

National Coalition for Independent Action

Celebrating voluntary & community action to change and challenge the world around us
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Want to talk back to the Coalition? Sign up to our Google group, have your say and share your experiences <http://groups.google.co.uk/group/ncia-discussions>

Newsletter No: 7

July 2008

Welcome to Newsletter 7. Because of the volume of material and stuff going on, we're going to send you these newsletters more often - the aim is to get one out every 4-6 weeks, capacity allowing. In addition to our usual sideways and irreverent glance at what's been happening in this wonderful world of independent action, this edition we trail two features - one on changes to Legal Aid and the plans of the Legal Services Commission; the second on the current lather that is surrounding the Compact - that's the arrangement which apparently fosters mutual respect between us and the State (the rest of these articles are on the website - just follow the link)

Please remember that we would like to hear your reactions to all this - both the issues that face us all, and the stance that we, in the Coalition, take on them. Join our Google group and tell us what you think. And please pass this newsletter on to someone else you think might want to read it...

News from the Coalition

Putting shoulders to the wheel

Our quest for people to join us in working actively on Coalition issues has so far attracted responses from Birmingham, Manchester, the South West, Cumbria, the North East, North West, Leicester, Suffolk, Newham, Hackney, and Sussex. We are also talking with individuals and organisations working at national level and concerned with community arts, independent advice services, asylum and immigration, and homelessness.

We are convening a meeting in Birmingham in September to bring these people together to share approaches, decide on action and help shape the next phase of the Coalition's work. If you are interested in taking action in your own geographical area or area of work, then please get in touch (indyaction@yahoo.co.uk or via the Google group) and we can talk through the possibilities.

Coalition luddites bite the bullet

After (too) many months of confusing internal debate, we have finally decided to move the website to a 'blog' format. This will mean that it will be easier for people to talk to each other on the site. We are also installing an automatic 'sign-up' facility that will hopefully make it less labour-intensive to manage our growing mailing list. As part of this we will be asking you to click on a link and re-register yourself for our mailings. Watch this space

The power of language to dominate and confuse

From the start we have been concerned with the ways in which language is used to set the terms in which issues are discussed, to reinforce power relations, to dominate and confuse. We are now looking at how we can tackle this and the use of plain talking as a way to say what is meant and expose what isn't. If any of you are interested in this area or would like to contribute to our thinking, please get in touch. Meanwhile, here's something to tickle your funny bone.....

This off the BBC site..... Richard Stokoe (Head of News at the Local Government Association (LGA)) and Marie Clair (from the Plain English Campaign) were asked to comment on some of the jargon that circulates around the public sector:

- **"sustainable communities"** - according to Mr Stokoe is "meaningless phraseology" because it can mean anything to anyone. In May 2007, Sutton Council announced that it wanted to "turn an entire community into one large sustainable suburb". Mr Stokoe fails to see the relevance, wryly asking: "Why, was it sinking?"
- **"Engagement"** - the Ministry of Justice deals in "democratic engagement" and explores "how to harness new ways of engaging", while the Improvement and Development Agency talks about "community empowerment and engagement". Mr Stokoe says "engaging" is simply a grand way of talking or listening to people. "As far as I am concerned, 'engaged' is when someone has a ring on their finger, or the toilet is busy," he says. "As for empowerment, I am completely lost."
- **"Holistic governance"** - Ms Clair dismisses holistic governance as "gobbledygook". She breaks down the words to try and make sense of them. "I think of holistic in terms of massage therapy, and governance as keeping something in order. If you put them together, I suppose it could be about massaging government?" she says. But the mystifying term is widespread among local councils. Hull City council's Internal Audit Strategy for 2007-2008 to 2009-2010 is to "be part of a holistic governance approach", the Department of Communities and Local Government praises a National Youth Homelessness Scheme for its "multi-agency holistic approach" and local government policies frequently combine "joined-up" initiatives with holistic targets.

Our thriving Third Sector?

Massive Government survey of sector satisfaction

Everyone's now talking about a 'thriving Third Sector', which seems a classic case of the Emperor's New Clothes, 'cause it's certainly not thriving down our way. Now the Government has announced that it's going to measure just how thriving we are.

The Office of the Third Sector has published a guidance note on 'National Indicator 7 (NI7)' which is one of the set of 198 national indicators. The document sets out their plans to assess progress, through a third sector survey, and how they expect LSPs to measure it.

This, of course, merely extends the suffocating web of bureaucratic targets which are sapping the life out of local democracy. This move might, at first sight, look like good news for voluntary organisations, since, instead of choosing an easily measured proxy indicator, the OTS will measure performance against this criterion by actually collecting the views of 'third sector organisations'.

However, this will be achieved by a postal survey of 97,000 organisations (yes, that's 97,000) across England who will be asked to use a five-point scale to answer "how do the local statutory bodies in your area influence your organisation's success?" The performance of 149 top tier authorities against the national indicator will be measured according to the percentage of third sector organisations whose answer is "positive" or "very positive". A pilot survey produced a baseline figure of 22%!

OTS is currently inviting tenders for conducting the survey which will take place in the autumn of 2008 and again in 2010. Neither the briefing note on *NI 7 An environment for a thriving third sector* nor the invitation to tender address the key methodological issues involved, the exact wording of the questions as a whole and the sampling frame. Supporters of local action should be especially concerned that the survey will be restricted to organisations which are registered charities or incorporated bodies and that quangos like Housing Associations will be included. On the other hand, OTS has expressed its willingness to work with national organisations like NACVA and BASSAC to "bring more organisations within the scope of national lists" and says it is "keen to work with local authorities who might wish to survey local organisations outside of the main survey".

Seems to us like quite a lot of public money to tell us not very much. You can see the awful detail at www.cabinetoffice.gov.uk/upload/assets/www.cabinetoffice.gov.uk/third_sector/ni7_briefing_note_final.pdf

Public trust in the charity sector has dropped by nine percentage points

Results of a survey from nfpSynergy's Charity Awareness Monitor shows that public trust in the charity sector has dropped by nine percentage points and only two in five adults say they trust charities. This is an annual survey of 1,000 people and the last poll was carried out in July last year. The figure of 42 per cent is down from 51 per cent in the same survey in September 2006. It is the lowest figure since the survey began five years ago. Another survey (from the British Market

Research Bureau) shows the proportion of adults in Britain who donate more than £5 a year to charity has dropped to its lowest level in three years - falling from 70 per cent in 2005 to 63 per cent this year.

So what is nfpSynergy's answer to this? Why a sector-wide communications strategy!! Says Joe Saxton, the thrusting Driver of Ideas (yes that is his job title): "The main question is, whose job is it to work out what the reputation of charities should be? There are lots of potential players with the resources and expertise, but currently there's no communications strategy". I wonder who could help us with this mindless branding drive? Might be worth asking nfpSynergy I suppose, I think it's the kind of thing they do.

Development Trust Association (DTA) dumps 'representation' on LSPs

The Communities and Local Government Department has been worrying about the questions of VCS 'engagement' with Local Strategic partnerships (LSPs) and a consultation paper was out on it. (Principles of representation: A framework for effective third sector participation in Local Strategic Partnerships).

The DTA has come up with a novel answer - abandon the idea of representatives altogether, because it's all too difficult and approximate, and appoint individuals as 'connectors' instead. In their response to the consultation they propose that

- The LSP should appoint individuals from the community sector, not as 'representatives', but rather as 'connectors' and 'enablers'.
- They should be selected according to their ability to perform such functions. Criteria and expectations should be set out, and appointments should be made following a process of open recruitment.
- Where community anchor organisations exist, they should be appointed to the LSP (subject to the same selection criteria).
- The contribution of the community connectors/enablers and community anchor organisations should be paid for by the LSP at consultancy rates.

Our correspondent commented:

"They appear either to be confused or, to put the best possible light on it, to have formulated an agenda with deliberately opaque means and ends. DTA has a heavy social enterprise focus, so I would intuit that their interest is to question the authority of traditional charities or "special interest" groups to speak for the community good. The idea that the LSP should appoint who will represent the VCS, rather than the VCS deciding who will represent themselves, is outrageous, and is exactly what we're fighting in our area..... This business of community anchors is another potential Trojan horse that bears examination. I suspect the DTA thinks that their community trusts will be the anchors that get appointed. Of course they would want their people to get paid at consultancy rates—when you could get community people to come to meetings for a fraction of that, and get a lot more of them representing a broader scope. This whole subject makes me start ranting...."

See the submission at: www.dta.org.uk/whatsnew/news/lspresp.htm

LSPs - Next in, the Audit Commission

No sooner has the DCLG finished than the Audit Commission launches a study of Local Strategic Partnerships (LSPs) that builds on their 2005 report, 'Governing Partnerships: Bridging the Accountability Gap'. It will explore the new 'challenges' LSPs and their partners face in managing the delivery of Local Area Agreements and the new performance framework. The scoping for the study will begin in September and a final report will be published in the Autumn. See what they're planning at

www.audit-commission.gov.uk/nationalstudies/downloads/LocalStrategicPartnerships.pdf

Power is never given - the legacy of the Community Empowerment Networks

One of the ironies of the community empowerment networks (CEN's) - an earlier Government fad, for which most of the funding has now been withdrawn - was that they couldn't empower themselves, or more accurately save themselves from the crude dynamics of how power works at both a central and local level. Matthew Scott, director of the Community Sector Coalition, has written an article which tells the sorry tale of the gap between government rhetoric on "empowerment" and the reality. He explains that CEN's took a first term New Labour government at its word and in their bolder moments, challenged the vested interests and oppressive practices we know so well, and that give the lie to partnership working. Matthew's view is that it is for that reason they were closed down. And for that reason they will need to be reinvented and return. [Read on....](#)

But real achievements still are won

A small success, with a big impact

Those connected with Positive Action in Housing in Glasgow can indulge themselves in a warm feeling of their own power and impact. A long running campaign to fight the deportation of a Kurdish mother and child has won their indefinite leave to remain in the UK. Meltem Avcil, aged 15, and her mother Cennet were removed from their Doncaster home last summer in a dawn raid and initially locked up at Yarl's Wood Detention Centre in London, where they were detained for three months. The Kurdish family fled Turkey because of alleged persecution. And Meltem's father went missing after his asylum bid was turned down in Britain in 2001. After a failed bid to deport them on a flight to Germany, the pair were moved to the Millbank induction centre for asylum seekers in Ashford, Kent.

Robina Qureshi, from Positive Action in Housing said: "Meltem Avcil has now got indefinite leave to remain and is living in Newcastle with her mum and they are quite happy there. She is now at school in year nine and is glad to be back at school although she misses Doncaster."

A total of 1,583 supporters wrote to protest over Meltem's initial detention at Yarl's Wood before she was finally moved to Millbank.

Check out the rest of the news from PAIH at <http://paihnews.wordpress.com/2008/06/22/joy-as-meltem-given-permission-to-stay/> Or visit their website www.paih.org

But the struggle continues - Nottingham post-grad faces deportation after failed terror arrest

The story of the two Nottingham University students, arrested on bogus terror charges, offers us some insight into the operation of the 'terror laws'. The two men were arrested for downloading information about Al Qaeda from a US government website. One of them wanted the information for research purposes, the other downloaded and printed the training manual as a favour to the other, since he didn't have enough credit on his university printing card! The two were turned in by university staff, who having stitched them up, then bent over backwards to help the police and repress freedom of speech on campus. A statement from the university said that the AQ manual is 'contentious,' and 'sensitive,' and that only approved academics and students should have access to it. The idea that information that is legally and freely available should be restricted on campus flies in the face of the role of universities as places that encourage academic freedom.

Anyway, despite 6 days of interrogation under the Terrorism laws, the two were released without charge. However, one of them, Hitcham Yezza, was promptly re-arrested on the grounds that he is living and working illegally in the UK (he's been here living, working and studying for 13 years). Faced with his imminent deportation to Algeria, students and staff at Nottingham University mounted a full scale campaign which delayed the deportation and secured his release (on bail at present). They are now looking to widen their activities to defend others as a broad-based civil liberties and anti-deportation campaign.

Hitcham told the BBC, "It has been extremely surreal at times (being held in detention) but most of all it has been harrowing. But it has also been an inspiring and humbling experience because I have realised how many people out there are willing to do everything they can to defend justice."

You catch up on the latest news on this one at www.freehichamyezza.wordpress.com

More 'no borders' action – 5th July

On Sat 5th July, the International Day of Action Against the G8, No Borders London have called for a day of action focusing on the UK Border Agency (Home Office) offices in Croydon.

Croydon has three big UK Border Agencies buildings - Lunar House (one of two places in the UK where all asylum applications are made), Apollo House (where migration data is collected and evaluated), and Electric House (a reporting centre and short term detention centre). The intention is for different groups and individuals to "adopt" a different site during the day, and to host performances, speeches, info stalls, music etc at each place, connecting with as wide an audience as possible.

More information from www.noborderslondon.blogspot.com

BME Coalition demands that Government abandons its draft guidance on community cohesion

Voice4Change, the BME campaigning group has unequivocally come out against the Government's draft guidance on 'single issue funding', part of its approach to the 'issue' of community cohesion, which

proposes that funding to groups only serving one part of the community should be "the exception rather than the rule for both government and external funders". The guidance is currently out to consultation. Voice4Change says the proposal will threaten the existence of BME third sector organisations, and is urging the DCLG to engage in a "positive dialogue with the sector" on the causes of inequality.

Vandna Gohil, director of Voice4Change, said: "The Government hasn't looked at its own research or the evidence from service delivery organisations. The proposal is not grounded in the reality or the context of how BME third sector organisations work and deliver support services to diverse communities."

We'd like to see other second tier and national organisations making the same point.....

Smashing news from anti-war protestors in Northern Ireland

News from Derry that a jury has acquitted nine anti-war activists of criminal damage charges, in a trial that relates to action they took during the Lebanon War in August 2006. They stormed and for eight hours occupied their local software development offices of Raytheon Corp., the fifth biggest arms company in the world. After barricading themselves into the building they set about 'completely disabling' the mainframe computer server that links them to the global Raytheon production system. They threw computer terminals out of the window and held out a banner stating 'Raytheon has been decommissioned'.

After arrest, the nine first faced charges under the Terrorism Act for Aggravated Burglary which could have been tried by a juryless Diplock Court if these had not been dropped to criminal damage and affray. The affray charge was later dismissed by the judge on lack of evidence. The defendants presented a clear anti-war defence saying that they acted under the genuine belief that they were attempting to prevent war crimes. One of the defendants, a well known local campaigning journalist, raised a smile when asked by the prosecutor why the court should not consider the computer smashing as sheer mindless destruction. If they had acted mindlessly, he replied, why open the windows first before throwing the computers out of them?

You can catch up on what else is happening in N. Ireland by clicking on www.indymedia.ie/

Legal Aid, the Legal Services Commission and a tale of our times

Looks like, in the future, we'll be depending on profit-making companies, ex-coppers and the prejudice of judges to help us enforce our rights. That's if we continue to sleep walk while big changes are sweeping through the legal advice sector. Gone will be the many hundreds of independent advice services that play a crucial role in enforcing people's rights and holding authority to account.

For the last 10 years the LSC has been behaving as if any two or more people gathered together to offer advice and legal services, should be told what to do by the Commission. Sorry to say, the advice sector has by-and-large rolled over on this one. And despite vain attempts by activists in private civil legal aid (note: not the not-for-profit bunch - shame on you lot) to persuade their colleagues not to

sign this new contract, virtually all did so. Now they are reaping the whirlwind and many advice providers are finding that they are actually in debt to the LSC.

Meanwhile, try not to look too clever in front of a judge. Judge Parsons, a Brighton magistrate recently refused legal aid to seven students up in front of his bench on the grounds that "they are intelligent enough to represent themselves". And what do you reckon the bodies that represent independent advice services are doing to protect us when we're up against the power of the State and other interests? Read on.... <http://www.independentaction.net/legalaid>

Compact – a failed initiative

The hoary old Compact seems to be back on the agenda, in another attempt to 'refresh' (as we say down at the LSP) a failed initiative. This is the one where important personages from the VCS and the statutory sector have signing ceremonies where they promise to do things like 'respect each other', 'work in partnership' or 'embed equality of opportunity and social inclusion in everything we do'. Problem has been that it doesn't work. When the local authority wants to screw you, it will do it anyway, Compact or not.

There is plenty of evidence from around the country that for many statutory agencies the Compact is not worth the paper it is written on - 40% of respondents to a NAVCA survey said the Compact was not a useful tool in managing relationships with local public bodies. And research from consultants nfpSynergy, shows that the majority of councillors and local authority staff were either unaware of the Compact or thought it did not make much difference.

A classic recent example comes from Stoke, where the community transport charity Communibus has claimed that Stoke Council breached the Compact by withdrawing £40,000 of funding. The Compact specifies that a minimum of three month's notice should be given. However, the charity said that when the local authority decided in March to award the contract to a private company, it gave the charity only two weeks' notice its funding was being stopped.

So what to do? Sir Bert Massie, Commissioner for the Compact has launched a research study to "identify the key factors behind successful Local Compacts and positive local partnership relationships". Hmm bit of a spin there - unlikely then that he'll be looking at why it doesn't work! The findings on why the Compact is a good thing will be published at the end of August 2008. And Kevin Curley of NAVCA and Stuart Etherington from NCVO also want to hang onto the Compact - by giving the Compact statutory force all will be well. But can we fix what is structurally broke?

The difficulty with the Compact reflects wider problems that the sector faces in its relationship with the State. The State has a plan and an intention for the sector, is determined to shape the sector to these intentions, and will do nothing voluntarily to limit the power that it, and their agents at local level, holds over that process. The task facing the sector is to rediscover our own perspectives, consider whether State intentions are compatible with these, recognise that structural differences between statutory and non-statutory are key to our understanding of our respective roles and, above all, organise to redress power imbalances to give us some chance of getting what users and

communities want. If we do these things, then a Compact can be a useful weapon in our armoury. But without these things, it will remain a useless piece of paper. Read more...

<http://www.independentaction.net/compact>

What is going on at Capacity Builders?

There seem to be various indications of 'headlessness' at Capacity Builders, the national third tier agency steering infrastructure support. First they lose their Chief Executive, Simon Hebditch, who has apparently gone off to "pursue other opportunities within the sector" (sounds suspiciously like spending more time with one's family). Then they get it in the neck from the infrastructure brigade, which has been milking the ChangeUp programme, controlled by CB. 70 representatives from the regional and local second tier agencies and their consortia attended a conference which concluded that communication "must be two-way, joined-up, appropriate and not overloading". All sounds very sensible, if impenetrable.

Meanwhile, many of those at the conference were wondering what had happened to the next lot of dosh they were expecting, for CBs had delayed decisions on its £18M 'consortia modernisation programme' (blimey, they were only set up three years ago, but already they need modernising!) - part of the £30m funding strand to build up infrastructure consortia.

And then there was the question of the Improving Reach programme. Another £18M quid expected to have been allocated at the end of March, but then delayed until the end of May. Our correspondent was told by her phone assessor that the 900 applications had already been assessed once, but then someone decided that not enough information had been collected. So yes, all 900 have had to be done again. In the interests of efficiency, of course, this task was farmed out to consultants (at a cost of?).

And then various volunteering bodies have not been happy either because their money for national support to volunteering, due on 1st April, had not shown up by well into June.

And then to add insult to injury, almost two-thirds of small infrastructure organisations said they were unhappy with the ChangeUp programme at grass-roots level, according to a poll of 117 chief officers of local organisations, carried out by umbrella body NAVCA. The survey reveals that 61 per cent are not satisfied with the way CBs has handled the programme at local and regional level.

Kevin Curley, chief executive of NAVCA, said that the question about CBs brought some of the most vitriolic comments he had ever heard. "People complained about disproportionate levels of management of local consortia by CBs. They see the organisation as rather frantic and not very well organised or strategic."

Catherine Johnstone, acting chief executive of CBs, said she would be meeting stakeholders across England to address the concerns. "Surveys such as this are incredibly helpful at this time in setting out what stakeholders value about our role and where we could do better," she said. Brave words.

In response, Bracknell Forest Voluntary Action has thrown up their hands and handed back their £22K consortium development money. Martin Gilman, from BFVA, says "we are completely fed up with CB missing deadlines. The reporting requirements and bureaucracy from CB far exceed other funders. CB has become too directive and most of that seems to come from Government. As a CVS and consortium we want to regain our independence. It's a huge relief from the growing frustration that CB were causing. I'm sure that Catherine Johnstone will do her best to improve things, but less sure whether she will be able to, with the Cabinet Office being her paymaster".

So now there are adverts out for the new CEO, Director of Finance, Planning and Corporate Services, Head of Programmes, Head of Policy, Policy Officer, Learning and Research Officer, Programme Manager (National Support Services), Project Manager, Website Development and a Governance Officer and Board Secretariat. One wonders if there is anyone left to turn the lights out?

Writings, musings and resources

Government prevaricates on UN Disability Declaration

The United Nations Convention on the Rights of Persons with Disabilities will now come into force as there are 20 countries which have ratified the treaty. However the British Government is not one of them. Anne McGuire, Minister for Disabled People has said that she is hopeful that the UK Govt will ratify by the end of 2008 but, there are growing fears that ratification will not be without reservations. This means that the Government could opt out of a number of Articles - such as Art 24 on Inclusive Education, Art 12 on legal capacity, Art 14 on liberty, Art 25 on access to healthcare.

The UN Convention Campaign Coalition has been set up to lobby the Government to ratify the UNCRPD fully and they say, "The UK Government cannot pick and choose which of our rights to recognise - the Government must recognise our rights, as disabled people, to live our lives with dignity, freedom and with equality.

A " Ratification without Reservation " petition has been created on the No. 10 website. You can sign it at: <http://petitions.pm.gov.uk/noreservations/>

Guide to Equality and Diversity

Following 18 months of research into equalities in the third sector, Olmec - the community investment foundation that works alongside disadvantaged communities - is launching a new *Guide To Equality and Diversity*. Olmec's research has shown that the sector's strong will to achieve equality and diversity, is sadly, often hampered by a range of barriers that prevent its successful implementation. In particular, organisations told Olmec that they are often overwhelmed by the number of systems, standards and regulations on equality and the lack of support in finding the resources most relevant to them.

The aim of the *Guide To Equality and Diversity* is to demystify the subject, outline practical steps that organisations can take, illustrate examples of best practice and case studies and to provide

organisations with a comprehensive list of resources which they can refer to. To find download a free copy of the guide, please visit the [Olmec website](#).

Futures for civil society – Carnegie to explore ‘burning issues’

Having completed the first phase of the Carnegie Inquiry into the Future of Civil Society in the UK and Ireland, the Trust has announced that it will now explore a series of 'burning issues'. The goal of the second phase of the Inquiry's work is to explore how policy and practice can be enhanced so civil society is strengthened. The themes involved are:

- Civil society, social justice and the growing pressure on global resources/climate change
- Spaces for meaningful conversations
- Civil society and the mainstream media
- the marginalisation of dissent.

To find out more about the Inquiry and how you can get involved please contact morven@carnegieuk.org

New Philanthropy Capital looks at campaigning

The think tank New Philanthropy Capital is looking into advocacy and campaigning, with a view to encouraging more donors to support this type of work. Maintaining independence and legitimacy is one of the issues that is being highlighted as an ongoing challenge for charities.

You can check them out at www.philanthropycapital.org

About this Newsletter

This newsletter is the voice of the NCIA. Views expressed are not necessarily that of everyone involved with NCIA. We aim to issue newsletters regularly to keep you informed of what we and others are doing or saying.

How Can You Participate?

Tell us your news, write articles, sound off with your opinions and feedback but - most important - find ways of taking your own practical action to defend and protect the independence of your work and aspirations.

Talk to us and others via the Coalition google group <http://groups.google.co.uk/group/ncia-discussions> or the Coalition email address - indyaction@yahoo.co.uk .

We are all volunteers here and we welcome more offers of help. If you'd like to help make this initiative prosper then please get in touch with us.

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