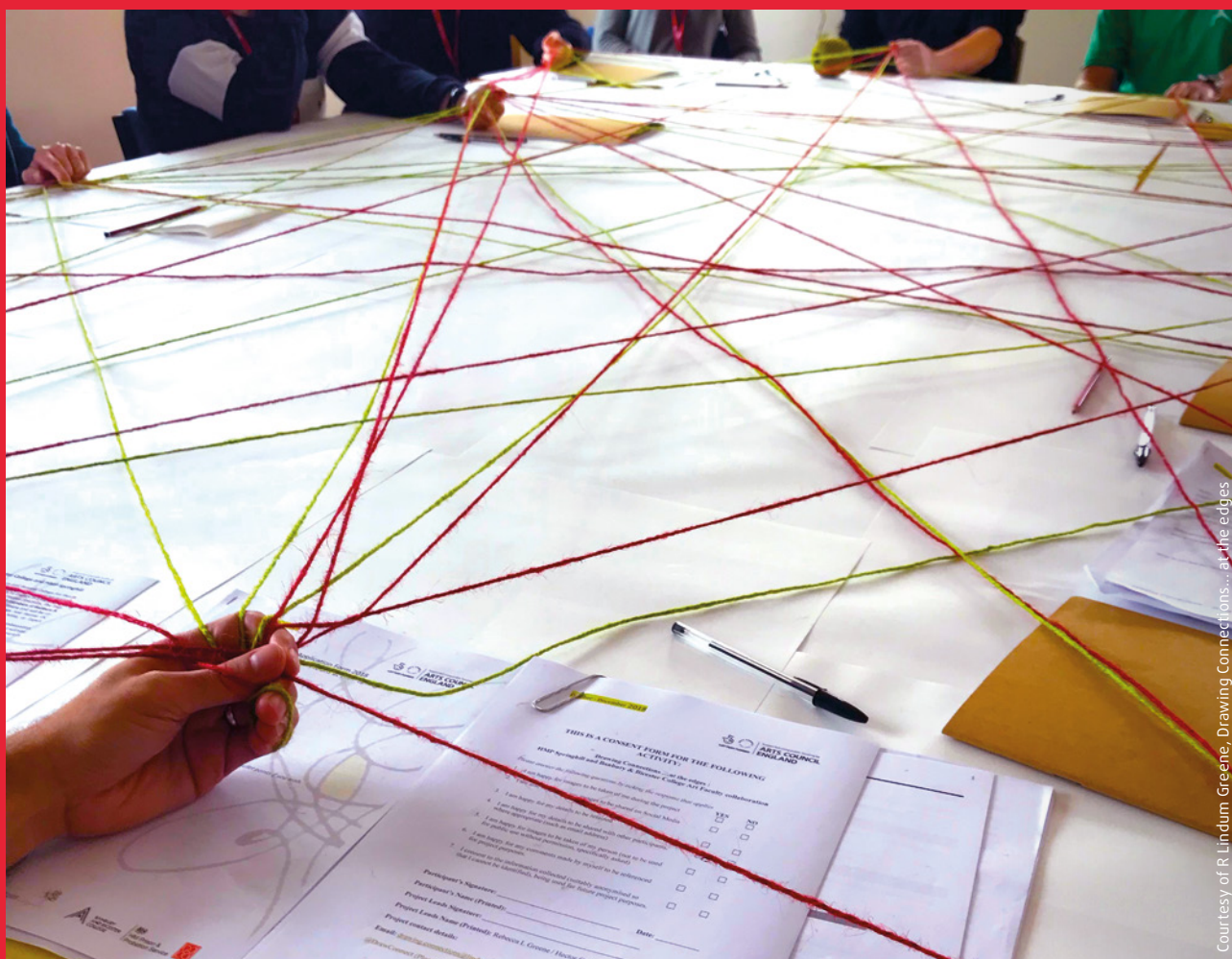
Why we collaborate, Clinks:
www.clinks.org/publication/why-we-collaborate



Making partnerships work for you guides, Clinks:
www.clinks.org/publication/making-partnerships-work-you-brief-guide-voluntary-sector



Joint working agreements resources, NCVO:
www.knowhow.ncvo.org.uk/organisation/collaboration/joint-working-agreements



Courtesy of R Lindum Greene, 'Drawing Connections... at the edges'

Higher education

Drawing Connections... At the Edges

The Drawing Connections project brings together prisoners and art students in a series of artist-led workshops. Over eight weeks, a group of students and artists are taken into the prison to practise photography, willow weaving, creative writing, lino cutting, drawing, clay modelling and collage, alongside the staff and residents there. The works are exhibited at the University of Cambridge's Radzinowicz Library alongside its permanent collection of Koestler Arts artworks.

“I’ve noticed how people are interacting now with each other, in a more relaxed and natural way, and as the program goes on the virtual boundaries between “we” and “them” are blurring. They all are discovering different ways of expressing and communicating through art while learning essential values to grow as individuals. From my personal and professional experience I can tell this type of project is essential not only as part of any resettlement program but also as a fantastic environment to apply different pedagogies and educate in social values.”

Project facilitator

6 Consider the impact of your work

Consider the ethical implications of your work and realise there may be health and wellbeing risks for participants, your staff and the institutions involved. Think about the subject matter and the creative materials and prompts used. Explore how your current collection, script or workshop will translate into a criminal justice setting. Ask yourself – is my project content potentially provocative, upsetting or culturally insensitive to people who may already be in a vulnerable position? See **page 12** for more information on the inequalities of opportunity faced by people in the criminal justice system. Have your participants been risk assessed? Be clear about your own capacity and responsibilities in this space. Set boundaries on what your art will and will not explore. Good relationships and understanding with stakeholders will be key to successfully answering these questions and avoiding future pitfalls.

You will also need to consider the creative ownership of work produced in criminal justice settings. Do you want creative control or will you co-produce work? It is crucial you are clear about whom the work belongs to, and think about what will happen to it afterwards. See **steps 12 and 13** for more information on developing an exit strategy and celebrating the work.

7 Carry out appropriate training

If you are starting out in the field, you and your staff may need specialist criminal justice, safeguarding or complex needs training. Due to the complex and fluid nature of working in arts and criminal justice, those already working in the sector will also benefit from continued training in a wide range of areas and will need to ensure it is up-to-date. This could be focused on working with particular groups, trauma-informed training, developing specific artistic practices and ensuring your policies and procedures are up-to-date.

There is a range of professional development options for individuals with all levels of experience. Larger organisations can commission organisations to run innovative and specialised training events. See **page 16** for examples of specialist arts in criminal justice organisations.



The NCJAA runs an Introduction to arts in prisons training course and administers bursaries for its network's professional development needs. Keep an eye on our website, newsletter and Twitter to keep up to date with these and all other training opportunities: www.artsincriminaljustice.org.uk/events | [@ArtsCJS](https://twitter.com/ArtsCJS)

8 Prepare your staff and artists, work safely and responsibly

To carry out creative work in any criminal justice setting you will very likely need an up-to-date Disclosure and Barring Service (DBS) check. It is worth noting that while people with convictions will find routes to working in criminal justice settings challenging, it is not necessarily unachievable. The involvement and voice of those with lived experience can be a powerful asset to your project. Depending on the length of project and security setting of the establishment you are working in you may need an extra level of clearance, which could take several months.

In prisons, safety is an ongoing challenge and there are concerning levels of self-harm, suicide, violence and substance misuse.³⁹ This has not stopped arts and culture projects from flourishing, but those working in the field should be vigilant to ensure the success of their project and the safety and wellbeing of staff and participants. Alongside training, development and vetting be sure you have the right level of emotional support in place for your staff and artists who will be working in potentially challenging environments. This may be mentoring, ongoing supervision or professional support.

Just a few examples of some of the practical things to consider before working in these settings:

- Do you need to sign a working agreement or other policies such as safeguarding and confidentiality agreements? Do these cover unsupervised working?
- Do you need to have security training?
- Do you know the complaints procedure, or who to contact with concerns about participants' wellbeing?
- Never give out personal information, bring letters or items into a prison for people, enter prison cells, refer to people's crime or length of sentence, or criticise staff, officers or other prisoners in front of a prisoner.
- Think about practical implications of materials such as digital devices, equipment, large or sharp objects and imagery or text. Understand what you can and can't bring into a prison and ensure that you have agreed to store equipment that is not in use in a safe place. See **step 11** for more info on materials.

To familiarise yourself better, speak to your contact at the establishment and ensure you have both set out clear parameters for work in which you feel comfortable.



The NCJAA Introduction to arts in prisons course covers practical considerations in more detail. Keep an eye on our website, newsletter and Twitter to keep up to date with these and all other training opportunities: www.artsincriminaljustice.org.uk/events | [@ArtsCJS](https://twitter.com/ArtsCJS)



Find out more about the latest rules and regulations prisons and probation services follow in **Appendix 2, page 44**.



The impact on our practice

Ikon Gallery

“Our work at HMP Grendon has impacted everyone at Ikon Gallery and we’ve seen real holistic cultural change across the whole organisation.”

Linzi Stauvers, Head of Learning, Ikon Gallery



9 Stay up to date with current research theory and terminology

A term you might want to familiarise yourself with is 'desistance' from crime. Desistance theory is often used in academic research and refers to the process people who have offended go through to stop offending. Think about how your practice might contribute to this process.

Labels such as 'offender' can be unhelpful when trying to develop new positive identities and could be a barrier to desistance from crime. Using terms such as a person with a conviction or a person with experience of the criminal justice system are more inclusive.

 See the NCJAA's *Re-imagining Futures* report for more information on desistance: www.artsincriminaljustice.org.uk/re-imagining-futures

10 Find the right resources and funding

There are many options for resourcing arts and cultural work in criminal justice settings. It is worth remembering that applications made in partnership are often stronger than those made on your own. Prisons and probation services may be able to part-fund projects. Through the Ministry of Justice's online portal,⁴⁰ organisations can access the new prison education commissioning tool, the Dynamic Purchasing System (DPS), as well as ongoing grants programmes aimed at the voluntary sector from Her Majesty's Prison and Probation Service (HMPPS) and the Ministry of Justice. Police and Crime Commissioners and local authorities support cultural activity that produces social outcomes in communities.

Arts Council England supports criminal justice organisations and projects through its National Portfolio, Project Grants and Developing your Creative Practice fund. Other large grant making organisations such as Big Lottery Funding, the Paul Hamlyn Foundation and Esmée Fairbairn Foundation fund social justice projects. Searching online for these and other trusts and foundations will highlight many more.

When developing your work plan, make sure you consider the time and resources required to work in these environments and include contingencies for unforeseen circumstances. If you are working in partnership, understand that a smaller organisation may not be able to absorb changes or cancellations as easily as larger ones.

See **page 12** for useful information to include in funding bids.

 Clinks' online funding portal (Clinks members only) gives access to a comprehensive, searchable database of funding: www.clinks.org/directories

 Keep an eye on the NCJAA's website, newsletter and Twitter where we regularly share the latest funding opportunities: www.artsincriminaljustice.org.uk | [@ArtsCJS](https://twitter.com/ArtsCJS)

11 Prepare for potential challenges

Any work in criminal justice settings will need to be carefully planned and go through strict procedures well in advance of its delivery. However, issues can also occur at the last minute. If you are delivering work in prisons, you may find your participants are (sometimes without warning) moved on to another prison, released, or moved to another part of the prison or other programmes. Prisons sometimes go into lockdown, confining everyone to their cell, or the room you are using may no longer be available. Make good use of your existing relationships with prison governors, managers and officers to come up with creative solutions wherever you can.

Another potential issue could be the materials you plan to use in your project. Regulations on these will vary depending on the establishment. Everything you bring in will need to go through security and be agreed well in advance. Be sure to get advice from your criminal justice contact, otherwise you and your project may be turned away. A few obvious examples of materials not allowed inside prisons are: cigarettes, phones, chewing gum and (unless you have special permission) cameras and digital technology. Some less obvious examples of things you may need special permission for are: maps, books and guitar strings. Make sure any staff you take with you are aware of restrictions.



One night of chaos, HMP YOI Feltham, courtesy of Watts Gallery

Overcoming the hurdles

Watts Gallery

Watts Gallery Trust is in its fifth year of working at HMP YOI Feltham, delivering workshops to support the young people to learn new art techniques and explore their own creativity, achieve a Bronze Arts Award and exhibit and sell their work in the gallery. The programme has developed to consist of four-day blocks of workshops that use a piece of art from the gallery's collection as a starting point. They are run by a team of three alongside a member of the prison staff present. The gallery's Outreach Coordinator collaborates with an artist to draw up a plan, with options to adapt it according to participants' ability and mood on the day. Meticulous attention is paid to the materials list and other practical considerations, such as transporting and drying the work.

“Building a good relationship with the key staff in HMP YOI Feltham has been essential to understand the needs of both the prison and the project. It takes the prison staff an extraordinary amount of additional work to plan for the activity and safe movement of participants.”

Ruth Williams, Youth Support Coordinator, Watts Gallery Trust

12 Develop an exit strategy and progression

Consider how you will manage the long-term development and wellbeing of your participants, artists and partner organisations. **Step 15** offers some ideas for how to sustain impact across your organisation. It is also worth remembering that, for participants, the project could be an intense experience and may leave them feeling isolated after it has ended. Keep a close eye on those in your group, and be sure to maintain a constant line of communication with criminal justice staff in order to highlight any potential vulnerabilities. Consider what your action should be if you feel someone might be at risk and always follow your partners' safeguarding procedures. After-care may not be guaranteed within the establishment, so if you consider this is required, build it in to your delivery programme.

How will you help your participants and staff to remember their achievements? A final event, such as a symposium, performance or exhibition, can be a brilliant way to celebrate and share everything that has been achieved with friends, family and local communities and can help instil a sense of pride and ownership for your participants and across the institution. Be aware that hosting events will require a lot of resource and planning for prisons. Certificates for projects, even those without accreditation attached, can be of great value to participants. You could produce books, CDs or records of positive feedback for them to keep and make copies of these to share with their friends and family. See **step 13** for more on celebrating your work. You should not agree to support prisoners in a personal capacity once they are released (see **step 8**), but do suggest they speak to their probation officer about the voluntary organisations that they can contact for support.

Remember that while singular projects can be worthwhile, ongoing work, designing meaningful pipelines to further practice for your participants and an institution-wide commitment to arts and culture will have a far greater impact. See **step 14** for more information on how to design for longer-term impact.



The Clinks online Directory of Offender Services lists local provision: www.clinks.org/directory



The NCJAA website is full of case study examples of artists and organisations that run arts and culture projects in the community for former prisoners: www.artsincriminaljustice.org.uk

13 Celebrate the work

When celebrating the transformative impact of your work – both during the project and after you have finished – think about what audiences you will be engaging. The most significant outcome of your creative project could be to change the way people think about people with convictions. Be sure to honour your agreements on ownership and credit, be sure to prepare your participants properly for any media engagement, and be sensitive to victims' perspectives. Discuss communication and branding with your partners and funders.

If you are sharing information that will make it possible to identify individuals you need to be aware that there are regulations regarding this that are aimed at protecting prisoners and victims. Some people with experience of the criminal justice system will be subject to specific restrictions that prevent them appearing online or in the media. When publicising creative work you should always work closely with the prison and probation service to make sure you comply with these regulations and restrictions. Do not share anything online (including on Twitter) or in print before checking beforehand. In many cases you will need to wait for sign off from the Ministry of Justice press office.

If you are a larger cultural organisation, consider that your smaller partners will not have their own press officer or the same amount of resources to spend on marketing their achievements. Be sure specialist organisations are properly acknowledged for their valuable contributions. This will go a long way to strengthening the sector on an individual and collective level.

See Transforming Justice's Reframing project for tips on how to effectively communicate about criminal justice: www.transformjustice.org.uk/reframing

NCVO's Constructive Voices programme provides support for solutions-based journalism: www.ncvo.org.uk/about-us/media-centre/constructive-voices



Changing perceptions

Koestler Arts

Koestler Arts is one of the UK's oldest criminal justice arts charities. Since 1962 it has been displaying work submitted to its Koestler Awards, an arts award scheme for prisoners, secure patients and detainees, in exhibitions that have been curated by artists such as Grayson Perry and Benjamin Zephaniah. For over 10 years the Trust has partnered with the Southbank Centre, London, the UK's largest arts centre. The 2017 exhibition, curated by Antony Gormley, attracted over 30,000 visitors to see 165 pieces of work, and has helped the public to reconsider stereotypes and understand the potential of people with convictions.

“It has changed the way I look at myself and the way others look at me also.”

Exhibited artist

14 Embed learning across your organisation

If you are a cultural institution that does not consider criminal justice as its core mission, it is important to think about how to embed a positive and inclusive approach to this across all the work you do. Consider that as a high-profile organisation you can add value and impact in many ways. See **page 16** for examples. Providing rehearsal space, free tickets and professional development opportunities for staff and participants can hugely benefit individuals and enhance your outreach offer. Think about incorporating the work of specialist arts and criminal justice organisations into mainstream programming or community engagement work and sign up to inclusive employment practices such as Ban the Box.

Consider taking art and museum collections into places such as prisons or community centres to groups that may not typically access publicly funded arts and culture. Witnessing first-hand the power of arts and culture can be incredibly eye opening. Encourage staff at every level of your organisation to attend events and exhibitions.

 For more on inclusive employment practices for people with convictions, see the charity Unlock: www.unlock.org.uk/for-employers

15 Evaluate and share learning

Aim to evaluate for your own learning, as well as for your funders. Be ambitious and include evaluation costs and time in your proposal. Good evaluation can help shape policy, support effective working for all and increase the impact of arts in criminal justice settings. Think about whom best can learn from your experience and ensure good practice is captured and shared with the wider sector.


You could publish a report, or you could contribute a blog or case study for the NCJAA. The evaluation could use methods such as participant and audience questionnaires and interviews done in house, or it could be carried out externally, by submitting data to the Ministry of Justice's Justice Data Lab or by an academic institution. If you would like an academic to evaluate your work, think about how your practice could contribute to the current research landscape. See **page 8** for a summary of the latest research into arts and criminal justice.

 The NCJAA convenes a network of leading academics in the field of arts and criminal justice and can put projects with resources for evaluation in touch with suitable researchers. Get in touch at info@artsincriminaljustice.org.uk

 See the NCJAA's Evidence Library for examples of academic research in to arts in criminal justice settings: www.artsevidence.org.uk

 Clinks' guide *An introduction to evaluation for charities in criminal justice*: www.clinks.org/publications

 NPC's Justice Data Lab Frequently Asked Questions: www.thinknpc.org/wp-content/uploads/2019/03/Justice-Data-Lab-FAQ.pdf

 The Ministry of Justice's toolkit to measure the intermediate outcomes (such as other social and individual benefits, independent of any demonstrable effect on offending) of arts and mentoring interventions for people in the criminal justice system: www.gov.uk/government/publications/developing-a-toolkit-to-measure-intermediate-outcomes-to-reduce-reoffending-from-arts-and-mentoring-interventions

About the National Criminal Justice Arts Alliance and this guide

About the National Criminal Justice Arts Alliance

The NCJAA is a national network and Arts Council England National Portfolio Sector Support Organisation promoting arts and culture in criminal justice settings as a springboard to positive change. Its vision is to ensure all those with an experience of the criminal justice system can engage with creative opportunities. Its purpose is to promote effective practice, undertake and showcase specialist work and research, provide opportunities for skills, knowledge and network development, raise the profile of the sector, inform related policy and build sector sustainability and resilience. The NCJAA represents a network of over 900 individuals and organisations and supports all art forms across prison, probation and community settings.

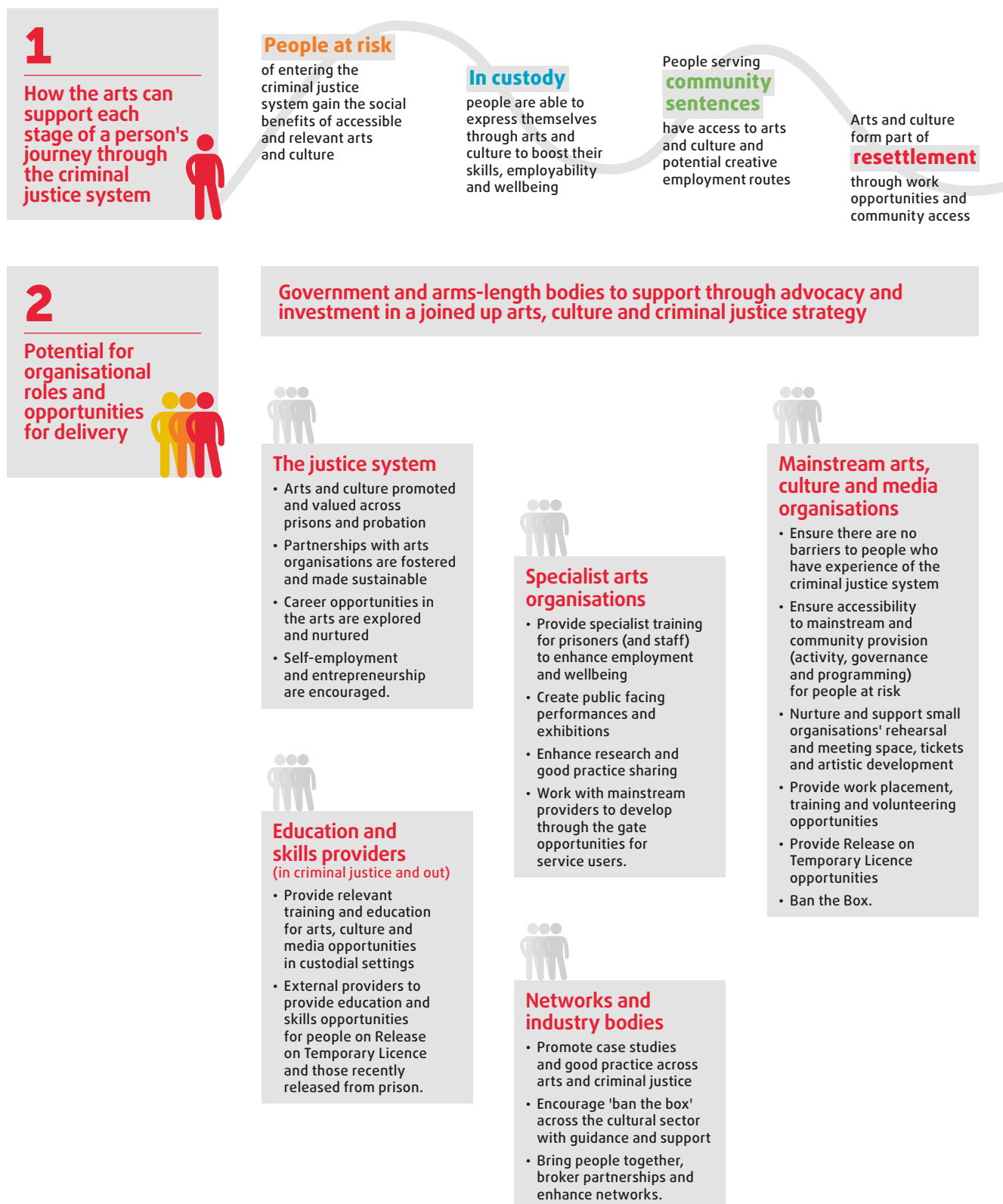
It is managed by Clinks, the national infrastructure organisation supporting voluntary sector organisations working in the criminal justice system.

How this guide was made

This document was written by the NCJAA to update *Criminal Justice, An Artists Guide* (2010), and reflect the considerable changes to the culture and criminal justice sectors over the last nine years. The NCJAA would like to thank all who contributed to its development. In 2018 a sub-group of the NCJAA's steering group convened to discuss partnerships between large arts organisations and smaller, specialist criminal justice organisations and how to encourage their further best practice. Much of this guide's content has been adapted from Clinks and NCJAA training. Further learning has been incorporated from a professional practice seminar, organised in collaboration with the Watts Gallery, exploring partnerships between museums, galleries and criminal justice. A first draft of this guide was reviewed in a meeting at the Young Vic Theatre attended by a group of leading arts organisations in the field, and much of their invaluable experience is shared in the case studies.

Appendix 1

Draft model to explore how to enhance creative skills and employment opportunities for people in the criminal justice system



Appendix 2

A brief overview of the criminal justice system and its agencies

The criminal justice system as a whole can be quite daunting to understand because of its size and its complexity. This overview will aim to describe in brief how it operates at different levels.

The Ministry of Justice (MoJ) is responsible for criminal justice policy. HM Courts and Tribunals Service is an executive agency of the Ministry of Justice responsible for the administration of criminal, civil and family courts and tribunals in England and Wales. Her Majesty's Prison and Probation Service (HMPPS) is also an executive agency and oversees prisons and probation services. The Youth Justice Board is a non-departmental public body responsible for overseeing the youth justice system in England and Wales and Youth Offending Services/Teams (YOSs/YOTs) sit within each local authority.

In Wales, criminal justice policy is not devolved and remains the responsibility of the Westminster government. Some areas of policy that overlap with the criminal justice system, such as housing or health services, are devolved to the Welsh Government. Justice powers are devolved to Scotland and Northern Ireland, to the Justice Directorate and the Department for Justice respectively.

At a local level, in England and Wales, Police and Crime Commissioners (PCCs) set the strategic direction for tackling crime and community safety and commission community safety services and activity. They are responsible for bringing together community safety and criminal justice partners to make sure local priorities are joined up. They do so through a variety of mechanisms that vary from area to area, but include community safety partnerships (CSPs), local criminal justice boards (LCJBs), local reducing reoffending boards, and integrated offender management (IOM) arrangements.

Over 1,700 voluntary sector organisations in England and Wales offer vital support to the criminal justice system in a variety of different ways, working flexibly and responsively at local, national and international levels. Information on many of these can be found in Clinks' online directory.⁴¹

Prisons

Prisons are broadly categorised into four categories according to their level of scrutiny – A (high-risk), C (medium-risk), C (training) and D (open prisons).

Young adults aged 18 to 20 (and sometimes 15 to 18) are held in Young Offender Institutions (YOIs). Find out more on young people in custody on Clinks' website.⁴² Secure Training Centres (STCs) hold boys and girls aged 12 to 17. Locally run Secure Children's Homes (SCHs) hold boys and/or girls aged 10 to 17. See our case studies demonstrating how arts and culture can engage young people (**pages 29 and 35**). There are currently ten women's prisons (and none in Wales) holding only 5% of the entire prison population.⁴³ There are complex management structures within prisons and each establishment will have its own rules and procedures. Prisons are run by their governor (number 1), deputy governor, operation managers and heads of function (learning, skills and employment or reducing reoffending), custodial and hub managers, senior officers and prison officers.

Ongoing prison reforms are giving governors increasing autonomy in running their establishments. One example of this is the establishment of a new education framework, which allows governors to commission a broad range of education programmes through a new Dynamic Purchasing System (DPS).⁴⁴

HM Inspectorate of Prisons is an independent inspectorate that monitors prisons, young offender institutions and immigration detention facilities. It sets its own Expectations criteria, the latest edition of which includes access to creative activities.⁴⁵

Prisons adhere to rules, regulation and guidelines set out by HMPPS's Prison Service Instructions (PSIs). Since September 2018, a process of reviewing and replacing these with Prison Policy Frameworks⁴⁶ has been underway, in order to simplify the instructions and focus on outcomes rather than process, in line with the aim for greater governor autonomy.

Probation

Probation services are responsible for:

- Advice to courts on sentencing decisions
- Supervision in the community of people who have offended and received community sentences
- Monitoring the risk posed by people supervised in the community and ensuring the public is protected
- Working with people in custody to prepare them for a life after release
- Planning and delivering rehabilitative support, often in partnership with and the support of voluntary sector organisations
- Bringing people back to court, or recalling them to prison, if they are not complying with their sentence.

In 2015 the Ministry of Justice's Transforming Rehabilitation programme introduced a new system of probation delivered by the National Probation Service (NPS) and 21 Community Rehabilitation Companies (CRCs) across England and Wales.

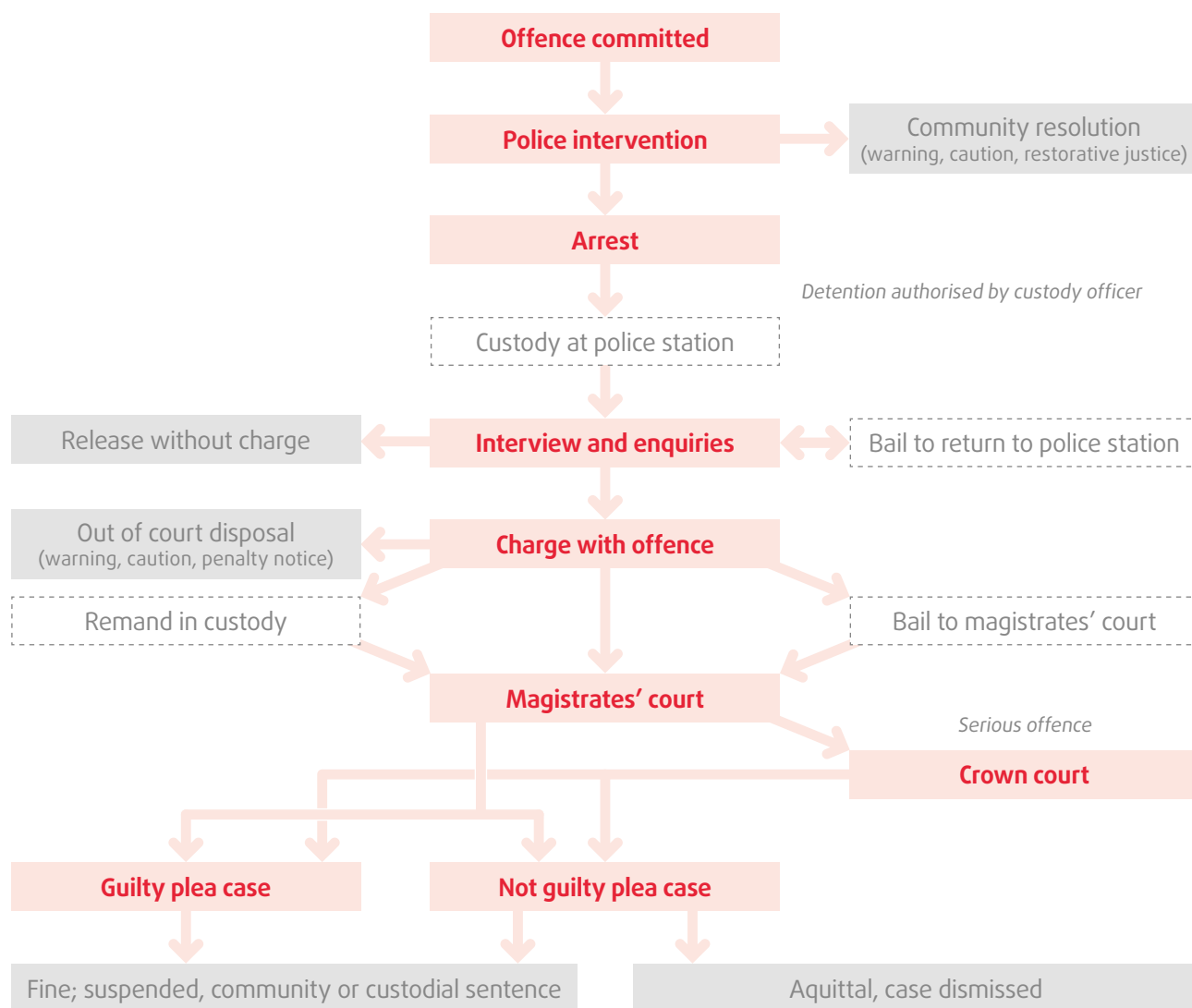
The NPS oversees the writing of all pre-sentence reports, conducts all initial risk assessments and manages people who are deemed to be of high risk of harm to the public. CRCs are responsible for the management of people who are assessed as low to medium risk of harm to the public.

This model of probation has been widely criticized for failing to provide quality services and for not offering opportunities for the voluntary sector to be involved in service delivery as was the policy intention. In May 2019 the government announced plans for a new probation model that will see all offender management undertaken by the NPS, with 11 divisions. These changes will come into effect in the 10 English divisions from spring 2021 and in Wales by the end of 2019.

As part of the reforms a dynamic framework procurement mechanism is being explored through which the NPS will be able to commission and fund small voluntary sector providers in the delivery of rehabilitation and resettlement services. HMPPS will continue to contract out the delivery of Unpaid Work and Accredited Programmes through innovation partners.

A person's potential journey through the initial stages of the criminal justice system

An individual's journey through the criminal justice system can begin with a caution or with arrest, through the courts to sentencing (either to prison or a community sentence), on to post release probation supervision.



Appendix 3

Further resources

The NCJAA's website, monthly newsletter and Twitter shares the latest news, opportunities, guides, events and training from across the arts and criminal justice sector.

You can contact us at info@artsincriminaljustice.org.uk

Explore our website www.artsincriminaljustice.org.uk

Sign up to our monthly newsletter at www.clinks.org/user

Follow us on Twitter at www.twitter.com/ArtsCJS

- The NCJAA-managed **Evidence Library** is an award-winning online library housing the key research and evaluation documents on the impact of arts-based projects, programmes and interventions within the criminal justice system: www.artsevidence.org.uk
- **Clinks** is the national infrastructure organisation supporting voluntary sector organisations working in the criminal justice system: www.clinks.org
- **Arts Council England** champions, develops and invests money from the government and the National Lottery in artistic and cultural experiences: www.artscouncil.org.uk
- **Prisoners' Education Trust** provides educational opportunities for men and women prisoners to make a positive change in their lives: www.prisonerseducation.org.uk
- The **Bromley Briefings** are produced by the Prison Reform Trust twice a year and provide an in depth analysis of the state of prisons in England and Wales: www.prisonreformtrust.org.uk/Publications/Factfile
- **The Hardman Trust** publishes a directory of funding support for prisoners and former prisoners: www.hardmantrust.org.uk/directory
- The **Justice Data Lab** service aims to provide information to support organisations working in the criminal justice system: www.gov.uk/government/publications/justice-data-lab

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