

The magazine of the Probation Institute

PROBATION

Issue 16: June 2020

Quarterly

Covid-19

How the Parole Board has adapted during a global pandemic

Crime in the time of coronavirus

Trends, typologies, and the longer term implications for the Probation Service?

Doing Time on Probation

Some experiences of family members

Rebuilding trust after recall

Experiences of offenders recalled to prison

PROBATION *Quarterly*

Editor

Anne Worrall

Designer

Richard Rowley

Editorial Board

Sam Ainslie
Anne Burrell
Steve Collett

Contributors

Caroline Broadbent
Anne Burrell
Nina Champion
David Coley
Kerry Ellis Devitt
Martin Jones
Kate Parsons
Sara Rattenbury
Helen Schofield
Anne Worrall

PUBLISHED BY



Acting Chief Executive

Helen Schofield

Address

2 Langley Lane, Vauxhall
London SW8 1GB

Web

probation-institute.org

Twitter

[@ProbInstitute](https://twitter.com/ProbInstitute)

Email

admin@probation-institute.org

Telephone

0203 0533 551

Organising a conference or event?

Recruiting staff?

Have something to publicise or sell?

Reach an exclusive readership of probation staff, senior managers, academics and others interested in criminal justice by advertising in Probation Quarterly.

It's cost effective too. Check out our rates.

Full page - **£250.00**

Three-quarters of a page - **£210.00**

Two-thirds (same as this space) - **£175.00**

Half page - **£150.00**

Quarter page - **£125.00**

Box ad (one column square) - **£50.00**

10% reduction for all those booking an advertisement for the first time!

Copy and advertising deadline for the next edition:
Friday 7th August 2020.

Email admin@probation-institute.org with your requirements.

4 Welcome

Probation Quarterly Editor Anne Worrall shares her thoughts on the key themes of this issue.

6 Covid-19 and how the Parole Board has adapted during a global pandemic

Martin Jones, CEO of the Parole Board of England and Wales, shares how this crucial organisation is responding to current challenges.

9 Probation work with families in the community

Anne Burrell and Anne Worrall report on the recent Probation Institute Research Conference.

13 Doing Time on Probation: some experiences of family members

David Coley discusses a recent research study by Kent, Surrey and Sussex CRC Research and Policy Unit.

17 Veterans in Custody, their Families and Children: A Needs Assessment

Sara Rattenbury reports on a research study by Barnardo's National Information Centre on Children of Offenders.

22 Probation Institute Work with Ex-Armed Services Personnel

Helen Schofield summarises the work of the Probation Institute in this area.

23 Rebuilding trust after recall

Kate Parsons offers further insights into the experiences of offenders who are recalled to prison during licence supervision.

27 From RMO to PO: Reflections on multi-agency working

Caroline Broadbent reflects on her transition from police staff officer to probation officer.

31 Crime in the time of coronavirus: Trends, typologies, and the longer term implications for the Probation Service?

Explored by Kerry Ellis Devitt from KSS CRC Research and Policy Unit.

35 Utilising lived experience for a better probation service

Highlighted by Nina Champion, Director of the Criminal Justice Alliance.





Early in March, the Probation Institute held a very successful research conference on the theme of 'Working with Families'. Those of us who attended were very conscious of coronavirus but I'm sure we didn't foresee what has happened since. We have all entered a different world and have had to change our personal and professional priorities. So I am delighted that enough people have considered it important to continue to contribute to the magazine, especially those on furlough.

'Working with Families' is one of our key themes and, coincidentally, seems rather poignant. For those unable to attend the conference, Anne Burrell and I have provided a short summary of the day. Two of the day's presenters - Shona Minson and Harry Annison - have already published in PQ and we have given you links to their articles. Another, David Coley, has written here about an aspect of his research as a taster of the full report which is due to be published soon.

Two articles enable thematic connections to be made not only with the conference, but also with the PI's long-standing work with ex armed services personnel. Sara Rattenbury, from Barnardo's, discusses their recent research on the needs of families of veterans in custody, and Helen Schofield updates the various projects that the PI has been involved in. Together, these articles provide an excellent package of resources for anyone working in this area.

Nina Champion, Director of the Criminal Justice Alliance, highlights their recent report, 'Change from within' which demonstrates the importance

of employing people with lived experience across the criminal justice system. She suggests ways in which probation can harness such experience.

The latest recipient of a Sir Graham Smith Research Award, Kate Parsons, has completed her research on the experiences of service users who have successfully completed licence supervision despite having been recalled to prison during the course of it. The full report of the research will be available on the Probation Institute website soon.

It is always good to hear personal reflections from individuals on their daily work. This time, Caroline Broadbent, a newly qualified probation officer, reflects on her transition from being a police staff officer and considers the creative tensions that exist in multi-agency work.

When the Parole Board agreed to write an article for PQ, I didn't expect Martin Jones to be writing about the impact of coronavirus on its work. That he has done so is testament to the creativity and determination of this crucial part of the criminal justice system. Similarly, Kerry Ellis Devitt's informative article about crime trends during lockdown is a welcome contribution to this issue. These articles demonstrate how important it is to chronicle changes (even if these turn out to be temporary) and positive adaptations at a time of national crisis. I hope very much that other readers will decide to write about the ways in which they and/or their organisations survive these extraordinary times for the next (September) issue of PQ. The deadline for submissions is Friday 7th August.

SUBMIT AN ARTICLE FOR THE NEXT EDITION OF THE PQ?

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.

Disclaimer

All contributors must adhere to the [Probation Institute Code of Ethics](#) but the views expressed are their own and not necessarily those of the Probation Institute.

Anne Worrall
Editor, Probation Quarterly

Email: anne@probation-institute.org



A white hard hat is positioned in the upper left corner. Below it, a white paper is angled diagonally across the frame. The paper features the word 'CORONAVIRUS' in large, bold, green capital letters. Below this, the phrases 'STAY AT HOME', 'PROTECT THE NHS', and 'SAVE LIVES' are written in bold, black capital letters, stacked vertically.

CORONAVIRUS
STAY AT HOME
PROTECT THE NHS
SAVE LIVES

Covid-19 and how the Parole Board has adapted **during a global pandemic**

Martin Jones, CEO of the Parole Board of England and Wales, shares how this crucial organisation is responding to current challenges.

The Parole Board has continued to make thousands of parole decisions amid major restrictions brought in as part of the coronavirus lockdown. The Board had to act extremely quickly to rethink how it would progress cases, and in doing so has found innovative ways to keep the system moving as efficiently as possible. We have been unable to hold face to face oral hearings since March 23rd when prisons effectively closed to everyone but staff as the UK went into lockdown. However, despite the unprecedented times we find ourselves in, the Parole Board is continuing to progress cases every day through remote telephone and video hearings alongside a new intensive paper process.

Provisional figures indicate that well over 4,500 parole decisions have been made since the coronavirus situation began to escalate. 500 prisoners have been directed for release, which is on a par with what we would expect, while a further 2,235 people have had their detention reviewed and have been ordered to remain in custody for the protection of the public. To put that in context, according to Parole Board figures for 2018/19, an average month would see 240 releases, 810 refusals and 660 oral hearings.

A huge proportion of cases are being dealt with remotely. Over 1,100 telephone hearings have already been scheduled for the coming weeks with around 666 already concluded. We have also facilitated 97 video hearings and have another 93 set up. These numbers are increasing every day as our dedicated taskforce - set up in light of the crisis - works tirelessly behind the scenes to keep cases moving.

So far, the Board has managed to keep delays and cancellations to a minimum, with 184 cases adjourned due to Covid-19 and 22 cancelled. As it stands, I see no signs of a backlog emerging, though we are monitoring the situation closely and constantly collating data to keep abreast of our progress.

the Parole Board

working with others
to protect the public

I would like to reiterate that although we have had to adapt the ways in which we work, our principles of fairness, protection of the public and the test for release have not and will not change. This is an anxious time for everyone. Prisoners are entitled to have their cases reviewed in a timely fashion and we must provide ongoing reviews regardless of the difficulties we face.

Every case received by the Board is initially reviewed on the papers and we have accelerated through this initial review process during the lockdown. However, at the point at which we paused face to face reviews, over 2,500 cases were in jeopardy. Those cases are all being reviewed individually to consider if they can proceed by way of a paper or remote hearing. Following a huge amount of work, the number awaiting a decision as to whether they can proceed, has reduced to around 1,091 - a decrease of over 1,400 since March 23rd. The remaining cases are being reviewed to consider if they can be concluded on papers or remotely.

I am glad to say that panel members continue to be extremely flexible in allowing hearings to conclude via telephone, and the other parties, including probation officers, are also being very flexible. However, despite this progress, I am conscious some more complex cases will need to be conducted via video. The Board has tested a new system that would enable all parties to conduct a video hearing on their laptops. We are now in a position where we can be confident that most prisons can start to support this way of working, so we can progress the more complex and knotty cases.

I have written to management at 50 prisons across the country to seek their continued support for parole business and ensure the required IT facilities are in place to carry out hearings remotely. Despite the significant challenges facing the front line, I have received incredibly positive responses from the Governors I have spoken to and I am hopeful this continued positive cooperation between all parties will maximise the progress we make in the months ahead.

To summarise, here is a breakdown of some key figures amid the lockdown (up to mid May):

- More than 4,000 decisions have been made at the initial paper assessment stage
- 1,091 oral hearings need to be reviewed to decide whether a paper assessment or a remote hearing is appropriate - a reduction of over 1,400 from 2,500 since March 23rd
- 500 prisoners have been directed for release so far
- 2,235 refused release for the protection of the public
- 22 hearings have been cancelled due to Covid-19
- 184 oral hearings have been adjourned due to Covid-19.

Whilst large areas of The Board's resources are currently diverted to ensure the effective running of the parole system amid the public health situation, it is also vital that The Board still remains focused on its long-term goals and objectives. That is why we have shared our 2020 to 2022 business plan in recent days which includes our strategic aims and priorities. It is worth noting that while the ongoing situation with Covid-19 will have a significant impact on the timings of the delivery of this plan, the aims and objectives still remain relevant, perhaps even more relevant, and the Parole Board continues to work towards these. I have shared these objectives below.



Martin Jones

CEO

Parole Board of England and Wales

To help us make the best decisions we plan to increasingly use research to inform our understanding of risk; provide members with a revised framework for decision making about risk and provide more legal training and support. To improve our efficiency and effectiveness we will ensure that all 26,000 cases heard per year are processed in a timely manner and ensure we have better dossiers on prisoners. Openness and transparency is also a huge part of what we do and we have made major strides in this area in recent times, which we are determined to build on. The Board will continue to provide a service to produce around 100 summaries per month to explain our decisions to victims, the public and the media and publish our reconsideration decisions.

To conclude, I would give my assurance that no parole review has been forgotten or overlooked amid Covid19; we are doing everything possible to get through our caseload in a timely fashion despite the current restrictions. We will ensure we provide regular communication to people as the situation develops. Please stay safe.

Probation work with **families in the community**

Anne Burrell and Anne Worrall report on the recent
Probation Institute Research Conference.

In March 2020, Helen Schofield, Acting Chief Executive for the Probation Institute, welcomed over 50 delegates to its latest research conference. Most attendees were new to the PI, and there was a diverse range of academics and practitioners, many of the latter from specialist roles within the NPS and CRCs. This mix of professional backgrounds contributed to what was a lively and informative event.

The decision to plan an event around recent research into work with families, and to consider the implications for probation practice, arose from a perception by the PI Research Committee, that work with families¹ has diminished over the period since Transforming Rehabilitation. This proved to be the view of many of the attendees and to be borne out by the research findings presented during the day.

Shona Minson, from the Oxford University Centre for Criminology, opened the day with a discussion of the urgent and pressing need to take into consideration the impact of sentencing, whether a custodial, or a community sentence, on the dependents of adults being sentenced - most likely children, but including vulnerable adults.

Stemming from a children's rights perspective, Shona's research covers two areas - the parameters of decision-making in courts with regard to consideration of dependents and the impact of maternal imprisonment on children. New sentencing guidelines place a duty on sentencers to consider the impact on dependents and this justifies a robust approach from probation practitioners when writing and presenting reports in court. In particular, probation officers should not be afraid to request adjournments for full reports on the grounds of safeguarding.

Shona's research into the impact of the imprisonment of women on their families has informed the MoJ Female Offenders' Strategy, 2018. She noted that children and families suffer a physical impact - not least as a change of home and carer(s) is often a consequence of the sentence. Alongside the associated increase in poverty there is disruption to education. Children report being socially isolated and feeling stigmatised by their mother's situation. Children manifest changed behaviour with increased aggression, bedwetting, and, in the longer term, mental health issues, alongside diminished educational achievement.

Shona has created four short informative films, each addressing a target audience. We were able to see the film aimed at probation practitioners, which includes interviews with children - which Shona regards as imperative to ensure the voices of children are heard. NPS practitioners can access this film via the HMPPS Intranet. Further information about Shona's work can be found in her article for [Probation Quarterly 8 \(June 2018\)](#).

Harry Annison and Christina Straub, from the University of Southampton, spoke about their research into the impact of IPP sentences on families. An earlier project undertaken by Harry into the consequences of IPP sentences concluded that such sentences were deeply harmful to families; that the state should seek to mitigate those consequences; that changes to policy and practice should be made, to better enable the resettlement of a family member serving an IPP; and, that such changes would benefit the wider criminal justice community.

¹ The conference acknowledged the contested nature of the word 'families' and adopted a broad working definition of 'those closest to the offender'.

Key themes to emerge from the research, and which have particular significance for probation practitioners, were the lack of information regarding the processes of an IPP sentence - particularly regarding progression through the sentence, licence conditions, and recall. Many families hold a strong sense of injustice regarding the sentence on their relative, and its impact for the family as a whole. The family of an IPP prisoner will carry considerable burdens in supporting their family member and effective practice needs to take cognisance of this fact. It was acknowledged that OMIC, and the IPP Action Group and Action Plan, are all having a beneficial impact on the status of IPP prisoners - but Harry reminded us of the sense of hopelessness which characterises the lives of IPP prisoners and their families and argued that the state has a moral obligation to address these needs.

Christina Straub discussed in more detail the research with the families and outlined the specific concerns which this elicited - notably, regarding the high turnover of probation practitioners working with their relative; the lack of information regarding what appears to be the mandatory use of Approved Premises on release - even where families feel that they can offer appropriate accommodation and support; and, the implications of supervision on licence. The provision of information and guidance by probation practitioners were seen as key to family and prisoner wellbeing and the research report proposes specific training and guidance for Trainee Probation Officers with regard to the management of IPP cases (Annison, H. and Straub, C. (2019) A helping hand: Supporting families in the resettlement of people serving IPPs.' Prison Reform Trust and the University of Southampton). A full summary of the implications of this research for probation practitioners can be found in Harry and Christina's article in [**Probation Quarterly 14 \(December 2019\).**](#)

Sophie Ellis, from the University of Cambridge, presented the Families and Imprisonment Research Study. This longitudinal study has followed a group of 54 families from 2009 to 2018, and has used a mixed methods approach to explore the short and long term impact of paternal imprisonment on the families. The study adopted a resilience framework, to analyse the adjustment of families to paternal imprisonment, release and long-term resettlement, and understand what factors helped families to navigate the imprisonment of the father.

The study included fathers who had received a prison sentence of six years or less, together with their (ex)-partners and their children. Children aged 4 years and upwards were interviewed, and parents provided data on their children of any age. The study did not include families of men convicted of sexual or intimate partner violence offences. The study examined the quality of family relationships over time, and explored the impact of changes caused by the absence of the imprisoned parent. Family survival appeared to depend on the commitment of the adults to the family unit and their sense of identity within the family, regardless of whether parents were still living together. Participants' perceptions of what counted as 'family' were often broad, including extended family, former partners and friends. There were positive outcomes for desistance over the long term, with 45% of fathers interviewed at the most recent wave remaining out of prison since the initial period in custody.

Sophie outlined the families' experiences of probation services, many of whom would have appreciated more contact with their relative's supervising officer. There were considerable anxieties about recall, which were felt by the family as a whole. Some family members felt 'judged' by probation practitioners and there was no doubt that many family members experienced probation as punishment. Communication and consultation, particularly about licence conditions and risk assessments, were appreciated. Most of all, families wanted information about release, resettlement and recall.

David Coley and Kerry Ellis Devitt, from the Research and Policy Unit at Kent, Surrey, Sussex CRC presented their research. 'The Family Involvement Project' looked at probation practice with families, including the nature and regularity of contact between probation practitioners and families of service users. Some of the research findings are discussed in greater detail elsewhere in this edition of PQ (Doing Time on Probation p13). 'Take home points' included the value of involvement with families for practitioners and for supervisees; the value of being flexible about the location of family contact; and, the value of open communication. The final report will be available soon.

Chloe Duxbury from PACT, presented a groupwork programme on relationships, designed for men subject to supervision. The approach involves a bespoke course, aimed at supporting participants in understanding effective communication, particularly within the context of their family background, using accessible and active methods of learning. Most of the techniques would stand any family in good stead in conflict resolution and problem solving!

The day concluded with small group discussions. Common themes to emerge were: identity and being part of a family; concerns about risk and privacy; meeting diverse needs; and the current culture of probation work, which seems to militate against creative and flexible work with families - especially when combined with the limited training available in this area. It was encouraging to have learned so much over the course of one day regarding current research with families and it was constructive that so much of the information shared by researchers could be adopted and adapted by probation practitioners. The PI would like to express its appreciation to all our speakers and attendees for your commitment to the conference, and your enthusiasm for the research topic.



Anne Worrall
Editor, Probation Quarterly



Anne Burrell
PTA and member of the Probation
Institute Research Committee



Doing Time on Probation: some experiences of family members

David Coley discusses some findings from a recent research study by Kent, Surrey and Sussex CRC Research and Policy Unit.

The impact of a prison sentence on the family of a prisoner has been increasingly addressed in recent years (Farmer, 2017) and the adverse consequences for children are also well documented (Burke, 2017; Beresford, 2018). Correspondingly, many family members express the view that they themselves are 'doing time' as the enduring upheaval in their lives can feel as if they too have been sentenced. Consequently, this issue prompts questions regarding the extent to which these experiences continue when a service user is released on licence and has to report to probation, or indeed how it feels for family members if an individual is made subject to a community order. In a recent research study undertaken by KSS CRC Research and Policy Unit some partial insights into these questions have been gleaned. The study, entitled 'The Family Involvement Project', was designed to examine the views and experiences of both staff and family members' involvement in probation services within the organisation. Based on interviews, focus groups and questionnaires, the findings include some unforeseen accounts indicating that some supportive family members feel as if they are also on probation. Here we trace some of the study narratives in an effort to understand the emotional, relational and material journeys that certain family members undertake. The final report, due to be completed in the next few weeks, will cover all aspects of the research.

Living their own kind of sentence

The experience of seeing a loved-one being incarcerated is traumatic. For one participant in the KSS CRC research study, Susan, this was a double blow:

"When (my son) was sentenced and taken away, it was like a living funeral, because I had a second son that died....and you don't know what to do...it's a minefield....because nothing made sense to me, and you go on, you haven't got a clue where your son or daughter or husband or wife is, because they're just taken from you".

This graphic picture painted by Susan speaks of a sense of loss, suffused with experiences of confusion as a family's world is turned upside-down. Similarly, the resettlement phase of a service user's release can remain somewhat difficult for supportive families. The thoughts of one participant highlight the challenges of trying to support a loved-one to reintegrate into home life:

"They are a nightmare when they first come out of prison, a nightmare. It takes quite a while for him to settle down and to be home...I think it's because they come out with a bit of a chip on their shoulders, they feel that they're victims, and they're not the victims. They don't think about the trouble they have caused, or what they leave behind for the family I have had to bite my tongue an awful lot, when really I want to give it to him with both barrels. 'Now come on', you know, 'settle down'.....he's not really got any problems at all".

Helen's comments above are concluded with a self-assertive statement in which she makes it patently clear that she is "not just someone who runs a taxi service to take him to his (probation) appointments"! We can see here how living with someone on probation "does affect family members as well.....they are living their own kind of sentence, in a very different way" (Georgina).

As the requirements of probation supervision place emotional demands upon service users, so too they can impose unseen pressures on family members, primarily supportive partners or parents. When assisting with attending supervision appointments this can include just getting through the door of the probation office, entering the reception space and perhaps interacting with staff. For those with a less than ideal previous experience of interaction with probation, such as Tammie,

"it was treating you like you were some sort of wrong-doer.... you know, and I didn't like that, not at all. Making you feel like you're all tarred with the same brush.....meaning like if there is one wrong-doer, then you must all be the same, like a den of thieves".

As another study respondent puts it, "I've never been in trouble in my life (but) I feel like I'm going for it with him, you know" (Nala). This cannot but have an emotional impact upon supportive family members. Some indicate that when waiting in a probation office, "I think, 'I shouldn't be here', I feel really bad" (Karen), as mixed feelings of awkwardness, embarrassment and confusion typically surface. Concealed emotional tensions can even extend to undertaking probation 'homework'. For some mothers with sons on probation, in a similar position to Mary,

"some of the sheets that they give them to do as like courses or homework or whatever, he finds difficult. So I spend time doing that. And it's the emotional side of it, they're angry sometimes, upset,...(but)... someone's got to do it".

Whilst it is not the role of the family member to undertake offence-focussed work on behalf of a service user when in the family home, for some it would appear this is all part and parcel of their undertaking some form of secondary, vicarious probation penalty. A further family stressor unearthed by the study relates to secrecy within families:

"I have kept his conviction secret from extended family and friends at home" (Amara).

This issue surfaced within several participant narratives as they wrestled with navigating the subtle and complex dynamics of family life, a challenge that within this study primarily fell upon women in the family.

Perhaps inevitably issues of financial concern arose within personal accounts, especially for those who support service users with impairments. Emma informs us: "Half the time it's me lending him the money to get over there, and I know you get it back when you get there, but it's having the money to give him in the first place", or put more starkly by Sarah, "I can't afford to support us both. Universal Credit pay me £190 per month". Where multiple disadvantage

is apparent, these issues certainly beg the question as to what extent it is in the interests of probation providers to meet the travel costs of significant and supportive others who in many cases facilitate and ensure probation attendance. Equally, families must be viewed in holistic terms as multiple intersecting factors such as health, poverty, and substance misuse may form everyday elements of their lived experiences (Good and Marriott, 2017).

Just a few kind words

At a fundamental level most family members who are supportive simply want to be acknowledged, listened to, and make a contribution to supporting the desistance journey of their loved-one. Communication is key to this. Guidance for professionals on how to build working relationships has been readily available for some years now (ATD, 1996). As Anna explains, her son's probation officer,

"was able to call me up and say, 'Is everything OK? Are you sure? Tell me if there's anything wrong, we can work through this'. Do you see what I'm getting at? Sometimes it's just a few kind words.... It's because she was willing to talk to me, and I phoned her, and I said, 'Can we do this? Can we do that? Tell me what I need to get', you know. She was just brilliant and I felt very, very grateful for that".

Ultimately, the sentiment that most voices who spoke within this study would probably subscribe to is one that supports desistance:

"Crime, it's fast gain but long term pain, isn't it,...I think the whole system has got to liaise with the families. Because if you've got a supportive family, you've got more of a chance of turning your life around, and if you haven't got a supportive family then unfortunately you've got more of a chance that....you're going to go back inside....you need to have an infrastructure around you" (Anna).

Conclusion

It cannot go unnoticed that all the voices within this brief exploration of family members supporting service users on probation are those of women. The gendered response to this study indicates that it is female partners, mothers and grandmothers who bear the brunt of supporting family members on probation, primarily men. The impacts are material, emotional, relational and financial. The study findings signify that female family members need to be seen in more than one-dimensional terms (Terry and Cardwell, 2016). They are more than individuals who passively attend somewhere in the background of any male service user's desistance journey. Further detailed exploration into these issues would appear timely and requisite.

These study findings echo the view that sometimes life can be far from a family walk in the park for those who navigate supportive relationships with someone on probation, with this navigation task falling largely upon the women of the family. This suggests that their stabilising and accommodating role warrants wider attention within front-line probation practice. As such, it can be argued that within any probation supervision a narrow focus on the needs of predominantly male service users may prove insufficient, as they are not the only ones doing time on probation.

To register your interest in the final report please contact: David.Coley@ksscrc.co.uk




David Coley

KSS CRC Research and Policy Unit

References

- ATD, (1996) *'Talk With Us, Not At Us': How to develop partnerships between families in poverty and professionals*, ATM Fourth World Publications, Paris.
- Beresford, S. (2018) *What About Me? The impact on children when mothers are involved in the criminal justice system*, Report by the Prison Reform Trust, London.
- Burke, L. (2016) *'Children and Families: The collateral consequences of punishment'*, Probation Journal, Vol. 63(3)251-255.
- Farmer, M. (2017) *The Importance of Strengthening Prisoners' Families Ties to Prevent Reoffending and Reduce Intergenerational Crime*, Report by Lord Farmer, Ministry of Justice, Prisoner Reform Programme, London.
- Good, F and Marriott, C. (2017) *Understanding the Whole Family – The role of families in the lives of people with severe and multiple disadvantage*, Lankelly Case – Revolving Doors Agency, London.
- Terry, L. and Cardwell, V. (2016) *Understanding the Whole Person – What are the common concepts for recovery and desistance across the fields of mental health, substance misuse and criminology?* Lankelly Chase – Revolving Doors Agency, London.



Veterans in Custody, their Families and Children: A Needs Assessment

Sara Rattenbury reports on a recent research study by Barnardo's National Information Centre on Children of Offenders (NICCO).

Image: contains public sector information licensed under the Open Government Licence v3.0.
<http://www.defenceimagery.mod.uk/fotoweb/archives/5042-Downloadable%20Stock%20Images/Archive/Army/45152/45152384.jpg>
Licence: <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Barnardo's has over 30 years' experience of working specifically with offenders and their families, both in prisons and in the community and has over 20 different projects nationally. As a result of the expertise gained from this work the Department for Education commissioned Barnardo's, in 2013, to develop an online information hub (formerly known as i-HOP). In 2018, Her Majesty's Prison and Probation Service partnered with Barnardo's to reimagine this resource to form the National Information Centre on Children of Offenders (NICCO) (www.nicco.org.uk).

NICCO now includes a directory of research papers, articles and blogs from voluntary and statutory agencies in the UK and further afield; a directory of resources for use by professionals, with children and families; and, a directory of services which includes an interactive map with all 117 prisons in England and Wales listed. NICCO also promotes the training offered to professionals including delivery of the 'Hidden Sentence' training as well as other packages of training developed by Barnardo's for those professionals working with children and families of offenders. NICCO's launch was very timely, as Lord Farmer (2017) had recently published the first of his reviews into the importance of strengthening prisoners' family ties in the prevention of re-offending and this tool allowed all the prisons to publish their 'Family and Significant Other' strategies in a central single depository which is accessible to all.

More recently NICCO has expanded its remit into research and development focussing its efforts on those groups of offenders in the prison system that may be classed as more vulnerable and may have little or no contact with family. In the latter half of 2018 Barnardo's NICCO received funding for two projects. The first, an HMPPS Innovation

grant-funded pilot project, focussing on positive relationships for Care Leavers, has ended and is now in its post-delivery evaluation stage.

The second project was funded by the Forces in Mind Trust from part of their National Lottery Community Fund endowment and was a study into the needs of former British Armed Forces personnel (Veterans) in prison custody and their families. This project ended in 2019 and the report was published and launched in February this year. (The report, with full references, is available for download [here](#))

The rationale for the research

Former members of the British Armed Forces constitute one of the largest occupational groupings in prisons in the UK with estimates between 3.5% and 6% of the prison population and similar percentages under statutory supervision in the community. The transition from military to civilian life can be a struggle for some veterans and their families, with challenges such as access to employment opportunities, debt, housing, alcohol misuse, poor mental health and family relationships frequently reported. These issues, if left unsupported, can lead to an increased risk of criminal justice involvement.

The Farmer Review (Moj, 2017) demonstrated that, for all prisoners in custody, the maintaining of positive family relationships is pivotal in reducing recidivism and the NICCO study provides detailed evidence to reinforce this. It also highlights the barriers which exist, for veterans and their families, in accessing support. The research considered the individual needs of the veteran, the partner (or co-parent) and children and how these interact and impact on the family unit as a whole.

The research sample

In a 12 month period during 2018-2019 Barnardo's researchers Sara Rattenbury and Leonie Harvey-Rolfe interviewed eighteen veterans who were either serving a custodial sentence or had recently been released from prison. In addition to these interviews, a further five interviews were carried out with partners/ wives of the veterans out in the community and also with five children of veterans. Twenty-five professionals were also interviewed and these provided valuable insights into supporting the needs of this vulnerable group of prisoners.

Key findings

Levels of family breakdown were high in the sample. Family breakdown had often occurred prior to the veteran entering custody or early into their sentence. This was highlighted by the demographic data we extracted as well as by professionals and the veterans in custody:

'The thing with children, I have noticed that there are a lot of veterans that have got families, most of them, their families have completely broken down, they have come out the forces and can't deal with married life or that relationship or that commitment and that type of environment ... So they are already kind of shutting doors on people that perhaps would... their partners perhaps would get involved and would want to know because they can help and keep the family together...' (Professional)

'I became emotionally numb you know, and a lot of things might have, first of all, my ex-partner, I might have pushed her away.' (Veteran in Custody)

This in turn led to challenges in identifying partners and children to interview and was exacerbated by the fact that the family situation of the veterans in custody was largely not documented. This raises the question of how a child, partner or ex-partner would know that they are eligible to receive support from military charities, particularly if they weren't around while the veteran was in the Armed Forces.

The greatest challenge is at the point of release from custody. This mirrors the transition from military to civilian life in the challenges that the veteran faces in terms of accessibility to employment, issues with finance and housing and the struggle with identity. One professional summed this up by saying:

'The main area of difference is the concept of transition. When they are leaving prison, they are undergoing a second transition, [one] from the military and then one from prison. If they haven't transitioned well out of the military, it is compounded a second time but with the addition of a criminal record.' (Professional)

It is readily acknowledged by professionals working in the field, that families of offenders experience a huge degree of stigma and shame resulting in their needs often remaining 'invisible' to those around, and they undergo their own 'hidden' sentence alongside the partner's or parents' imprisonment. For families with a military background, this research found that this is even more acute, with the added shame of having fallen from a place of pride of serving the country into the criminal justice system.

This then reinforces the military training of being self-sufficient and not seeking help. In this context, proactive, consistent and specially trained professionals are needed to build trust with families throughout the veteran's time in custody and beyond. Veteran in Custody Support schemes, for example, could be properly funded so that members of staff are given the time, training and resources to build a consistent service which extends out to the family.

Strategies like 'release on temporary licence' (ROTL) enable families to gradually adjust to having the veteran back at home, acknowledging that this is a psychological and practical transition that the whole family must undergo, not just the offender. One child, when asked if ROTL helped, expressed their opinion really well by saying:

'Oh yeah, definitely...because of that clash of personalities, the ROTL helps you deal with that in chunks rather than he comes home and there is two months where you're all screaming at each other because no one knows what they should do or how they should talk or act ... At the start he is like a stranger, so it is good to have chunks of getting to know them again rather than having them dropped on you.'

When veterans and families do access support on offer, feedback is largely positive. Those veterans that were interviewed and had received support were 100% positive about those agencies and professionals that had offered their help. One veteran in custody reflecting on a special veterans' family day held in the prison stated:

'Yeah...I think the veterans one is better than the normal one, there's more support for like...my partner if she weren't working there's opportunities for her to go into work and stuff like that...there is a lot of charities that come in.'

Unfortunately, the majority of the partners interviewed did not receive any support nor did they even know that they were eligible for support from military charities. One partner had received some help from a military charity but most had had to access other statutory support if help was needed.



Barnardo's Registered Charity Nos.
216250 and SC037605

Recommendations made in the research report

In total, there were 14 recommendations made which mapped the journey before, during and after custody. Key recommendations for those working with veterans in the community included:

1. Opportunities need to be developed to facilitate peer support for veterans, partners and children. This includes peer support for veterans in custody and on release, and for families while the veteran is in custody as well as upon release.
2. Consistent and funded veteran support services should be in operation across all prison estates. Those veterans that accessed support from a Veteran in Custody Support Officer (VICSO) spoke of the benefits of this service.
3. Public and third sector professionals who come into contact with veterans and/or their families as part of their work should receive appropriate training (such as the 'Military Human' training) to better understand the needs of this group of individuals. Alternatively they may appoint a champion who has experience of working in and transitioning from the Armed Forces.
4. Through the gate working practice should be joint. VICSOs could provide a more co-ordinated approach to the release of veterans from custody, working with probation, military charities, representatives from Armed Forces Covenant Groups, the police and children's services to provide more holistic support for veterans and their families in the community.



Sara Rattenbury
Research Officer and Strategic
Engagement Manager
Barnardo's

Barnardo's continues to work with the Forces in Mind Trust to ensure the findings and recommendations of this report are disseminated and mention of the report has already been made in the House of Commons in a question to the Secretary of State.

If you are interested in finding out more about this research or the wider work of Barnardo's with offenders and their families then please contact sara.rattenbury@barnardos.org.uk



Probation Institute work with ex-armed services personnel

To complement the previous article by Sara Rattenbury, Helen Schofield, Acting CEO, summarises the work of the PI in this area.

The Probation Institute has been working closely with the Forces in Mind Trust since 2015, initially on a research project looking at provision for ex-armed services personnel under supervision following the [Philips Report](#) in 2014. This research [“Profile of Provision for Armed Forces Veterans Under Probation Supervision”](#) was published and launched in 2017.

In partnership with some of the Probation Institute Endorsed Learning Providers, we subsequently developed a one day training course “Working with Ex-Armed services Personnel Under Supervision”, which can be delivered by training teams on request. Staff and residents at Tom Harrison House in Liverpool gave us invaluable help with the development of the course.

In 2018 the Forces in Mind funded the development of a one hour E Learning Module which is available to all at no charge on the Probation Institute Website - [“Working with Ex-Armed services Personnel Under Supervision”](#). This course looks particularly at the barriers to disclosure by armed forces veterans, aspects of difference relating to this group of service users, and partnership with armed forces charities in the community.

Since mid 2019 we have been working on a further detailed research project with Liverpool John Moores University looking at the reasons why some ex-armed services personnel go on to commit offences of serious harm, and identifying ways in which these tragedies might be prevented. This research is at an early stage and is of course affected by the Covid 19 situation.

Rebuilding trust **after recall**

Kate Parsons builds on her previous research and article in [PQ12](#) (June 2019) and offers further insights into the experiences of offenders who are recalled to prison during licence supervision.



Whilst approximately 6000 people are released from prison every month, about 2000 people on licence from prison are recalled. The increased numbers of people recalled is predicted to continue to rise (Ministry of Justice 2018, p5). Despite the scale of the increase it has received relatively little academic and political attention. In this article I draw on data generated through my research for the Sir Graham Smith Research Award scheme to explore individual stories of recall.

Two key pieces of research in this area (Digard 2010; Padfield 2012) found procedural justice to be significant in experiences of the process of recall. Participants in both of these studies were in prison having been recalled, but not yet re-released. Digard identified that one impact of a perception of a lack of procedural justice was that individuals stated they were less likely to engage well with future supervision in the community. This current research seeks to highlight an alternative perspective, that of those who have previously been recalled and are now successfully reaching the end of licence. The research looked at both their reflections upon being recalled and their more recent experience of being on licence. This article focuses upon the former.

Five individuals were interviewed, using semi-structured interviews, lasting between 30 mins and 1 hour and 15 minutes. The participants were within the final three months of their licence, and had been out on licence for at least nine months, meaning they had sustained a period in the community without being recalled. All had previously been recalled and re-released on this or a previous licence. The research took place within one local delivery unit in the Midlands Division of the National Probation Service. The interviews were analysed using thematic analysis.

The participants were approached through probation practitioners and the interviews took place in the probation office. It is acknowledged that this is likely to have an impact upon the responses. The low number of interviews limits the ability to generalise to a wider population. However, as a scoping exercise it does provide an indication of areas for further research.

Two of the five interviewed had been recalled in relation to a new offence whilst the other three were recalled in relation to other licence conditions. None of the participants situated their recall within a wider pattern of non-compliant behaviour but rather they all described it as a discrete event.

The three participants who were recalled for breaches of other licence conditions all experienced the recall as unfair. Similarly to those in Padfield and Digard's studies there were a number of factors present for participants which appeared to impact upon their perception of procedural justice.

The lack of opportunity to put their side across combined with a lack of information was a source of frustration:

'I knew that I had to go to jail, I knew that my recall papers had been sent off I didn't get a chance to say nothing. I was going down, that was the part which I think was really unfair.... I wouldn't even mind the process of being arrested, questioned and interviewed because I'm on licence. I'm still under my sentence period, so I can understand being arrested. I can understand having an interview I can, that is understandable.' (Jason)

The manner in which they were informed of the recall was problematic:

'I remember the next night I was there sleeping and the police just came in and knocked on the door and said "Oh you've not been staying here, (you) have been recalled". And I said "I clearly have been staying here cause I'm here now" and they were like "no you're being recalled, we've got to take you back to prison" and then they send me back to prison.' (Liam)

Even once returned to prison, information about the recall decision was not conveyed:

'Recall report is never delivered that's meant to be there in 24 hours, that never happens..... we missed out on the representations, you got no post or can't get credit on the phone kinda feels like this big machine takes over.....yeah I think we had 3 meetings with the (inside) probation officer, he came on the wing and just say there's no news. I just said to him in the end "look don't bother coming down mate, I don't want anything to do with you if you've got anything to say, say it to my offender supervisor they can come down". The probation officer went back and wrote loads of notes about me.' (Lee)

In two of the five cases in the study the recall action had not been taken by the allocated Offender Manager and both individuals believed this had impacted upon the decisions in their cases. They stated that if their own Offender Manager had been at work recall actions wouldn't have been taken, or at least their side of the story would have been listened to. In the view of the

participant this seemed to have been confirmed by the discussions they had with their officer after the recall, as Jason described:

'My PO (Probation Officer) said she didn't do the paperwork. I didn't hand myself in until I'd spoken to her but she said it's done now and you just have to do it.' (Jason)

For Jason this indicated that his officer did not support the decision to recall him. Whilst this may have avoided conflict in the relationship between Jason and his officer in the short term, the consequence for Jason is a perception of rules which impact upon his liberty being applied arbitrarily.

However, this group were all now at the point of completing their licence, having complied for at least nine months in the community. Interestingly, they all also reported having good relationships with their current supervising officer. For these individuals the perceived procedural unfairness did not preclude a future positive relationship with probation practitioners.

When asked about advice they would offer to those about to be released, three of the participants emphasised the need for a trusting relationship with their supervising officer:

'The more you go through your probation the more relaxed you become because the more you learn about what probation is..... so as you build that relationship with your probation worker the more you learn about being (on licence) just kind of relax and you just realise if I don't mess it up I won't be going back and that was just a mistake.' (Liam)

The procedurally unfair process was seen as separate or distinct from their current supervision. It was portrayed as a one-off event that happened in the past, whereas the discussions relating to the importance of trusting your Offender Manager is relevant to their current period of supervision, where a trusting relationship has successfully been built.

Liam, like some of the others interviewed had settled into a routine of supervision, he knew where he stood with his supervising officer, and whilst, like others, he did not describe significant benefits from supervision, he understood it to be better than the alternative (being in prison), describing instrumental compliance (Bottoms 2001).

These findings support McNeill and Robinson's (2012) perspective that legitimacy is liquid and at different levels at different points in the licence, and for some of the participants legitimacy appeared to have strengthened post recall. This does not mean attention should not still be given to the perceptions of procedural (un) fairness. These participants had experienced the recall process as unfair but were able to continue to engage and move on with their next period on licence despite that experience, where others perhaps did not. Whilst the process of recall may continue to be perceived as procedurally unfair, it does not preclude further success on licence. Rather, what is necessary after a recall is to find a way of rebuilding trust in the relationship between the probation practitioner and the individual on licence.

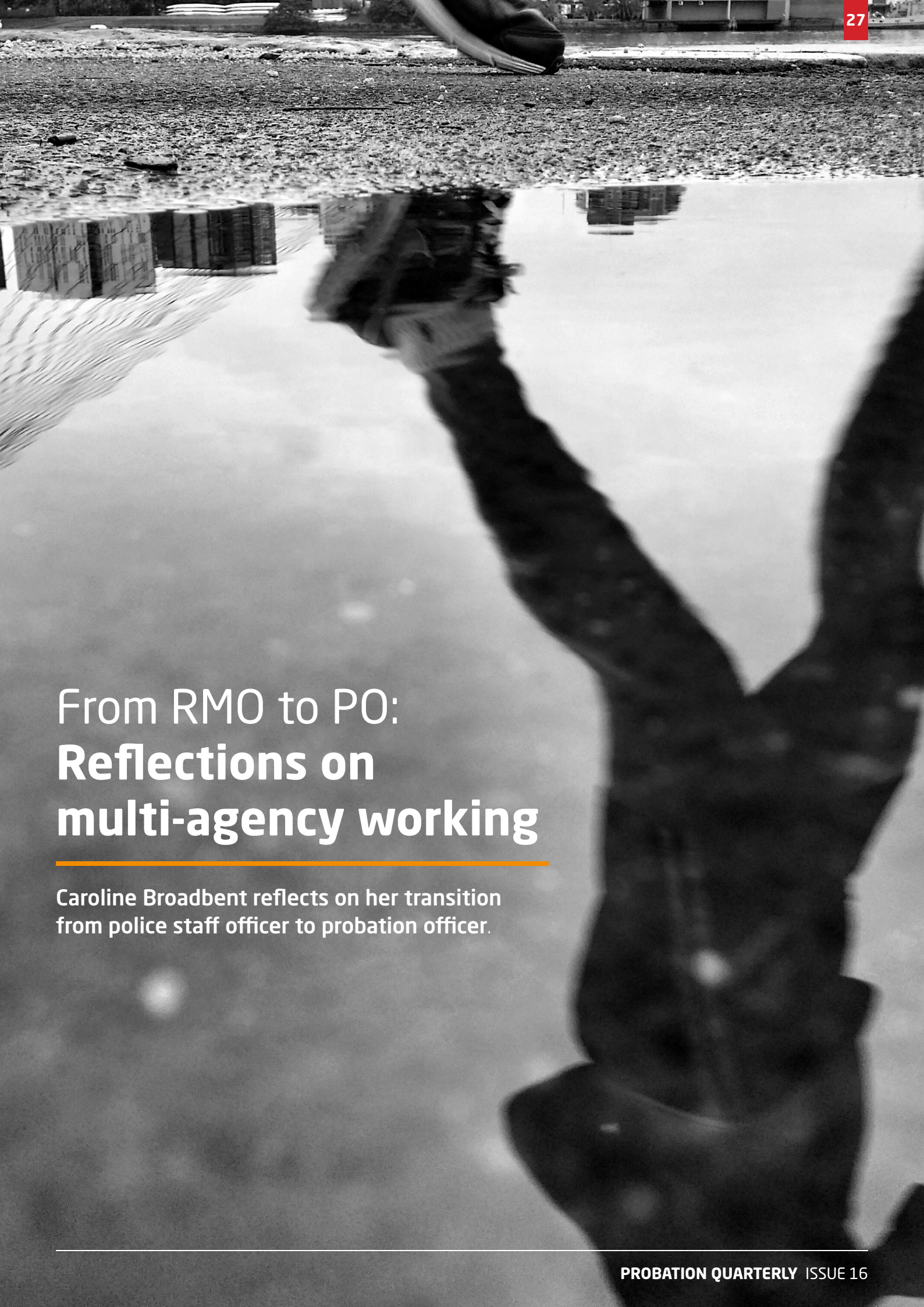
References

- Bottoms, A. (2001) 'Compliance and community penalties' in A. Bottoms, L. Gelsthorpe, and S. Rex (eds), *Community Penalties: Changes and Challenges*, Cullompton, Willan Publishing, pp. 87-116.
- Digard, L. (2010) 'When legitimacy is denied: Offender perceptions of the prison recall system', *Probation Journal*, 57(1): 43-61.
- Ministry of Justice (2018) Prison Population Projections 2018 to 2023 accessed 2/5/2020 at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/735428/prison-population-projections-2018-2023.PDF
- McNeill, F. and Robinson, G. (2012) 'Liquid legitimacy and community sanctions' in A. Crawford & A. Hucklesby (eds) *Legitimacy and Compliance in Criminal Justice*, London, Routledge.
- Padfield, N. (2012) 'Recalling Conditionally Released Prisoners in England and Wales', *European Journal of Probation*, 4(1): 34-44.



Kate Parsons

HMPPS Effective Practice and
Service Improvement Group



From RMO to PO: **Reflections on multi-agency working**

Caroline Broadbent reflects on her transition from police staff officer to probation officer.

I was a Risk Management Officer (RMO) within the police service for nine years. Due to changes within the organisation, I decided to train to become a probation officer and I left the police service in 2018. There were several challenges which I faced in order to make the transition from RMO to Probation Officer.

In brief, my role as an RMO was to manage people subject to the requirements of the Sex Offenders Register (SOR) after they were convicted of a sexual offence. The SOR was established under the Sex Offenders Act, 1997. This led to a new way of policing and the role varied significantly from 'traditional' policing roles, involving the police offender manager assessing the on-going risk of an offender committing another crime, as opposed to investigating a crime (Nash, 2008). Nash (2016) found that RMOs saw their role as befriending offenders, working in a non-confrontational way and developing a supportive relationship, with the aim of gaining intelligence. Nash went on to make the connection that the building of this 'professional relationship' was like that of the probation officer's role.

MAPPA and the tensions of 'polibation'

Multi-Agency Public Protection Arrangements (MAPPA), which developed in the late 1990s and was enacted in the early 2000s, required local criminal justice agencies and other bodies dealing with offenders convicted of sexual offences to work together in partnership (MAPPA Guidance 2012). There was a growing need for agencies to work together for the public to be protected more effectively.

At the beginning of my career within the police, I was oblivious to the probation officer role and how it had the potential to work effectively alongside the police. Yet in the latter years, I feel

that my relationship with probation officers was so strong that I regarded them as colleagues who were simply from a different agency. This experience is representative of the changes encountered by both organisations.

Previous research highlights that, during the 1980's, the general ethos of both police and probation did not sit in harmony (Nash, 1999). Police officers were often heard to say, 'we catch them, and you get them off'. The 1990's - 2000's saw the probation service shift towards public protection, and a more punitive stance on punishment was taken, such as electronic tagging - a change welcomed by the police. This resulted in the coining of the term the 'polibation officer' (Nash, 1999, 2008) which was in response to the growing multi-agency agenda for public protection (geared more towards control and surveillance) and in particular the possible effect of closer collaboration between the police and probation services on their 'traditional roles'. Yet whilst the roles of the PO and RMO have arguably become more aligned, my experiences during training as part of the Professional Qualification in Probation (PQiP) suggest that there remains conflict between the probation officer and 'traditional' police roles.

Recently, I had a disagreement with a police officer because I wouldn't automatically give a licence warning to a high-risk offender after he had been seen in his exclusion zone. I felt that it was important for the service user to be given a chance to explain himself before this was issued, as otherwise they may have disengaged. I feel this is an example of how the police officer was solely concerned with the immediate protection of the public, yet my new role as a probation officer is also to try and rehabilitate, which over a longer period would ensure that fewer victims are created in the future. I feel that judgements should be based on balanced and considered reasoning.

Desistance, labelling and communication

Desistance is a difficult and complex process, likely to involve lapses and relapses. In the current blame culture, it is often difficult to balance accountability and professional integrity, and even though I used my professional autonomy in the example above and stood by my decision, this is not always easy to do, especially when under pressure from other agencies, particularly one I used to belong to.

Communication is not always easy when, as probation officers, we often work with a diverse range of individuals, and 'one-measure fits all' does not always work. Since joining probation, I have been struck by how much attention is paid to the effectiveness of our communication with service users and the importance of building positive relationships, something which in my opinion isn't such a priority for other agencies. When working jointly, it isn't always just about adapting my approach, but also recognising how diverse individuals and groups may respond to other agencies, and it is the responsibility of everyone involved to overcome these barriers. A young offender who has been in and out of prison may have a very negative view of the police and this can often be justified if the local officers labelled them as 'trouble'.

As an RMO, this was often a challenge that I faced. I remember an extremely annoyed and frustrated service user calling me after he had attempted to sign the sex offenders register at the front office of the local police station, but had been turned away. I rang the front office to query what had happened and they told me that he had been his 'normal, awkward and aggressive self.' I am in no doubt that the service user was affected by the hostility that he had been met with and his response was living up to the label with which he had been branded.

This particular service user is someone whom I will likely remember for the rest of my life. He was allocated to me when I was an RMO as a very high risk offender, who had been judged throughout his life and never given the opportunity to change. Time and effort were put into his management, jointly by me and his probation officer and complex intervention work was completed with him. Support and reassurance was offered, which he took us up on . . . a lot! We often mediated between him and other agencies, as due to frustrations in being able to express himself, he would often present as aggressive.

At the end of his management, he was assessed as a medium risk offender, was living with his partner and her children, and had secured a full-time job. This was a true success story of rehabilitation delivered effectively by police and probation working together.

Disclosing information

Another issue which I have encountered as a probation officer is that of disclosures. As an RMO, I was extremely familiar with disclosures; even when an offender was managed by probation, I would often take the lead. That said, I can't deny that many RMO's were unhappy about the responsibility always being passed to the police. As quoted in Nash's (2016) research, 'they have as much power as us in MAPPA to disclose, but they leave us to it'.

Seeing the argument through the eyes of probation, it is clear to me now why disclosure causes some anxiety. As an RMO, I was very confident in disclosing what I felt was necessary and proportionate. In cases where there were 'grey areas', I would take the issue further and discuss it with the police legal department. With no easy access to local legal departments in the probation service, rationale is our only protection, but in a time of blame culture there is significant worry about wrong decisions. On ringing an employer, a college, or even family members, as a PO (in comparison to ringing from the police) I have noted it provokes a very different reaction. The importance of the information being discussed doesn't seem to be taken as seriously. In changing times for both organisations, disclosures are critical in reducing the risk of serious harm, and agencies need to work together in carrying out this type of work.

Following the government's announcement that all offenders in England and Wales will in future be managed by the National Probation Service, due to the failings of part-privatisation of the system, it is likely that probation officers will return to dealing with a wider range of service users, and their caseload of registered sex offenders may reduce (or increase) depending on which organisation they are currently working in. The possible implications of this may see probation officer contact with individual RMOs reducing and the relationship could be weakened. In multi-agency working, the relationship between the agencies is as important as the relationships we build with offenders. It is crucial to the protection of the communities we serve and paramount in encouraging the rehabilitation of the service users that we work with.



Caroline Broadbent
Probation Officer

References

- Nash, M. (1999). Enter the 'polibation officer'. *International Journal of Police Science & Management*, 1(4), 360-368.
- Nash, M. (2008). Exit the polibation officer? Decoupling police and probation. *International Journal of Police Science & Management*, 10(3), 302-312.
- Nash, M. R. (2016). 'Scum Cuddlers': police offender managers and the sex offenders' register in England and Wales. *Policing and Society*, 26(4), 411-427.

Crime in the time of coronavirus: **Trends, typologies, and the longer term implications for the Probation Service?**

Kerry Ellis Devitt, KSS CRC Research and Policy Unit.



The scope and nature of crime in the UK has seen a dramatic change over the past few months. As the world struggles to adapt to the new ways of life that the containment of Covid-19 has required, we have seen demonstrable shifts in the patterns and typology of criminal activity. But what effect might these changing patterns of crime have on probation services? More specifically, what types of crimes and 'criminals' might practitioners see walk through their doors in the months and years to come?

As [Fergus McNeill \(2020\)](#) and [Jake Phillips \(2020\)](#) have both pointed out in recent blog posts, supervising those on probation during this time of national lockdown has required frontline probation staff to adopt new ways of working. For the most part, this has meant relying on technology to deliver what is fundamentally a face-to-face service. Both McNeill and Phillips raise important points around how individual practitioners are coping with these multiple challenges, and in doing so, highlight the increased stresses that such requirements place upon them. However, though these pieces draw important attention to the impact of the lockdown on the current ways in which probation services are being delivered, we would also do well to consider what this lockdown might mean to future probation practice. To do this, we must therefore pay attention to what crime is currently looking like in the UK.

Recent patterns in crime

Since the lockdown began, crime rates have been reported as having fallen considerably. The National Police Chiefs Council ([NPCC](#)) stated that crime in England and Wales is down 28% from the four weeks to April 12th, compared with same period in the previous years. Similarly, Scotland reported a 25% fall in overall crime ([BBC News, 2020](#)). These trends have been noted particularly in certain types of crimes. For example, serious assaults and personal robbery are both down 27%, and rape is down 37%. However, despite such trends, other types of crime have been

seen to be on the rise. Though it is important to recognise that looking at crime rates in such a reductive way can be misleading, and that acknowledging the role that *other* factors play in such an effect is essential (not least that restrictions on movement and the closure of most commercial business will mean substantially fewer opportunities for people to commit crime), what this lockdown has revealed is that there are, however temporary, changes in *patterns* of offending.

One of the most prevalent has been in cases of online fraud and, in particular, internet scams. The City of London Police reported a 400% increase in such activities in March ([Bevan, 2020](#)), with Action Fraud noting 23 reports of fake HMRC emails over a three day period in April, along with 131 reports of individuals being sent a bogus "GOV.UK" email ([Goodman, 2020](#)). Preying on people's vulnerabilities and anxieties, (particularly around financial insecurity, and health and safety concerns), many individuals have fallen victim to a range of costly scams. These have included fraudulent sales of Personal Protective Equipment (PPE) and the advertisement of false coronavirus 'treatment kits' ([Choi, 2020](#); [Europol, 2020](#)). The National Cyber Security Centre (NCSC) reported that it took down more than 2,000 such scams just last month ([BBC News, 2020](#)). In addition, there have been a multitude of fraudsters posing as banks, government officials, and health service providers, all operating to persuade victims to release passwords and other personal data ([White & Cruise, 2020](#)). The national fraud and cybercrime reporting body, Action Fraud, estimate that since the start of the outbreak, financial losses to victims have exceeded £1.6 million ([Townsend, 2020](#)).

There has also been indication of an upward trend in online child sexual abuse. Thames Valley Police received 64 such reports in March, compared with 26 for the same month in 2019 ([BBC News, 2020](#)), with the National Crime Agency suggesting that 300,000 sex abusers posed a threat online ([Brunt, 2020](#)).

Moreover, though online child sex abuse figures have not shown to have increased, according to the Metropolitan Police (Met) data, they have warned such abuse is still likely to rise following the surge of internet usage over the past few months. The Met have noted that many children will only show up in statistics after time has been taken for the analysis of such images, and when enough intelligence has been gathered to justify an arrest ([Culbertson](#), 2020).

The most documented crime trend, however, has been in incidents of domestic abuse. The Met have reported 4,093 arrests in London for domestic abuse in just six weeks, with charges for such offences up 24% from the previous year, dating back to when people were first advised to self-isolate ([Snuggs](#), 2020). According to online research company SEMrush, the National Domestic Abuse Helpline saw a 120% increase in calls over one 24 hour period during the early stages of the lockdown, with traffic on their website increasing by 156% between February and March. In addition, the charity Refuge reported a 700% increase in calls to its helpline in a single day. Of most concern, Karen Ingala Smith's site, Counting Dead Women, noted 14 domestic abuse killings of women in the period between late March and early April 2020 ([Ingala Smith](#), 2020), with an additional 10 cases identified since that period.

A new category of 'offender'

It is important to reflect here that the crimes described thus far are ones that are both known and established. Yet there are others that are distinctly less familiar. Though there has been a clear downturn in overall crime rates, incidents of 'anti-social behaviour' have increased exponentially. Indeed, in the four weeks to April 15th, there were 178,000 incidents across England and Wales, marking a 59% rise on last year ([Shaw](#), 2020). So why might this be?

The advent of the pandemic, (and its associated countrywide lockdowns), has brought about the rise of a new category of crime. As police powers have increased under the authority of the new [Coronavirus \(COVID-19\) Action Plan](#), many 'normal' behaviours have become criminalised. In response to this, the UK has seen the use of Fixed Penalty Notices (FPNs), with 14,244 such fines issued in England and Wales between March 27th and May 11th for alleged breaches of coronavirus lockdown rules ([ITV News](#), 2020). We have also seen the construction of a new type of violent crime, that of deliberate infections (through malicious coughing and spitting). As identified by the Crown Prosecution Service ([CPS](#)), threatening others with coronavirus contagion, typically alongside other substantive offences such as assault (of emergency workers), theft and burglary, has seen a surge of new prosecutions ([Casciani](#), 2020; [Tidman](#), 2020). In a snapshot of cases, the CPS in the North West reported that six individuals had received prison sentences ranging from 4 months to 3 years on charges partially or wholly related to coronavirus-related threats ([CPS](#), 2020). There has also been the assault of a railway worker who contracted and later died from the virus after being deliberately spat on at Victoria Station ([Guardian](#), 2020). Though causal links were not established, the assault and the concerns it raised present another dimension to all this.

However, though causing deliberate harm to others may see unequivocal support for a criminal justice response, there has been criticism for 'over zealous policing' ([ITV News](#), 2020). In the past month, there have been numerous reports of individuals targeted by police for acts such as moving a tree ([Slater](#), 2020) or sitting in their front garden ([Stubley](#), 2020), with others being summonsed to court for coronavirus-related offences, such as "out for a drive due to boredom" and "going to the shops for non-essential items" ([Dearden](#), 2020).

There have subsequently been requests for information around the contesting of such fines (Thompson, 2020) and with this of course, an implication of a refusal to pay. Indeed, though the fine itself does not comprise a conviction, as with all (police-issued) fines, refusal to pay could find that individual being summonsed to court. And refusal to provide a name and address in relation to that fine being issued may result in an arrest – as was almost the case for a Manchester man in early April (Busby, 2020), and was the case for a woman in Newcastle (Dearden, 2020).

Significantly, the CPS has conducted a [recent review](#) of the 231 police charges relating to breaches of coronavirus legislation, finding 56 to be incorrect. This includes 12 charges brought under the Health Protection Regulations 2020 (which relates to individuals having a reasonable excuse for being outside their home), and all 44 under the Coronavirus Act 2020 (which relates to “potentially infectious persons” refusing to co-operate with the police or public health officers when it comes to screening for Covid-19). Though this still leaves the majority of charges being upheld, this recent announcement is likely to cause some doubt amongst the British public when it comes to the criminal justice response to policing the coronavirus pandemic.

Conclusion

The facts and figures reported in this piece have interesting implications for probation services. With such clear changes in patterns of crime, frontline staff may find themselves sitting in front of fewer service users convicted of offences relating to violence, robbery and theft, but more linked to domestic abuse, fraud, and various online crimes. Though this in itself is an important consideration for practitioners, such shifts in crime typologies may also have a knock-on effect on other aspects of the service. Indeed, it is possible we may start to see patterns of interventions referrals change in line with need.



Kerry Ellis Devitt

KSS CRC Research and Policy Unit

For example, the domestic abuse programme, Building Better Relationships, may see a surge in referrals, with programmes such as the Drink Impaired Drivers Programme, and even the violence management programme, Resolve, seeing a significant dip.

However, that is not the only difference probation services might see coming their way. What may also prove to be new territory is the potential influx of those convicted under the new coronavirus laws, in particular the Health Protection Regulations. Though most charges will likely fall under the restriction of social movement, and thus will have been dealt with through police-issued fines, a proportion will receive sentences delivered by the courts. As such, frontline probation staff may find themselves in the novel, and potentially quite challenging, position of having to supervise individuals who have been found guilty of crimes without clear precedents.

(This piece has been adapted from recent work undertaken by the Kent, Surrey & Sussex Community Rehabilitation Company's Research and Policy Unit - <https://www.ksscrc.co.uk/2020/05/12/research-coronavirus-and-crime>)

Utilising lived experience for a **better probation service**

Nina Champion, Director, Criminal Justice Alliance.



It is common knowledge that the criminal justice system currently faces a wide range of systemic issues, from a crumbling courts system to overpopulated prisons. Such issues are likely to be exacerbated by COVID-19, with the Institute for Government recently estimating that there could be court case delays of up to six months following lockdown, and the prison population could swell to 95,000 by 2023-24, the highest ever level on record.

COVID-19 has also placed pressure on probation, which was already facing an uncertain future due to ongoing reform. Katie Lomas, National Chair of Napo, recently told the Justice Select Committee that workloads have increased during COVID-19 due to a higher frequency of contact and the need to undertake a fresh assessment of every individual on probation. This is on top of workloads that have been 'unacceptably high for many years now, since 2014', she said.

Now more than ever, we need fresh, innovative and systemic solutions. This will require the meaningful inclusion of people with lived experience in the criminal justice workforce, not just in voluntary and consultative roles, but as paid employees, influencers and leaders. People who have been through the prison and probation system have invaluable insight into the practices that can undermine rehabilitation and result in reoffending, as well as those which can have a positive impact. Harnessing their passion and expertise as we recover from COVID-19 and beyond will be essential to building a criminal justice system that is fair and effective.

The value of lived experience

People with lived experience provide enormous benefit to organisations working across the criminal justice sector. However, their involvement in designing, delivering and managing services, as well as influencing policy and practice, remains unexplored and undervalued. In 2019, the

Criminal Justice Alliance spoke to individuals with lived experience, as well as the organisations in the sector that employ them, to dig deeper into their value and the barriers they face, culminating in our [Change from Within](#) report.

Criminal justice employers from the public, private and voluntary sector, told us that one benefit in hiring those with lived experience is high levels of purpose, passion and drive. This often stems from their negative experiences and wanting to improve the system for others. Another benefit to employing people with lived experience is that they often have strong roots in their communities. They can help bridge the gap between criminal justice institutions and communities, creating greater trust and enabling services to more effectively engage and meet needs. Employees with lived experience can have greater empathy and legitimacy in the eyes of service users, meaning stronger working relationships. As one employee said: 'One of the most powerful things to help rehabilitation is probably somebody who can relate to them on their past experience.'

Employers also told us that staff with lived experience brought fresh thinking and innovation to meeting challenges within the criminal justice system, identifying solutions to the complex problems they have unique experience of. One employer said: 'He brings understanding to what happens in custody and probation. He has given us another standpoint to understanding what we are trying to achieve here. He has brought a real focus around what we want to do with the vision moving forward.'

Many public services, including the NHS, mental health and substance misuse services, have a tradition of involving and employing people with lived experience within their workforces, recognising that they can play a vital role in improving the quality of services and policies. In this respect, the criminal justice sector is behind the curve.

Barriers to progress

Despite the value people with lived experience bring to the criminal justice workforce, they too often face an employment environment that deters rather than supports them, due to systemic, legal and societal barriers. Many struggle to secure paid work in the sector in the first place. Our report found there is a lack of support mechanisms to help guide and support those with lived experience into working within the criminal justice system. One common method for securing work is volunteering while on Release on Temporary Licence or post-release. Volunteering is often a vital part of the journey from prison to paid employment in the sector and allows individuals to build up their skills and networks. However, organisations must make sure they provide opportunities and support for people with lived experience to progress into paid employment, when the time is right.

On securing paid work, workplace relationships played a vital role in whether they stayed in employment or not. Some perceived differential treatment and felt singled out. As one individual told us: 'People tend to make jokes like "oh but you're one of them really"'. Another barrier is the extent to which the person with lived experience feels valued and trusted. In one heart-breaking response, a participant in our report said:

'There is always this nagging feeling that actually, I only got this job because I have been to prison. I am working with lots of highly qualified people that have studied for years and years, so how could I possibly make a contribution to this organisation?'

One potential solution to this problem is for employers to provide mechanisms to hear ideas and suggestions. St Giles Trust, for instance, has an expert panel, where employees with lived experience can contribute to the overall strategy of the organisation, as well as offering a range of Institute of Leadership and Management

qualifications they can access to help progress to more senior roles.

People with lived experience, especially those employed soon after release from prison, might have specific support needs as they 'acclimatise' to life outside prison, as well as to a work or office environment. Such individuals described the importance of having a mentor, who can help them with this transition. However, individuals who have been out of prison and working in the sector in peer roles for a while face their own unique challenges. One individual said: 'People like us shouldn't just be in these service delivery roles, we should be sitting near the Sadiq Khans and the people in parliament. We should be based in there.' This is an important point to consider. People with lived experience can play a vital role in delivering frontline services and helping to rehabilitate others. However, they should also have the opportunity to access professional development opportunities and occupy leadership and influencing positions, where they can advocate for change at a more strategic level.

How can probation harness lived experience?

With reform on the way, there are several things organisations across the probation service should do to utilise people with lived experience:

- Ensure that people with convictions employed by Community Rehabilitation Companies (CRCs) can continue to work in the sector after the changes.
- Carry out research with employees in CRCs and the National Probation Service who have lived experience, to understand their experiences and hear their suggestions. Review the routes of such employees into their current roles, and what opportunities they have had for leadership development.

- Speak to people with lived experience currently in service user involvement and volunteer roles to understand what would help them to move from volunteer to a paid member of staff.
- Build these insights and suggestions into probation reform plans, ensuring that employment opportunities are promoted to people with lived experience, they are supported to apply for the roles, and that HR policies and processes are transparent and focus on a strengths-based approach to inclusive recruitment.
- Ensure that user-led organisations have meaningful opportunities to bid for contracts and be part of probation service supply chains.
- Offer roles to people with convictions through the Going Forward into Employment Scheme. This scheme has seen people placed in jobs including the Court Service and Prison and Probation Ombudsman's Office, but very few in the HM Prison and Probation Service or the Ministry of Justice.
- Work with the Ministry of Justice to review the vetting system to ensure it does not act as an unnecessary barrier to working in prison and probation settings.
- Ensure staff providing careers advice to probation service users have access to information on working in the criminal justice sector or setting up a social enterprise.
- Support people with lived experience who work in the sector or have set up a social enterprise to share their experiences and advice with people on probation.
- Help develop a culture where lived experience in the workforce is valued, celebrated and championed.

The last decade has been challenging for probation, and with the outbreak of COVID-19 and ongoing reform, this is set to continue. Now is the perfect time to recruit and progress people with lived experience across the service, who with their unique insight will be able to help probation weather the storm.

If you have any examples, comments or suggestions about supporting people with lived experience into the probation workforce, please contact me on nina.champion@criminaljusticealliance.org.uk. The Criminal Justice Alliance and our Lived Experience Expert Group would love to hear from you.



Nina Champion

Director, Criminal Justice Alliance

**Criminal
Justice
Alliance**