

The magazine of the Probation Institute

PROBATION

Issue 12: June 2019

Quarterly

Being conscious of the unconscious

Recognising unconscious bias

Renationalising Probation?

Models for the Future of Probation

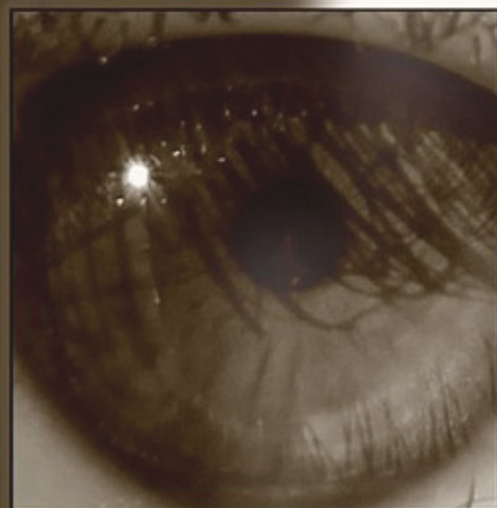
Attachment Theory & Probation Practice

The Process of Recall:

What Do Those on Licence Expect?

Sentencing & Penal Policy:

Ending Prison as the Default



PROBATION *Quarterly*

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Welcome to PQ12

Once again we have a wide variety of articles from researchers, practitioners and policy-makers in the community-based criminal justice public, private and voluntary sectors.

Helen Schofield's article on future models for probation is timely in light of the government's headline announcement to 'renationalise' probation supervision.

The theme of decision-making features strongly again. Sonia Crozier, Chief Probation Officer, has followed up the sentencing theme of the last issue of PQ with an article about a new digital application to assist probation workers in court

to recognise and avoid unconscious bias. Kate Parsons opens an important discussion about conflicting perceptions of recall decision-making and Cyrus Tata counsels caution in relation to the Scottish experience of the presumption against short prison sentences.

Following the Probation Institute's recent seminar on the Female Offender Strategy, PQ is pleased to include two examples of innovative work with female offenders - one from Sam Sanderson, Sussex Police, and Russell Webster, and the other from Brighter Futures, a voluntary organization in Staffordshire.



Two very different articles ask questions about the relationship between workers and service users. Laura Gaga provides a very personal and thought-provoking account of the importance of addressing the very basic, but much neglected, need for offenders to feed themselves and their families. Maria Ansbro, a recognized expert on the use of attachment theory in probation practice, provides a summary of her most recent research into the usefulness of attachment-related concepts and signposts readers to her longer article in the latest issue of Probation Journal.

Other articles include: the introduction of a new HMPPS toolkit on working with offenders with learning disabilities and challenges; and, personal reflections by Mary Anne McFarlane on many years of international criminal justice work.

Please take a look at the back cover and sign up for the 4th Practitioners Conference. But note, also, Richard Rowley's wonderful choice of image! A few years ago Rob Mawby and I likened probation work to 'Edgework' and illustrated this with rock-climbing ('Doing Probation Work' 2013). We argued that probation workers often willingly put themselves 'on the edge', using their skills to control the boundaries between order and chaos, life and death. Some people thought our analogy was fanciful but perhaps we were just ahead of our time?

I would like to welcome Anne Burrell as sub-editor for this issue and to say that we are setting up a small editorial board for future issues. As always, we welcome feedback on PQ and encourage readers to think about writing for us. We now have a generic flyer for PQ that can be taken to conferences or distributed in offices. Please let us know if you could use some hard copies. The next deadline for draft submissions is Friday 9th August.

Anne Worrall

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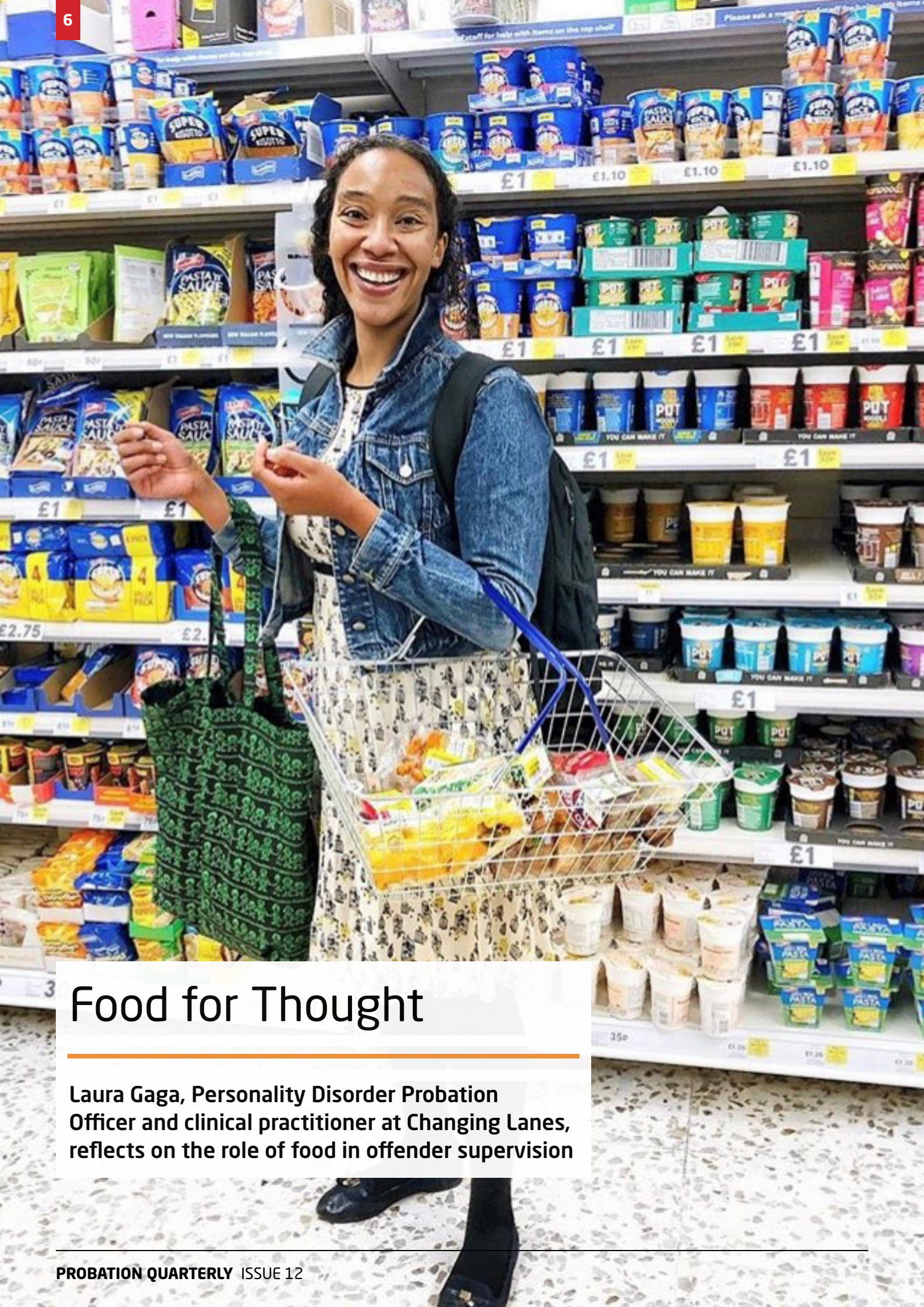
Guidance from the Editor

Probation Quarterly publishes short articles of 500 - 1500 words which are of interest to practitioners and researchers in public, private or voluntary sector work with offenders and victims.

These articles can be about:

- the activities of the Probation Institute
- news about the work of your organisation or project
- reports from special events, seminars, meetings or conferences
- summaries of your own research
- brief reviews of books or research reports that have caught your eye
- thought pieces where you can reflect on an issue that concerns you.

The articles need to be well-written, informative and engaging but don't need to meet the academic standards for a peer-reviewed journal. The editorial touch is 'light' and we can help you to develop your article if that is appropriate. If you have an idea for a suitable article, let me know what you have in mind and I can advise you on how to proceed.



Food for Thought

Laura Gaga, Personality Disorder Probation Officer and clinical practitioner at Changing Lanes, reflects on the role of food in offender supervision

There is considerable research into the Prison Service and food - the link between nutrients, health, aggression, the symbolism of food for prisoners in terms of identity, culture and relationships (HM Inspectorate of Prisons 2016). However, there is a lack of research in this area for offenders being supervised in the community.

Having spent my earlier adult years in the 'can't cook, won't cook' brigade, I am now confident in the kitchen, cooking with reduced price ingredients, which would otherwise be wasted. I began shopping in this way initially because of the money I saved. It then developed into a greater awareness of food waste, sustainability and the meanings attached to food. It has become associated with creativity, compassion, care and fun. However, when I reflect on my trajectory with food there have been times when it has been indicative of anxiety, fear, lack of control and insecurities within other areas of my life. We can all link our relationship with food to different times of our lives, for better or worse. As a result of my qualifying training as a probation officer more than 10 years ago, I have become aware that I have been afforded certain opportunities that, unfortunately, those we supervise do not all necessarily have.

For example, some while ago, I applied for charity money to buy a fridge-freezer for a high-risk offender, convicted of perpetrating domestic abuse against his partner, whose children were subject to care proceedings. When I carried out a home visit, I was dismayed that he had numerous designer trainers, and by his disclosure that he took his children to a fast food restaurant every weekend that he cared for them. On a practical basis, I could help him buy a fridge-freezer but I

also tried to encourage him to see how spending less money on trainers and fast food, and cooking from scratch would improve his finances and caring responsibilities. It made complete sense to me yet, on reflection, I made no effort to understand the role of food in his life, the meaning, the extent of his knowledge, skills, and how this could be limiting him as an adult. Had I explored this, it may have even put me in a better position to understand his abusive behaviours within a domestic context. How were his earlier experiences of neglect informing his parenting style? Did he perceive taking his children to fast food restaurants as an act of care? Was he compensating for his inability to provide a home cooked meal? Purchasing fashionable trainers can be an easy means of boosting one's self-esteem, confidence and status. Buying and preparing food on the other hand, takes time, patience, thought, expertise. Providing food for children requires one to have a clear understanding of, and ability to prioritise their needs, often over one's own.

Being attentive to the importance of nutrition, exercise and alcohol consumption on overall well-being can make a significant contribution to risk management and public protection. Gesch et al. carried out a Home Office approved, randomised trial of nutritional supplements on 231 young adults, at HMYOI Aylesbury in 1996 and concluded that:

'antisocial behaviour... including violence, are reduced by vitamins, minerals and essential fatty acids with similar implications for those eating poor diets in the community.'

(Gesch et al. 2002: 22)

Another client prided himself on leading a healthy lifestyle; he is a recovering alcoholic who has abstained from alcohol since being released from prison over 3 years ago, routinely exercises, doesn't smoke and considers himself to eat well. However, during one of our supervision sessions he shared that he was spending approximately £70 a week on food, a significant amount from his earnings, which were not much more than £100 per week. He lived in a small bed sit with hobs and no oven so relied on ready meals. His casual employment as a newspaper distributor meant that he would be offered work across London but only accepted placements near his home because he could not afford to travel further afield. When work was not available, not only would this create financial hardship, but would lower his mood, self-worth and increase feelings of anxiety. Together we considered how his food budget was impacting on other areas of his life. I collected free recipe cards from supermarkets for simple meals that could be cooked on the hob and gave them to him. He enthusiastically looked through the cards, surprised at how many different meals could be cooked without an oven and told me that he would try them out.

This simple act had profound significance for this man whose mother physically and emotionally abused him and his siblings when they were children. He disclosed that she would taunt them, by eating in front of them whilst they starved. Within our supervisory relationship, attending to his nutritional needs offered him a corrective emotional experience. Unlike his mother, I took an interest in how he nourishes himself, expressed concern and offered the means by which he could feed himself better. It was after this disclosure that I became fully aware that a seemingly practical intervention had huge therapeutic value. According to Hamburg et al.:

'Food offering is one of the earliest biobehavioral regulatory interactions between parent and child...The quality of these early interactions influences how people respond to situations later in life, and food offering in particular may be closely related to emotion regulation throughout the lifespan.'

(Hamburg et al. 2014)

At a training event, an expert by experience spoke of his therapy when an outpatient at a secure unit for offenders with personality difficulties. He recalled his use of aggression and how others, including the reception staff at the hospital, felt threatened by him. He spoke of feeling frustrated and enraged that there was a water cooler in the waiting area but no cups and therefore he felt taunted and experienced this as persecutory. Changing Lanes, an Offender Personality Disorder (OPD) Intensive Intervention Risk Management Service working with high-risk offenders with personality difficulties, has a water fountain and hot drinks machine in their reception area. Their lead psychologist mentioned how responsive the service users were to this and that they described feeling valued. Being able to offer drinks to those presenting in distress or agitated can calm certain situations, allow for time out. It can also open conversations about emotional management, behaviour and nutrition. And it can be assumed that service users who feel valued by organisations will tend to be more responsive to intervention and treatment.

In recent years, the Probation Service has seen a greater focus on the effect that biomechanics and psychological factors have on deviant behaviours with the OPD pathways programme being initiated in 2011 (NOMS and NHS OPD Strategy 2015). Whilst OPD pathways has brought about a greater focus on offenders' earlier experiences, the quality of their attachments and upbringing, the role of food and nutrition is still not given due consideration within this narrative.

'One of the social functions of families is to provide food; it would be illuminating to investigate the extent to which diets are affected by such breakdowns.'
(Gesch et al. 2002: 27).

Probation Approved Premises (AP) that cater and facilitate purposeful activities such as cookery classes offer offenders the opportunity to acquire the knowledge and skills to adopt an affordable, healthy balanced diet as an alternative to processed foods often high in sugar and salt and lacking nutrients. Having a meaningful engagement with food can also lead to positive behaviour change. I visited a psychologically informed planned environment (PIPE) AP in the North West and was told that every day a member of staff and a resident together prepare lunch for all. The staff spoke of how enabling this was for residents and different to other AP's where residents would not be permitted to be in the kitchen with knives. The residents at the PIPE AP responded to being trusted by staff, respected, treated as equals, afforded responsibility and autonomy, in what is essentially their home. Food preparation and sharing is symbolic of care, empathy and well-being within different communities and cultures; it's traditional in Britain to offer a cup of tea to those in distress.

'Much of human social interaction is centred on food...Food also represents an opportunity to indulge, communicate affection, and to experience religion and tradition.'
(HMIP 2016: 3)

Probation workers will often represent attachment figures for their clients who, as children, would have relied on care givers to meet their nutritional needs. As practitioners and organisations we need to be mindful that food is symbolic and can invoke strong emotive responses, linking to well-being, mood, behaviour and risk.

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Being conscious of the unconscious

Sonia Crozier, the Chief Probation Officer, talks about recognising unconscious bias, particularly following recommendations in the Lammy Review.

Probation practitioners on the front line are making important decisions on a daily basis – decisions which have real-life outcomes for our service users and the public. As Chief Probation Officer, I have always championed the use of professional judgment in our work, and taken all opportunities to promote it. We have an incredibly skilled workforce, and probation work should never be robotic.

But with professional judgment comes responsibility, and decisions we make should always be informed, transparent and consistently factor in unconscious bias. This is particularly pertinent in the fast-paced environment of courts. In 2017, the Lammy Review put a spotlight on the role of Pre-Sentence Reports (PSRs) helping to scrutinise sentencing decisions and providing detailed information on the character of an offender. But the Lammy Review also highlighted the effects of unconscious bias, and how having less time to complete a PSR might exaggerate it. With that in mind, the Effective Proposal Framework (EPF) was designed in 2017. The EPF is a digital application which aids probation staff in court by providing an objective shortlist of interventions for an offender, checked against eligibility, which could be proposed. Its development was led by Roz Hamilton in the North-West NPS division and was rolled out nationwide in April 2018, following pilots in Manchester and Bury, and approval from the then Secretary of State, Liz Truss MP.

The EPF does not replace professional judgment. Far from it; practitioners still need to interview defendants, do all the applicable checks and input profile data accurately. Rather, the EPF allows staff to be more efficient by refining a list of options and automatically making sure proposal criteria are met along sentencing guidelines and risk matrices. Ultimately, staff must use their own discretion in choosing a final proposal and can override the shortlist; it is just that the EPF

makes sure we are doing this in a more efficient, accurate and consistent manner, mitigating against any unconscious bias.

On that, I must emphasise the importance of consistency when thinking about bias. Since Transforming Rehabilitation (TR) placed court work under the one roof of the NPS, it is imperative that a standardised approach to rehabilitation is maintained so that, whether sentenced in Swansea or Newcastle, Ipswich or Carlisle, service users are always assessed within the same parameters.

The EPF has also allowed practitioners to focus on targeted interventions, which is vital in deepening relationships with CRC colleagues, addressing a decline in community orders and giving effect to new policy and strategies, including the Women's Strategy. The EPF has provided a re-refresh in our knowledge of interventions in each division, and the eligibility for these, by challenging us to think about what we are proposing. So, not only is the tool addressing unconscious bias, it is subtly helping us to individually uphold our main missions of rehabilitation and reducing risk and re-offending.

And it is working! Analysis in the North West shows a positive trend on proposals since the EPF was introduced. Between April and June 2018, when compared to the same period in the previous year, the total proportion of custodial sentences decreased from 55% to 44%. Conversely, the proportion of community sentences rose from 47% to 56%, with accredited programme usage increasing by a third. Female offenders were already more likely, prior to rollout, to receive a community disposal than custody, but the rate decreased from 43% to 35%. Similarly, BAME offenders were more likely than the general population to receive custody, and although this remains the case, the proportion dropped from 57% to 52%.

I can appreciate that in an already pressurised court environment, asking our staff to complete another process is not preferable. To address this, the EPF team continues to make the tool as user-friendly as possible, with several recent efficiency updates, and I am pleased these have been met with a positive reception. One practitioner recently told us that the EPF had helped him to influence the bench to keep an offender out of custody, by using information from the tool to present a more detailed PSR with a quick turnaround.

Examples such as this show how the EPF can help us to increase sentencer confidence in probation: through providing detailed and specific proposals. More than ever, this is central. The Secretary of State, David Gauke, announced on 18 February 2019 his vision for a 'smart' justice system and the strong case to abolish ineffective prison sentences of six months or less, switching resources instead into probation. He emphasised the importance of a probation system which has the full confidence of courts and the public. Sentencer confidence will be at the heart of this and, as part of improving confidence, the NPS conducted the Sentencer Survey which provided valuable feedback on our court activity. The overarching sentiment is that sentencers, more than ever, appreciate the support we give them. Of course, there are some areas we can work on, particularly when it comes to the quality of our delivery in the courtroom, and this has informed the new Vision Statement that the National Court Strategy Group has developed (we plan to launch it later this year). It will provide NPS staff with a clear steer for the next two years to help them deliver high-quality court work and increase confidence.

In a roundabout way, a key component of this will be the use of the EPF. Evidenced-based, consistent and detailed proposals should be central to our work. We can never be complacent when it comes to unconscious bias!



Sonia Crozier
Chief of Probation



**HM Prison &
Probation Service**



Sussex Women's Steps to Change **Triage and Diversion Project**

Sam Sanderson, Sussex Police,
Project Manager - Women in the
Criminal Justice System, and *Russell
Webster, Project Evaluator, present
the interim findings of the evaluation
of a Ministry of Justice-funded multi-
agency project for women.

As many readers will know, there is a well-established research evidence base around women's offending which says that:

- Too many women with multiple complex needs yet low level offending/risk profiles end up in the Criminal Justice System (CJS);
- Women have specific needs and face disproportionate disadvantage/high level of trauma and abuse; and
- Women's offending generates significant fiscal, economic and social costs well beyond the direct costs to the CJS.

In 2017, the Ministry of Justice recognised this issue and made funds available centrally for a number of pilot schemes to deliver a Whole System Approach to women's offending. Sussex Police and Crime Commissioner (PCC), on behalf of the Surrey and Sussex Criminal Justice Board, successfully secured some of this funding to develop a multi-agency approach to address the complex needs of often the most vulnerable and disadvantaged women in society who were being processed through the criminal justice system.

The Whole Systems Approach model is based on assessing need at first point of contact with the CJS in order to provide holistic support throughout women's individual journeys through the justice system and the PCC commissioned Emerging Futures to deliver a triage and diversion scheme known as the Women's Steps to Change (WSTC) project.

The scheme was similar to drug arrest referral schemes which used to operate in every custody suite in the country. However, its defining feature was that almost all the frontline staff (known as coaches) had experience of the criminal justice system, and were often themselves in recovery from drug and/or alcohol misuse.

Coaches either saw women who were arrested in the custody suite or, if they were not present at the time of arrest, followed up by telephone within two days and arranged to meet them. The coaches' role was straightforwardly to

engage with women who have been arrested, assess their needs, inform them of local helping services and motivate and support them (sometimes by accompanying them in person) to engage with these services. They provide ongoing information, advice and support (often by telephone, text and email as well as in person) until a woman is properly engaged with a helping service or for a maximum period of six weeks, whichever is sooner.

WSTC started operating in May 2018 and the interim evaluation report has found it to be extremely successful. Coaches quickly gained the confidence of police staff and referral and engagement rates were high; in its first 10 months of operation 350 women were referred to the project and almost half of them engaged with the service. WSTC coaches supported women with a wide range of problems, the most common of which were emotional and mental health, relationships, substance misuse, lacking a sense of purpose/identity and domestic abuse. Several others also had accommodation problems and issues with their physical health as well as needs relating to debt and education, training and employment. More than 200 referrals were made to helping agencies across Sussex with a number of individuals primarily relying on the advice and support of coaches themselves.

Helping agencies interviewed for the evaluation were unanimous in their positive view of WSTC, praising staff's professionalism and good communication skills as well as the quality of support provided to service users. Several highlighted the proactive nature of the service and expressed the view that some individuals would have been unlikely to have accessed their service without the support and 'handholding' of WSTC coaches.

The 22 service users interviewed for the evaluation were also very positive. They valued four key aspects of the service:

1. Information about local services able to meet their particular needs, plus practical help in accessing these services.

2. Recognition of their needs and support and motivation to be able to address them.
3. Advice on a range of strategies to improve their situation, often in relation to self-care and emotional well-being.
4. A sense of empowerment to be able to tackle their problems.

Asked to identify what they particularly liked about the service, the majority of service users highlighted the fact that their coaches were able to provide a very high level of emotional support because of their own personal experiences of the justice system. Several noted that, in contrast to many other services they had accessed, they did not feel judged. Some said they had felt very ashamed about their behaviour and that talking to someone with a similar experience had helped them move away from these feelings and start to actively engage in recovery. Service users also praised the commitment of their coaches with several giving examples of being found accommodation when they were homeless and receiving help on evenings and weekends.

The final evaluation is ongoing and outcome data around reconviction rates and whether service users have taken full advantage of the services they have accessed are not yet available. It is hoped that the final report will have been completed by July 2019.

The two quotes from service users below are typical in the way that women describe being empowered to tackle their own problems:

"Having been going through a difficult time in my life and being referred to Emerging Futures - I have felt very supported and valued, as a result of the support I have received I have felt more motivated to receive the support I feel I was previously lacking. I feel I am now able to make the positive changes in my life to help me move forward."

"After being arrested for the first time ever in my life I felt like I was falling apart, I didn't know where to turn. I was put in touch with Emerging Futures Women's Steps to Change Team who gave me hope that I could change my life for the better, my coach believed in me which led me to believe in myself - they gave me stability structure and support which encouraged me to be proactive and get important things done."

A final testament to the effectiveness of the scheme comes from the fact that two of WSTC's service users have started volunteering for the project and will shortly start training to become the next generation of coaches to help other women in contact with the justice system. The project is now targeting remaining resources in 2019-2020 to work with the top 10 most complex young girls aged 16+ and women across Sussex.

*This article was written by Russell Webster who was commissioned by Sussex PCC to undertake an independent evaluation of the Women's Steps to Change Project. Russell is a criminal justice researcher known to some readers through his blog which keeps readers up-to-date with the latest policy, research and practice in the justice and substance misuse sectors.

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Attachment Theory and Probation Practice

Maria Ansbro, Buckinghamshire New University, summarises her latest research on attachment theory.

Probation practice should be informed by various subjects. During training probation officers (POs) learn about bits of psychology and sociology, social policy and law, and emerge with a range of models to inform supervision, notably motivational interviewing (a practical, usable model, despite the wobbly evidence for a 'cycle of change'), desistance theory (a great strengths-based antidote to a deficits model, but just what does it mean in practice?), cognitive behaviourism (an essential model to know about, but in practice a vast and complex school), all whilst adopting a pro-social demeanour based on behavioural principles, and adhering to a particular set of values - and of course attachment theory is in the mix as well. Trevithick¹ described this as a veritable 'knowledge mountain'.

In 2008 I wrote an article about the use of attachment theory in probation practice, proposing that it helped to understand service users' relationships, offending, response to supervision, mental health (particularly personality disorder) and the ability to understand their own and others' mental states. It made a good sales pitch for attachment theory, and went down well. Several years later, it seemed only right to expose attachment theory to more critical scrutiny. Given that attachment theory comprises a vast expanse of research, with its own sub-themes and internal disagreements, and given that probation practitioners have to apply it alongside other concepts, which bits really have utility? I was keen that the views and experiences of practising POs should be paramount, as often they are instructed on best practice by those who have never done the job - or not recently.

A group of unfathomably generous POs met with me every month for six months, to discuss how their supervision of particular cases was going, and in particular to discuss four key attachment-based ideas. Were they useful, and if so how?

The first idea was that the supervisory relationship could, potentially, develop attachment qualities, providing service users with a reparative taste of a secure base. There was consensus that this idea was an asset in practice - there were regular accounts of supervisory relationships that seemed to have attachment qualities - the elderly sex offender, the young care leaver being supervised for domestic abuse, the lifer struggling to adjust after release. POs described how they were sought out in emergencies, how they were used to bring service users down from extremes of emotion in a crisis, how the ending of an order was anticipated with regret (all qualities of attachment relationships noted in the literature). And did those relationships truly have attachment qualities? The simple answer is that we will never know, and in a way it does not matter - a satisfactory acid test to distinguish a relationship with secure base qualities from one without is yet to be devised. The important point was that POs found it a useful way to conceptualise the relationship. It added an additional prism through which to view it - different from the Rogerian triad of empathy, genuineness and non-possessive warmth, different from a desistance notion of a collaborative partnership. It added the potential for a relationship with an emotional content, offering a sort of psychological safety. (By the way, there were also accounts of productive supervision in cases where there were no signs of attachment properties.)

¹ All references can be found in Ansbro (2019)

The second idea was that service users' attachment histories (when they wanted to share them) could offer insights into later life. This also met with universal approval, and there were accounts of useful connections being made between early care (or more importantly the lack of it) and later outcomes. At the extreme end there were breath-taking accounts of loss (being told as a child that their mother was dead when she was not, unwittingly assisting a mother to commit suicide) and abrupt abandonment (being taken into care with no warning, finding a whole family had emigrated whilst in borstal), but more typical were ubiquitous levels of parental substance misuse and violence. The POs made case-by-case connections between the emotional impact of such experiences and later relationships, offending, risk and reporting. Ultimately, those individualised connections were what mattered; research findings for particular populations are one thing (e.g. that early insecurity of attachment predicts later mental health problems modestly, and early disorganised attachment predicts those problems moderately) but it is another to figure out the meaning on an individual level.

The third attachment-derived concept was a relative newcomer to the attachment world - the concept of mentalization (aka the reflective function). The theory goes that if you have had a carer/parent who is an effective secure base then they will 'mirror' and 'mark' you towards your own emotional vocabulary - the first step towards knowing your own thoughts and speculating about others, a necessary skill for empathy. Your carer will also be sufficiently attuned to be able to sooth/pep you up, and eventually that experience is internalised. The result is an

empathic, emotionally regulating, 'mentalizing' adult. This concept received a mixed reception. The idea that violent outbursts could be viewed as momentary slips in mentalization had some mileage. However, the notion that probation service clients, and in particular those prone to violence/diagnosed with personality disorder were limited in their powers of mentalization did not line up with the individuals they were supervising. Whilst this is incongruent with some literature, when the primary research is dug out, it is indeed difficult to conclude that such groups do have low reflective function, and indeed the very concept of a reflective function can become a rather broad and unmeasurable thing. This issue is rather redolent of the 'What Works' notion that offenders offend because they lack empathy, and so need to learn to empathise - something that also lacks compelling evidence, and which Ruth Mann has questioned as possible 'correctional quackery'. On a general level, participants agreed that their supervision invited service users to examine their mental process, and to speculate about others - all of which could be described as mentalization enhancing work. However, the participants were doubtful that such work needed to be elevated to a theoretical level - it was an obvious and common-sense thing to do.

The fourth idea was that of attachment style. The theory goes that we all develop a dominant style of being attached, largely in response to the type of parenting we receive. Most of us are predominantly secure, and a minority avoidant, ambivalent or even disorganised. The question here was whether identifying attachment style with service users would help to understand maladaptive patterns, and even to change them?

Surprisingly, given the amount of coverage attachment style has had, this had the least utility of all of the ideas. Whether a formalised attachment styles approach was used (and there is one that is a standard part of some accredited programmes), or whether the idea was discussed free-style, service users did not recognise a dominant style that fitted them. And actually, although the concept of attachment style has been extensively studied, written about, and absorbed into pop-psychology, when the primary sources are returned to, the POs and their service users were probably onto something - the concept of attachment style is full of debates and mixed evidence. First off, there are a myriad different, competing models used to conceptualise and classify attachment style - a binary two-parter, a traditional three-parter, a four-parter which includes disorganised attachment, then other four-parters that do not, and that is before we even get to the 12-part dynamic maturational model. Regarding methods of classifying attachment style, fans of the narrative interview technique argue with fans of the psychometric self-report as to which works best. Then there is actually no evidence that links parental style with the main forms of insecure attachment. Similarly, the evidence for consistency of attachment style over time is only moderate, and it is commonplace for attachment style to vary according to different relationships. For specialists in the subject these complexities and vagaries are fascinating, and can happily be accommodated, but they do not make for usable ideas in fast-paced generic practice. Indeed Mary Ainsworth herself, in one of the last interviews she gave, expressed regret that her audiences were so taken up with the idea of attachment style - she had never meant it to be so, and she thought the emphasis should have been on the type of parenting that produces security.

Taken as a whole, it seemed that some aspects of attachment theory work brilliantly in practice, and others less so. The idea that the PO could represent a secure base, and that attachment histories can be significant, whilst not absolutely straightforward, are less contested and ambiguous than the concepts of reflective function/mentalization and attachment style. For specialists that work exclusively in the attachment world those concepts may be vibrant and usable, but in a generic probation setting where a smorgasbord of theory and knowledge could be drawn on upon, they crossed over a threshold beyond which they lost utility.

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The Process of Recall: **What Do Those on Licence Expect?**

Kate Parsons, from the HMPPS Effective Probation Practice Division, discusses her research on differing perceptions of recall.

This article draws on recent research to explore supervisor and supervisee understandings of the process of recall to custody for those who breach their licence conditions. It points to important differences of perception which have implications for the legitimacy of the process. Numbers of people being recalled have been steadily increasing since the late 20th century with recalled prisoners now making up 8.6% of the total prison population (Ministry of Justice 2019). The recently released Best Practice Guidance for working with recalled offenders (HMPPS 2019) recognises the need to improve practice with those who have been recalled and this research indicates that there is also a need to improve practice at the point of the initial release on licence.

Research by Padfield (2012) and Digard (2010) indicates that people who have been recalled to custody often experience this as procedurally unfair and that those who experience it in this way often indicate they will be less willing to engage with probation staff in the future. In undertaking research around recall decision-making I interviewed 9 men who were currently on licence residing in Approved Premises and 12 Offender Managers (Probation Officers) to explore their understanding of the recall process. A vignette was used to stimulate discussion and to provide a consistent point for comparison across the two groups. I found that for some of those on licence their understanding of how recall happens and what the recall decision is based upon was different to the process being followed by the those making decisions. It is therefore understandable that if or when a recall happens it would be experienced as procedurally unfair.

Residents misunderstood the operation of the recall process in a variety of ways including expectations that the decision would go via a court, involving a judge, and that there would be an 'investigation' with a decision whether an individual is 'guilty' or 'not guilty'. This can be seen from the following comments made by residents in relation to the individual in the vignette:

'If he'd done something else it could have influenced the judge not to recall him.'

'There'd be an investigation and justice would be applied; is he guilty or is he not guilty?'

It is unclear whether the process had been explained but not in a manner which had been taken on board by the AP resident, or whether their Offender Managers had assumed they already understood the process. Either way it was clear it was not well understood by those interviewed, including those who had been on licence previously. Some of those interviewed also distinguished between breaking laws and not adhering to licence conditions, viewing the breaking of a law as more significant.

This contrasted with Probation Officers who were focussed upon the recall tests as set out in Probation Instruction 27/2014 (revised 2017) (National Offender Management Service 2017) which focuses upon risk. The main consideration for OM's was what any breach of licence condition (be it breaking a law or a licence condition) meant in terms of an assessment of risk in this case. Furthermore, when Offender Managers instigate recall action, this is to prevent further offending or manage the risk and is not intended as a punishment, but those on licence consider it as a punishment as they were initially sent to prison for this very reason.

Two main factors appear to contribute to the differing understandings of how recall happens: content in official documents and previous experiences of court processes. With regard to official documents, the wording of the licence indicates that non-compliance with its conditions can lead to recall. This is inconsistent with the wording of the recall tests, all of which place an emphasis upon 'assessing the risk of harm to others'.

Therefore, if the offender were to repeatedly keep in touch with the Offender Manager in a manner that was not in 'accordance with instructions', for example by attending regularly but not at their allocated appointment time, this would technically be a breach of the conditions as set out in the licence but would not meet the recall test. Furthermore, there is additional internal guidance for Offender Managers (HMIP 2018:7) which requires them to consider whether alternative action could be successful in reducing or managing risk prior to instigating a recall and seeks to place recall as a last resort. There appear, therefore, to be conflicting messages. Of these documents, the only one which the offender sees is the licence, thus setting unrealistic expectations of when recall action would be taken.

Thinking next about the experience of court processes, all those who are recalled have been subject to court proceedings. The workings of the criminal justice system at the trial stage emphasise the importance of evidence, of both prosecution and defence having opportunity to put a case forward, and the concept of burden of proof. In contrast recall decisions are not made at court, evidence is not tested (other than potentially by the agency making the decision), there is no 'burden of proof' and intelligence can underpin the decision. The court process is open and transparent, unlike the recall decision-making process which, from the perspective of those on licence, happens behind closed doors. A number of the residents I interviewed had expected the process of recall to reflect the court process, which is understandable given that both are making a decision about the deprivation of liberty. The contrast between the attention paid to 'due process' in the trial and sentence stages of the criminal justice system and in recall decision-making is stark and no doubt amplifies the perception of recall as procedural injustice.

It is therefore important that practitioners take time to explain both how recalls happen and how the decisions about recall are made. The term 'recall' appears to carry with it a different meaning and taking time to explore this together could improve engagement post-release.

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Kate Parsons

HMPPS Effective Practice Division

International criminal justice work **A personal perspective**

Mary Anne McFarlane reflects on the benefits and challenges of international criminal justice work and why it is something that should interest UK practitioners

I have had the privilege of learning about international probation work since 2007.¹ As a Board member of the Confederation of European Probation, I developed a Statement on Probation Values and Principles aligned to those of the Council of Europe. In 2009, I led a 2-year European project in Turkey as Resident Twinning Advisor, developing services for juveniles and adult victims. Subsequently I have worked in Croatia, Jordan, Palestine, Romania, Kazakhstan and Turkey (twice). I have absorbed research from European and American criminology societies and conferences, and participation in four World Probation Congresses.

International criminal justice work seems very remote from daily working life in England and Wales, so I want to outline some areas where my thinking and practice have been enriched and extended. Within the international probation community some core elements of probation work seem to exist world-wide, mirroring the European principles and facilitating joint work. I have rethought issues of difference and diversity, and now have a much better understanding of what we share and where we differ, particularly in the Muslim countries where most of my work has taken place.

This cross-cultural transfer of policy and practice takes a special skill set, not just experience. The 60 practitioners from 7 countries who contributed to our Turkish project were at the top of their game. Those that did well had the ability to listen, observe with respect, and collaborate on an equal footing, while remaining true to basic human rights and core values. It is not helpful to impose one country's practice on another. And we have so much to learn from our colleagues. Communication skills are extended. Working through interpreters encourages non-verbal understanding, as you first hear and watch the

person speak in their own language. Conversely you need to avoid jargon and pare your own explanation down to basic concepts and theories, which really makes you think about what you mean. Language becomes central to mutual understanding, with the development of new words for new services, and re-examination of assumptions, all useful for work back home. And a reminder that humour often doesn't translate well.

In Jordan we were able to consult widely, using an open methodology with a wide range of stakeholders. This enabled the shaping of a genuinely Jordanian Probation Service (Guba and Lincoln 1989) which helped persuade the Minister to adopt the plan and the Parliament to pass the necessary legislation.

The integration of policy, research and practice also came to the fore for me, returning to practice from a leadership role. Many probation practitioners in other countries are highly qualified, e.g. PhDs in psychology. They are less experienced in probation but rigorously discuss the theories underpinning practice. All our programme manuals had a theoretical introduction with prior arguments about the applicability of particular theories suggested by both partners. We introduced ART (Goldstein's Aggression Replacement Training) to Turkey and to Jordan. With our partners we adapted the scenarios, role plays and exercises so that they were country-appropriate. However, we were in agreement about the psychological principles behind ART (e.g. internal and external triggers to aggression) and the pilots demonstrated the impact on participants. The graduate ceremony in Jordan included the young people acting out in little sketches the ways in which they had changed their behaviour, which was really moving.

¹ For brevity I have used the term probation to cover all community rehabilitation services and other terms.

On the other hand, I incorporated a Motivational Interviewing and Cycle of Change module into training in Palestine for resettlement prison officers, which did not go so well. I developed the programme in the UK before the project. Some participants struggled with the worker's role during the pre-contemplation phase as they wanted to get in quickly and "influence" the person to go down the right path. I had underestimated the effects of their faith, as well as the way relationships develop in a patriarchal culture. Motivational Interviewing is very much based on concepts of the individual, individual choice and the role of worker as facilitator rather than leader. Had I been able to develop the programme with Palestinian experts, we could have reframed this approach within their cultural context. This made me even more committed to joint working and planning before any training or programme development. As in the UK, we need to work jointly with communities and people with lived experience to ensure that theory is translated appropriately into practice (and perhaps some not used at all if it is particularly Western European, North American or based on male experiences).

My experience of working in countries where women are generally less empowered than in the UK was very challenging. We developed national victim services in Turkey including domestic and sexual violence. We were moved by the way in which some of the male officers really grasped issues of power and control during the training (though not all). And we worked across agencies to learn, for example, of evidence that better education for women in general had led to a reduction of violence in the home. But there were certain parts of Turkey where probation staff said they could not introduce the programme, as their families would have been under threat. We therefore introduced it in most but not all

parts of the country. In the UK it is also vital to think through our victim services carefully with those who know the situation best, so as to keep women safe and help them make the right decisions for them.

As a project leader or expert representing the UK, EU or UN, you receive a certain amount of respect for the role. But a female leader also has to tread a delicate path between assertion and challenging discrimination on the one hand, and developing positive working relationships with, say, the male judiciary, on the other. This comes with experience and eventually you may just know when to 'bang the table'. This balance is a useful skill anywhere where decision-making takes place within a male environment. Training heads of criminal justice and emergency services in Kazakhstan in the EEM and Equal Opportunities also required responsive determination, but we won through on a number of topics.

I found that attitudes towards juvenile offenders were generally less punitive than in the UK. Commitment to rehabilitation is very strong both in Turkey and in Jordan. However, the concept of shame is also much stronger, with a greater impact on families who may cast out members in trouble. Community payback was a popular sentence in Jordan partly for that reason, some form of compensatory action being part of the tribal tradition. But other issues, such as the attitude towards the Roma in Romania, proved much more entrenched than we could tackle in a short project. We simply had to raise the issue and make some reference in the manual. And when the political situation becomes very oppressive (as currently in Turkey) a decision is needed as to whether good practice transfer is possible within such a fearful atmosphere. Homophobia is also far greater in most of the countries I have worked in - an issue and barrier for all concerned.

Practicalities were on another dimension from the UK. Developing programmes and services across huge rural areas, with the main population living in a few huge cities, forced creative solutions. The probation service in Japan has 1000 probation officers and 48000 volunteers, building on their culture, enabling a real impact on offenders' work, living and leisure opportunities. In Romania we included a volunteer training manual in the juvenile programme - a new concept there. But if you live on the Danube Delta, it takes a day to reach the Tulcea office, requiring an overnight stay. Romanian officers consequently recognised the value of local community support for community service work and reinforcing the supervision aims.

The use of technology to support supervision has been very important. I worked remotely across Europe and wider through Skype, Zoom, Dropbox, etc., holding meetings, developing manuals with partners, and also editing a book with Rob Canton on cross-cultural policy transfer with 22 authors. I absorbed research and practice from probation services in Europe, for example Estonia, who have integrated electronic monitoring, as well as drug testing, into probation officer responsibilities. Many services are making use of various technologies to support supervision, some of which have been tested in the health service. Applications can be used to remind someone of the key elements of a programme they have undertaken, with an emergency number to ring if they start to relapse. This is not instead of face to face work, but is certainly a great supplement, and research in this area is promising.

Interested practitioners can expand their professional scope by working with different communities and cultures in the UK, and reading some of the debates on practice, research and policy on the CEP, COE and PI websites. International work could also be explored through organisations and companies that bid to work on projects or by direct bids as individual practitioners.

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Making our services work for people **with learning disabilities and challenges (LDC)**

The Performance Directorate, HMPPS, introduces a new toolkit



Can you imagine nobody is listening to you? Or how unfair it would feel if you couldn't access the services everybody else can? This is how it can feel, amongst many other things, for anyone with a learning disability. According to our data, over a quarter of the offender population is likely to have a learning disability or challenge; results from a new screening and evidence tell us that their needs are less likely to be met in the criminal justice setting.

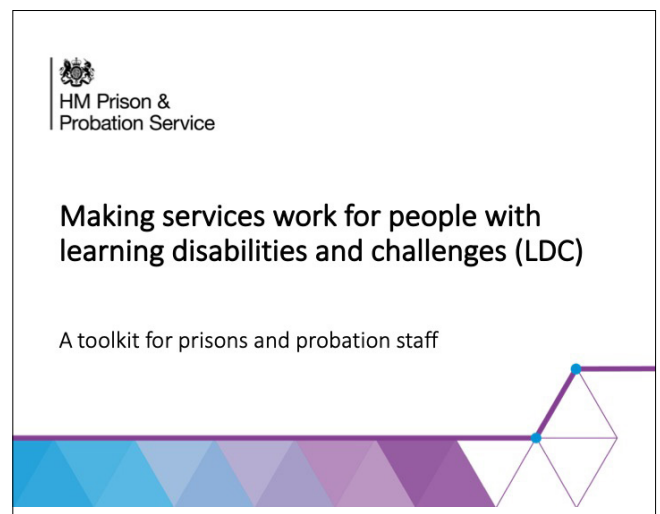
A learning disability affects the way a person understands information and how they communicate. This means they can have difficulty in areas such as:

- Understanding new or complex information
- Learning new skills
- Coping independently
- Finding their way around in unfamiliar settings
- Completing day to day activities like ordering meals in prison or managing money and using public transport in the community
- Understanding and complying with requirements such as prison rules or licence conditions
- Taking part in interventions which help people lead crime free lives

"I worry about missing appointments (with his probation officer), it would be better if they came to visit me. I don't want to get into trouble for missing an appointment."

No One Knows, Prisoners voices
Prison Reform Trust 2007

The Evidence and Service Improvement Team, which is part of HMPPS Performance Directorate, has developed a toolkit to help probation and prisons better meet the needs of those with LDC. The toolkit is designed for probation and prison service operational leaders, practitioners and equalities champions.



The toolkit includes an organisational self-assessment tool that can be used by a small group of practitioners and a manager. The self-assessment enables the group to evaluate their current services and identify areas for further improvements. The self-assessment is simple and self-explanatory. The toolkit enables users to look at how their support, services and surroundings can better meet those needs. This was implemented in many prisons and probation offices during the designing and testing stages and the feedback received from users was positive. The self-assessment groups identified issues such as difficulties in: sign-posting service users to partnership agencies, providing instructions, explaining licence conditions and exclusion zones and engaging with supervision.

Organisational self assessment tool

1. It's easy for all service users to find people they need to see and places they need to go



2. It's easy for service users with reading or communication needs to access the information they need in accessible formats



3. Our staff know what to do differently to meet the communication needs of service users with LDC



4. Our culture supports trying new ways of doing things so that we are more effective



Making the environment work



- Wayfinding, inclusion and engagement
- Using EASY READ and simple language formats
- Developing staff capability to respond to communication needs

5. Our staff understand what it means to have LDC's and the issues this raises for people in the criminal justice services



6. We know who our service users are with possible LDC



7. We record, share and monitor information about who has a possible LDC



8. We have clear referral routes for specialist assessment and service provision



9. We understand the data we gain from any screening activities and what actions we need to take



10. We understand how to work effectively with partners to improve outcomes and create value for service users with LDC



11. We understand fairness is important and take steps to ensure that we take account of the diversity of our service users



Improving how services are provided



- Knowing who may have an LDC and making decisions about further assessment
- Engagement, motivation, sentence planning and delivery
- Building partnerships with specialist voluntary and charitable organisations

12. We are proactive in helping service users to tell us what they need



13. We are confident that the social and emotional wellbeing needs of those with LDC are met effectively



14. We involve service users with LDC's in our work in order to make changes and drive improvement



Being the best we can be:



- Putting people with LDC at the centre of how we work
- Personal, social and emotional wellbeing
- User centred local process design

5

Preventing victims by changing lives

In addition to the self-assessment, the toolkit provides a useful resource pack that provides many ideas and resources on how to improve services. The resource pack includes information about partnership agencies that provide support for people with LDC. It includes information around easy read documents and accessing training, as well as practical tips, such as how to display information and make your environments more engaging and inclusive for service users with LDC. Many of the ideas are simple and can be used immediately.

The toolkit gives advice on how you can provide more equal and fair services for those with LDC needs. Please look at the toolkit and start using it with your colleagues to make even small changes that will make a big difference to individuals.

At the moment, the toolkit can be accessed through the following link but should be more widely available within the next few weeks:

<https://intranet.noms.gsi.gov.uk/support/a-z-what-works/learning-difficulties-and-disabilities-ldd>

For further information or if you have any feedback on the toolkit, please get in touch: LDD-Service-Improvement-Tool@justice.gov.uk

Renationalising Probation?

Helen Schofield, Acting CEO of the Probation Institute, updates readers on recent discussions about the future of Probation.

A group of organisations have been working together in recent months to seek common ground on the future of Probation. Whilst not always in agreement we have found some strong initial principles and recognition of the more challenging issues. The importance of this work cannot be underestimated. No matter what the timescale for change it will be crucial that the organisations in the criminal justice system who care very much about the role and future of probation can speak with one voice on central concerns.

We have published the Initial Principles and these are set out below. Since then discussions have enabled us to identify a set of further issues which will need considerable thought in informing the future. If there is a move to re-unite probation either completely or as in the proposed model for Wales (as anticipated in the Initial Principles) the model must look forward and address carefully many issues including the following:

1. What is the core role? What is it that we want Probation to do going forward?
2. The fusion of the Probation and Prison Services through NOMS and HMPPS needs review. This is clearly experienced as an uneven relationship and time needs to be taken to look at the benefits and dis-benefits together with alternative models which locate probation more firmly in communities.
3. The opportunities and risks entailed in GPS-enabled Electronic Monitoring, as a sentence of the court, must be grasped and addressed by Probation including the wider potential for supporting and enabling rehabilitation and protecting victims.
4. Commissioning of voluntary sector work to enhance supervision in the community must be better resourced, more transparent and consistent, and taken forward through joint commissioning structures.
5. Police and Crime Commissioners are very supportive and enabling in some areas, particularly with CRCs; their energy and

potential role should be explored more fully and engaged more consistently.

6. The active engagement of Health Trusts and Local Authorities in accepting responsibility for the mental and physical health, and housing of individuals who have committed offences in the community must be robustly re-enforced and re-imagined, and therefore requires review across government departments.
7. There are a number of critical areas which will need careful attention in any re-unification model including the current size of the workforce, roles and responsibilities of different grades, office accommodation and above all the dynamics of re-uniting a fractured workforce.
8. There is important innovative practice in some CRCs which must be protected and either alternatively resourced or effectively integrated.

The organisations working in collaboration are planning a Round Table Discussion with wider participation to look at these issues in detail.

Probation Alliance Initial Position Statement on Principles for a Future Model for Probation

The following have been agreed as initial principles which should inform urgent discussions about a future model for the structure of probation services in England and Wales.

1. Current Position

- Management of, and decision making in relation to the current position is creating serious risks to the public, to the confidence of sentencers, to the morale of the profession and to service users. These risks were set out in our original and follow-up letters to the Secretary of State. They have been clearly highlighted by the NAO report.

- We will continue to press for a pause in the process and the transfer of Community Rehabilitation Companies to the original 21 companies wholly owned by the Secretary of State set up in public ownership in 2014 to facilitate this.
- We have additional significant concerns about the speedy roll-out of the Offender Management In Custody programme. This is transforming the Probation landscape, creating new “facts on the ground” which may cut off options that could emerge from the current review which affords opportunities for new thinking.

2. Principles for Future Models

- The recreation of an independent professional leadership for Probation, for example, the re-establishment of Chief Probation Officer roles.
- The reunification of Probation.
- A publically owned service with directly employed staff.
- Governance of Probation should ensure both national and active local engagement.
- Dedicated funding must remain the responsibility of central government and where devolved must be ring-fenced.
- A future model must integrate provision of case management and the delivery of core interventions, like unpaid work and accredited programmes, under public ownership whilst encouraging the provision of rehabilitative services from other providers, particularly the voluntary sector.
- A future model should ensure that generic services that are fundamental to rehabilitation - health, housing, education, social care - are co-ordinated across central and local government.
- Evidence of best practice should inform future structures. This should involve looking at jurisdictions beyond England and Wales, including Scotland, the Netherlands, Scandinavia and the USA.

The case for looking more widely is strengthened when the future model of Probation is considered in the light of the Secretary of State's ambition to abolish the use of short sentences.

- A future model must ensure that use of technology both as a tool for assisting community supervision and as a recording/ case management system must be fully aligned with probation values and best practice and should support rather than supersede or impede face to face engagement.
- A future model must ensure that Probation practitioners and leaders are appropriately trained. Professional development, qualifications and ethical standards should be overseen by an independent body.

3. Possible models

- We agree that we should continue discussion on further aspects of a future model.
- There is broad agreement that in any future model, publicly owned and run Probation services should be part of a local joint commissioning structures.
- The role of Police and Crime Commissioners and particularly Metropolitan Mayors should be recognised but there must be the same operational independence for chief probation officers as there is currently for chief constables and a clear separation between Police and those involved in the delivery of sentences.
- Future models should address the interface with Youth Justice particularly around transition to adulthood.

Probation Institute

Napo

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Centre for Crime and Justice Studies

Centre for Justice Innovation

BASW Criminal Justice England

Sentencing & Penal Policy: **Ending Prison as the Default**

Cyrus Tata, University of Strathclyde, offers some timely insights from the Scottish experience of the presumption against short prison sentences.

Prison populations in both England and Wales as well as in Scotland have more than doubled over the last two decades. However, the ambitions of the two jurisdictions appear to be very different. In its aim that Scotland has “the most progressive justice system in Europe” (Matheson 2015), the Scottish Government is committed to a radical reduction in the prison population, and in particular what it deems the unnecessary use of short prison sentences. In recent months, Scotland’s presumption against short custodial sentences has attracted the attention of reformers south of the border. The presumption against prison sentences of three months or less was introduced in 2011 and the Scottish Government has committed itself to extending the presumption to 12 months. Should England and Wales follow the lead of Scotland?

What difference will extending the presumption make?

According to the Government’s own commissioned research, the three month presumption “has had little impact on sentencing decisions” (Scottish Government 2015a:1). One reason is sentence inflation. Rather than passing sentences of say three months, some sentencers, appear to have passed slightly longer sentences (Scottish Government 2015b:116-7). This phenomenon, predicted at the time of the passage of the legislation, has been found in other countries (Tata 2013).

To understand the problem, let us examine the relevant legislation. Section 17 of the Criminal Justice and Licensing (S) Act 2010 states:

“A court must not pass a sentence of imprisonment for a term of 3 months or less on a person unless the court considers that no other method of dealing with the person is appropriate.”

Section 17 could hardly be more permissive: the sentencer must not impose a sentence of x months or less unless s/he considers it appropriate. Does any sentencer, (or for that matter anyone), make a decision which she or he considers inappropriate?

To put it crudely, the legislation states: don’t do something unless you consider that you should. Little wonder then that “there was little sign of [the presumption] figuring prominently or explicitly in decision-making” (Scottish Government 2015b: paras 52, 63, 7.25, 7.64, 8.25).

It should be recognised that section 17 includes a requirement that where a court passes a sentence in excess of the presumption limit,

“the court must: (a) state its reasons for the opinion that no other method of dealing with the person is appropriate, and (b) have those reasons entered in the record of the proceedings.”

However, this is hardly a challenging requirement. Compliance can be fulfilled simply by noting a non-custodial sentence was ‘not appropriate’.

So we should expect that the extension to 12 months is unlikely to have much effect on sentencing practice: at best it is a reminder to sentencers of the existing injunction that imprisonment should be ‘a last resort’. Yet ironically, entrenching prison as ‘the last resort’ is the problem. Let me explain.

'Imprisonment as the last resort' embeds imprisonment as the default

For decades we have imagined that if only community alternatives to imprisonment could be sold as more credible than the use of imprisonment will fall (Tata 2018). It is a seductive logic. Yet instead what we have seen is increases in both community 'alternatives' and imprisonment, while the use of the fine has plummeted (Abei et al. 2015; Phelps 2013).

Although it sounds progressive, the prevailing approach that 'custody is a last resort' ends up meaning in practice that imprisonment becomes the default. When 'alternatives to prison' don't seem to work or seem credible, there is always prison. All other options have to prove themselves. Prison never has to prove itself. While non-custodial sentences and social services seem so stretched, imprisonment, on the other hand, appears as the credible fail-safe. As one judicial sentencer put it:

"really when I'm imposing short [prison] sentences, that's when we've run out of ideas!" (Scottish Government 2015b:128)

The language and mentality of imprisonment as 'the last resort' is a central problem. We need to relinquish it. Little will change unless and until we invert that thinking by beginning to specify certain circumstances and purposes as normally non-imprisonable.

Imprisonment and personal needs

Although it is uncomfortable for us to admit it, as a society prison continues to be used not because the seriousness of offending demands it, but because nothing else seems to be appropriate. We are using the expensive and harmful resource

of imprisonment in part to access welfare services. Many people end up in prison not because their offending demands imprisonment. They end up in prison because there does not appear to be anywhere else that can address their chronic physical, mental health, addiction, homelessness and other personal and social needs. The result is self-perpetuating: resources are sucked into the seemingly credible, robust and reliable option of imprisonment at the expense of community-based programmes which are made to appear as weak, unreliable and poorly explained.

One cannot blame individual judicial decision-makers for coming to the sincerely-held judgement that because the community-based services are so stretched the only way to address the needs of some individuals is to impose custody.

We need a public principle about what prison is not for.

My proposal is aimed at focusing our energies as a society on ending the use of imprisonment as the default option. We need a way to end the daily reality of people ending up in prison not because their offending requires it, but because there is nowhere else that seems able to take them.

'Last resort' has let successive governments off-the-hook: they are not required to provide the community justice and community services that are necessary, while prison numbers have continued to rise partly as a consequence. Instead, responsibility for the consequences of chronic needs and relatively minor offending is delegated to individual professionals who are presented with impossible choices. It is not their fault that they feel obliged to resort to prison when nothing else seems to be adequately resourced.

We need a change of discourse, a clear plan and target to get there. This of course requires radical change in our use of resources. To help focus ambition, I propose a two-part public principle to act as a target for a fundamental change of resourcing so that by (for example) 2040:

1. Imprisonment should be used specifically only where warranted by the seriousness of offending; and
2. Rehabilitation, self-improvement and other forms of personal help intended to address an individual's personal and social needs should be expressly excluded as grounds for recommending, suggesting and passing a custodial sentence. This allows prisons to do serious rehabilitative work with those whose offending demands they are there.

'Last resort' sounds progressive, but in fact it perpetuates the idea that prison is the back-up for community-based welfare services. We need to drop it and take prison off the table altogether for any citizen whose offending does not require it. Only then do we have a chance of seeing reinvestment in community justice and community services.

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£10 for a pair of job interview shoes from Primark

Lynn Arnold, Brighter Futures Women's Programme Manager, talks to Probation Quarterly Editor, Anne Worrall about recent additional funding secured from the Ministry of Justice as part of the Female Offender Strategy.

The Ministry of Justice published its Female Offender Strategy¹ in the middle of 2018 and followed it with a funding distribution of £3.3m to 12 organisations working with vulnerable women in the community. In January 2019, the Ministry announced additional funding of £1.6m to be distributed to a further 18 organisations.

Brighter Futures Staffordshire was one of these organisations and the funding has enabled them to enhance provision for female offenders and vulnerable women at risk of offending across Staffordshire by providing a combination of early intervention and intensive support on issues including homelessness, substance misuse and health.

Brighter Futures set up one of the original MoJ-funded one-stop shops for women offenders, which ran from Chepstow House. However, in 2017, due to local Government funding cuts, Chepstow House had to close. As a result, a one-stop shop service for women in Staffordshire ceased to exist. Since then, Brighter Futures has worked with the NPS in Staffordshire and the Staffordshire and West Midlands CRC. It has been contracted to provide programmes for women offenders with Rehabilitation Activity Requirement days:

- **Change (10 sessions):** These sessions will be tailored to the group's needs while focusing on a core set of subjects such as: low self-esteem and confidence, wellbeing, coping skills, communication, assertiveness and setting positive goals. This programme is run over ten weeks for two hours a week.
- **Healthy Emotions (5 sessions):** These sessions are for women who may need support for their wellbeing and emotional health; they aim to help women to identify and take control of their emotions. Sessions cover topics including anger, conflict resolution, stress and anxiety

and relaxation/coping techniques. This programme is run over five weeks for two hours each week.

- **Healthy Relationships (5 sessions):** These sessions focus on healthy relationships and improving personal safety from current and past partner relationships. They will help individuals to identify the signs of healthy and unhealthy relationships, giving them the tools to build supportive relationships in the future. This programme runs over five weeks and lasts around 2 hours each week.
- **Women's Next Step Programme (5 sessions):** These sessions are suitable for women who are in need of provision at the end of their order. We have considered areas that we may need to look at - and will provide a menu of options for customers to choose their own support needs. This will be given to them at the start of their journey and they will be given a feedback sheet at the end of each session to ensure this has met their needs.

The programmes have received positive feedback across all areas of the county and for all the programmes. Written feedback is sent to each offender manager after each programme. The team have experienced frustration from the customers about issues that they raised in the groups that could not be followed up afterwards. This is because of funding and timelines that only allows for the delivery of programmes. There have been many times that the women would have clearly benefited from some extra support after the programmes.

¹ www.gov.uk/government/publications/female-offender-strategy

The funding secured has allowed Brighter Futures to provide the 'wrap-around' support that so many women on supervision need. The funding has enabled Lynn Arnold to make two new appointments to her team to work more intensively with women who are already attending programmes. But it also broadened Brighter Futures' scope to include other vulnerable women.

'It's great to be able to give a woman £10 to buy a pair of shoes from Primark for a job interview. Without that help, she would have to choose between the shoes and feeding the electric meter,' said Lynn.

Lynn empathises with hard-pressed probation workers and says their relationships are very good. All she asks of them is that they get women into her office for a meeting. 'We'll do the rest and keep hold of them'. But she's delighted to report that there is now a probation officer located with Brighter Futures three days a week - 'she's a godsend'. This means that women can have their first initial assessment with a probation officer and complete their Meet and Greet pack with the Women's Programmes simultaneously. A colleague of Lynn's commented:

'This allows the team at Brighter Futures to access women in Stoke-on-Trent much more easily and efficiently. Having a main point of contact means that we can increase our numbers and we can contact the probation officer if we have any concerns and share any relevant information, or if the women wish to see her before or after groups. It also helps to create a female-only environment and allows the women to only access one building rather than multiple ones. This is essential as often a lot of the women who we work with suffer with anxiety which can be worsened when they are required to go to multiple unfamiliar buildings.'

In a previous issue of PQ (Issue 9, September 2018), Jessica Mullen and Anne Fox from Clinks, talked about the very difficult position of the voluntary sector post-TR. The relationship between Brighter Futures and both the public and private sector probation organisations seems to be an example of good practice at local level. It's one that Brighter Futures is keen to see expand.

To find out more contact Brighter Futures: www.brighter-futures.org.uk or email: womens.programme@chepstowhouse.cjsm.net



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