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Quarterly

Offender Managers Matter

**Key role of professional recommendations in
parole decisions for domestic abusers**



**Thinking about emotional work and emotional resources
in women's voices in desistance and recovery**

**A call for optimists, dreamers and change-makers:
how we manifest a more just system for young adults**

**Rehabilitating Probation — Researching
Probation Unification**

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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 people on probation 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 completed research. (Note: we do not publish requests for research participants)
- 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. Please also read our [language policy](#) which asks all contributors to avoid stigmatising language.

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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.

Jake Phillips

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Welcome to Probation Quarterly Issue 27



Jake Phillips
Editor, Probation Quarterly

Serious failings: what next for probation?

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It feels as though probation has had a hard time since my last editorial. The publication by HMI Probation (HMI Probation, 2023b, 2023a) of two scathing serious further offence reviews in January led to a series of whistle-blowers exposing endemic problems in the Probation Service related to [workloads](#) and pressure to [assess people as low or medium risk erroneously](#).

It is not often that probation makes it into the national media and the last couple of months have certainly proven the point that probation rarely gets much attention unless things have gone wrong.

These two reviews and ensuing public concern have cast much needed publicity on the difficult conditions in which probation workers in England and Wales are working. Yes, mistakes were made in both cases, but they were – based on what practitioners tell me through my research – likely to have been made much worse by a workforce which is working under pressure, over capacity

and at considerable risk of burnout. We are also seeing the impact that TR and unification caused in terms of high levels of staff absence and attrition amongst trainees, new and experienced staff. As a result, the Service is ever reliant on less experienced POs and PQIPs who are – in turn – being supervised by overworked and less experienced SPOs than used to be the case.

The reviews are also being used to cast doubt on the ability of probation to do its job and protect the public from harm. This is perhaps most clearly evinced by the campaign to keep [Robert Brown](#) in prison as he approaches his automatic release date. It is telling that the victim's mother has said that she has 'no faith in the Probation Service' being able to supervise him on release. The impact that these high profile yet relatively rare events are having on the faith that the public has in probation should be of concern to many in the system.

These two interpretations have different ramifications for how the service is asked to respond. The first would lead to more staffing, reduced workloads, improved training in relation to risk assessment, a strong emphasis on staff retention and recruitment along with more focus on rehabilitation and appropriate enforcement. The second risks a pendulum swing towards the punitive, enforcement focused service once envisaged by the early New Labour government in its attempts to be tough on crime and tough on the causes of crime. This would see the service become more risk averse, reduced levels of discretion for probation staff and a more explicit law enforcement role. My preference would be for the former interpretation – it is hard to argue against the fact that resourcing issues are at the root of these endemic problems. Whether those in power agree remains to be seen, but based on recent events in relation to attempts to constrain probation officer input at parole hearings (although the Secretary of state [has now admitted](#) that the parole board can ask for recommendations) and increased direct involvement in individual cases going through the criminal justice system I don't hold out much hope.

There is, however, cause for hope in relation to what probation can achieve and we see evidence of this across many articles in this issue. We start with a summary of Chris Dyke's research on parole decisions and the influence of probation practitioners. His findings show the important role that probation makes in these decisions and should provide some succour for when probation is – rightly – allowed to have a greater role in parole hearings in due course. In Ruchira Pounds article we hear about attempts within HMPPS to listen to women and hear about their experiences in order to improve the ways in which probation supports them. Although Finley MacDonald strikes a more critical tone in relation to the longstanding lack of attention to race inequality in probation she points to some useful ways

forward for the system to examine this problem beyond the current approach which is currently constrained by institutional silos.

Jenni Ward and Matt Cracknell then provide an overview of their research on people who are serving prison sentences abroad and identify some useful lessons for probation as a whole. Linnéa Österman and Lauren Hall's summary of an event they organised which examined women's experiences of desistance through the lens of emotion work should prove very useful for practitioners. This nuanced understanding of how women desist has real implications for probation and I look forward to seeing how their research in this area progresses.

Heather Abbey from the Barrow Cadbury Trust then takes an optimistic look at work currently underway to support young adults in the criminal justice system. Her article highlights some key insights on how young adults can be supported. In Matt Cracknell's second contribution to this issue he explores the ways in which probation's voice has been diminished in recent years before Nicola Carr provides an update on ESRC funded research exploring the process of unification being undertaken by her and colleagues. Finally, Paul Gavin offers an overview of how restorative justice has – slowly but surely – begun to be a mainstay of the criminal justice landscape in the Republic of Ireland. It is heartening to see that – where there is the political will – probation systems can take on a more humane approach. Maybe I should have some hope after all!

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What's going on at the Probation Institute?



Helen Schofield
Acting Chief Executive
Probation Institute

Since Christmas we have seen the publication of two Serious Further Offence Case Reviews pointing to major challenges in probation practice. We are concerned by the effects of workload, staff shortages, media criticism and planned further increases in the prison population, all of which undermines public confidence and longer term public safety. We are committed to helping to support practitioners; valuing their work and being open about the challenges. The next government needs to take a hard look at the costs of imprisonment and the true value of effective rehabilitation in the community.

We are delighted that the legal challenge to the decision of the Secretary of State to prevent parole recommendations is recognised as wrong: *"The message should now go out, loud and clear, to probation officers and others: any suggestion you were not permitted to provide recommendations when asked in Parole Board directions for reports or questions in a hearing is and was wholly wrong".*

Research Implementation

We are pleased to be supported by a modest grant from Liverpool John Moores University in the dissemination of our joint research "Journeys to Harmful Behaviour" looking at the life histories of 14 veterans who have committed offences of serious harm. The research produced important recommendations for prevention of harm, for relevant government departments concerning recruitment, support, pathways for discharge and culture change.

Probation Institute Academic Advisory Panel

We are delighted that Madeline Petrillo becomes the chair of our Academic Advisory Panel from 1st April. Madeline is a senior lecturer at Greenwich University and her specialisms include desistance and rehabilitation, constructions of deviance, women's experiences of the justice system. Madeline takes over from Dr Anne Worrall whose excellent contribution established the panel in 2014 and has built up a strong network of academics in the field of justice.

Our Academic Advisory Panel contributes to the development of the Probation Institute as a centre of excellence. We value our links with the academic community in helping to strengthen professional development.

Responsibilities of the panel are:

- Providing a link between the Probation Institute and academia
- Ensuring that the PI is aware of academic research
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Offender Managers Matter

New research highlights the key role of professional recommendations in parole decisions for domestic abuser

Chris Dyke, Research Fellow in Global City Policing
University College London

<https://doi.org/10.54006/DCCR9066>

No-one ever said parole decisions were simple or easy, but the current climate may be making them more complex and more difficult. In my research on parole decisions for perpetrators of domestic violence (Dyke, 2022), I was struck by the role played not by individual case characteristics, but by the complex system of interactions between parole board members, professionals, the individual case, and their wider environment.

While public opinion has never been sympathetic to prospective parolees, recent political developments have placed more pressure on parole boards to be risk-averse in their decisions (Annison and Guiney, 2022). This complicates what is already a challenging task of gauging a prisoner's risk of reoffending if released – it exacerbates the existing conflation of 'societal risk' (the risk that an offender will cause future harm) with 'organisational/institutional risk' (the risk that an organisation will suffer reputational damage) (Rothstein, Huber and Gaskell, 2006). This pressure in a risk-averse direction was evident in my interviews with serving parole board members – while the formal guidance (Parole Board, 2019) requires them to consider release in each case unless further incarceration is necessary, members are unavoidably aware of public and political pressure to err on the side of rejecting release. This creates a de facto situation where the parole board's starting position is to keep the prisoner detained unless provided with a persuasive 'hook' on which to hang a release decision. My research suggested an interesting hypothesis (which my interviewees certainly seemed to believe) that less-experienced parole board members tended to be more risk-averse, particularly when they come from a non-legal background – I would need more data on the backgrounds of parole board members and their decisions to test this idea.

When analysing the factors associated with release in actual parole board decisions (137 cases involving domestic violence over an eighteen-month period), the most significant



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'hook' for release was the recommendations of professionals. If the psychologist, offender manager and offender supervisor didn't recommend release, this acted as an effective 'veto' on release – the parole board only released 1 prisoner out of 45 cases where professionals opposed release. The reverse effect was not as pronounced, but still significant: if those professionals recommended release, the parole board approved release in 77 out of 90 cases. Parole boards were conscious of the way the psychologist is often 'placed on a pedestal' and bemoaned the way other professionals tended to defer to their judgement. Members were consistently far more impressed by a probation officer who had reached their own conclusion based on their experience of working with the prisoner, than by a psychologist who had met the prisoner once. Nevertheless, they noticed to their disappointment how offender supervisors and offender managers often deferred to the psychologist.

My research highlighted just how important the offender manager has often been in a parole decision – rather than feeling disempowered and sidelined by the process, offender managers should remember that their evidence and professionalism is key, even after recent changes to what they are allowed to present to the board. Not only has it been rare for parole boards to overrule the probation officer's recommendation (especially where the recommendation is against release), but in marginal cases the parole board's decision often rests on their confidence in the probation officer. While the offender manager can no longer provide a recommendation in their report, following recent reforms, the parole board are still paying close attention to their analysis of the prisoner and to their ability to manage them in the community. Crucially, the parole board is less interested in how *high* a risk the offender poses, than by how *manageable* that risk is. Risk manageability is partly a function of the offending itself – interestingly, while my interviewees felt that the 'history of offending' was the most important factor in their decisions, my analysis of decision letters found that the decision to release an offender was not significantly predicted by whether the offender had a history of violence, but by the *nature* of that violence. Parole boards were more likely to release a domestic abuser where their abuse (no matter how serious) had been dysfunctional and chaotic – what Johnson (2006) called 'situational couple violence' – than an offender who had been calculated and controlling in their abuse – what Johnson called 'intimate terrorism'. This distinction interacts with the professional skill of the probation officer: a more chaotic offender might leave a trail of breadcrumbs pre-empting future offending: if they miss appointments, fail drug tests, and come to notice for generally chaotic behaviour, these can act as red flags allowing a probation officer to recall them to prison before they commit further violence.

However, a controlling, calculated perpetrator of intimate terrorism might be far more adept at concealing a relationship and any abuse within that relationship, even from the most capable offender manager. But while some of the risk manageability is inherent to the prisoner themselves, some is relative to the offender manager – parole board members reflected the 'luck' that Padfield (2019) highlighted: the same prisoner may or may not be released, depending on the confidence parole boards have in their probation officer. In marginal cases a comprehensive risk management plan often formed the final 'hook' on which parole boards felt comfortable hanging a release decision.

My research sheds new light on the role of programmes for perpetrators in parole decisions. Parole board members' ambivalence about the effectiveness of such programmes echoes research that finds limited impact on reoffending rates (Babcock, Green and Robie, 2004; Gondolf, 2011; Vigurs *et al.*, 2016; Haggård *et al.*, 2017), and yet they were more likely to release prisoners who had completed a programme. This seemed to be less of a reflection on the inherent value of the programme in reducing offending, and more of a reflection of the characteristics of those who are likely to complete a programme. While the board was sceptical of a programme's ability to reform an abusive offender, they were understandably more concerned when a prisoner had refused to complete such an intervention – they saw the latter as posing a higher risk of reoffending. In studies of education, this is called 'signalling' (Spence, 1978) – just as Spence found that the value of a university degree was less about what students learned on the programme and more about what the decision to pursue a degree signalled about students' existing capability, my research suggests that the value of a perpetrator programme is more about what the decision to attend the programme suggests about the offender's willingness to reflect and change.

These findings have increased salience in the context of recent changes (Ministry of Justice, 2022) that removed professional recommendations from the parole decision. Given the key role of these recommendations as a 'hook' for release, I anticipate the impact of denying them to parole board members would significantly reduce their inclination to release an offender, even when they are otherwise satisfied that their risk of reoffending is manageable – which of course may be the point.

These findings also demonstrate the significance of a probation officer's contribution to the parole decision, and how much weight the parole board attach to an offender manager who comes across as capable and knowledgeable about the case, and produces a thorough risk management plan.

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What Women Want

Reflections on engaging with women with lived experience to informing Learning Development

Ruchira Pounds, Learner Research & Testing Specialist
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<https://doi.org/10.54006/FWJI7317>



POWER: Positive Outcomes for Women; Empowerment and Rehabilitation

The Design Faculty have developed learning materials for staff to improve the way they work with women on probation called Empowering Change: Working Well with Women. The materials are based on evidence that a gender-informed approach is more effective than generic approaches in rehabilitating and addressing the sometimes complex needs of women (van Wormer 2010). The link for this learning can be accessed [here](#).

A priority during the development of the learning was to engage with women with lived experience to ensure an evidence-based product. We attended a women's centre and engaged with women who are currently or previously managed by the Probation Service. We explained that we would like to explore their experiences and listen to their thoughts about what makes a good relationship between the practitioner and the woman.

Methodology

We contacted a local women's centre via a member of the working group. The manager at the centre was supportive and invited us to a lunch club with the agreement of the nine women who were attending that day and were on probation or had been. We explained that we



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would like to hold a focus group (conversation) to explore their experiences and listen to their ideas and suggestions about how to improve staff relationships with those on women on probation. They all signed a consent form enabling them to withdraw at any time and we confirmed anonymity. We used these comments and views to help design these learning materials.

We went armed with post it notes, coloured pens, blue tack, flip charts, diagrams etc not knowing what would work best to engage the women in the conversation. In the end we found we needed very little as the conversation flowed once we explained why we were there, their stories were very real, came from the heart.

They inspired each other to talk and give more meaning to what was being said and we identified three key themes in the discussions:

1. What makes a bad practitioner? 'Probation and the women want the same thing, but it doesn't always work'

From their experiences the women were able to highlight many inconsistent practices on the power differential between themselves and the practitioner, whereby the practitioner is trying to 'fix' the woman on probation without much understanding of their journey, their past and their needs. They perceive the practitioner's focus to be on the 'process' and not the 'person'. For some, this included an induction meeting without much explanation of the process or understanding that there may be a change of practitioner from one session to another. This lack of communication means that women have to repeat their offending history, which can often be a traumatic experience. This also gives the impression that there are no accurate notes, that their story was not believed or they were not listened to. The need for simple, clear explanations without the use of any complex language is fundamental. The words of some of the women further highlight these issues:

- 'we made bad choices we are not bad people, you make mistakes, mistakes don't make you'
- 'there seems to be set packages for people to be processed - it's like putting a plaster

cast on my arm when it's my leg that is broken"

- I was told by my PO at induction, 'I am not your psychiatrist

2. What makes a good practitioner?

The learning product we are creating with the help of women with lived experience aims to align what probation wants with what the women need. The women we talked to said time and time again that they wanted someone who will listen to them. So, what does 'listening' look like to them? The women described this as showing empathy, being non-judgemental, respecting their opinion and views, and responding to them in a holistic way, understanding them as a woman in the first instance, and offering them choices. Thus, it is a way of working in a gender and trauma responsive way, being flexible and mindful of the woman's needs to help build a meaningful, trustworthy relationship that is honest and transparent. This is so important in building the confidence and self-esteem of the women so that they can build a future for themselves. The women said of a good probation practitioner:

- Someone who has my back so to speak
- Someone who is not fearful of emotions
- Someone who can work in a sensitive way
- Someone who does what they say they will do e.g., help fill in forms

3. What does the women's centre have to offer?

We acknowledge that not every woman on probation has access to a women's centre nor do all women who do have access, choose to use a women's centre. Despite the shortcomings we referred to, for most of the women we spoke to women's centres provide respite and support. They found a relaxing and inviting atmosphere with a choice of activities (for example, art and crafts, well-being sessions), a crèche facility and supportive staff and peer mentors:

- 'It is a space where we can 'just be' ourselves without having to do anything nor are there any reminders that you are a criminal'
- 'I can see my probation officer here'

The women's centre empowered women by using a holistic approach and supporting their various needs as individuals thus raising their confidence to take increased control over their lives.

4. How has this informed the learning product?

We acknowledge that we talked to a small group of women. However, it was clear from talking to them as well as practitioners, and subject matter experts in developing the learning product that 'probation and the women want the same thing.'

The richness and passion of people with lived experience certainly validated the information we already had to develop the product. Moreover, it highlighted areas we needed to focus on in more detail at the beginning and end of sentences (such as induction) and the use of plain language that is jargon free. We intend to go back to the women's centre to show the women how we have incorporated what they said into learning to make it truly gender informed. The use of lived experience to help develop the learning product was also shared widely with the Design Faculty as a model to be used in the development of other learning materials where possible. This has been a unique developmental experience we wanted to share with others.

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Race Equality in Probation Action Plan: Why Now?

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<https://doi.org/10.54006/SMRZ2521>



Introduction

Racial injustice has been prevalent in the criminal justice system (CJS) for decades, through disproportionate stop and searches; unequal sentencing for ethnic minority individuals; lack of mental health support for ethnic minority prisoners; experiences of racism and many other issues. Cases such as Stephen Lawrence have prompted inquiries into race equality in policing and probation, the most notable perhaps being The Macpherson Report, published in 1999 and The Lammy Review in 2017. This raises questions in relation to why the *"Race Equality in Probation"* (2021) report and the *"Police Race Action Plan"* (2022) have only recently been published. Whilst these plans are to be welcomed there is a need to think more widely than just probation. In this article, I argue for racial inequality to be tackled across the criminal justice system rather than just within the silos of individual institutions.



Finley MacDonald

Lecturer in Criminology
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Race Equality in Probation: Why now?

The lack of consideration for the experiences of ethnic minority individuals in the criminal justice system, as well as a lack of services to support the rehabilitation needs of ethnic minority individuals, has been noted for several years. For example, 27% of the prison population identify as an ethnic minority, despite making up only 13% of the general population (Ministry of Justice, 2020). The racial inequality that individuals are facing is prevalent throughout the entire criminal justice process: upon arrest, during sentencing, in prison and throughout probation. Without the correct solutions to mitigate racial inequality, the overrepresentation of ethnic minority individuals will continue.

It is estimated that the overrepresentation of ethnic minority individuals in courts, prison and probation service costs approximately £309 million per year; with re-offending largely contributing to these figures (Lammy, 2017). Although the Race Equality in Probation Action Plan (REP) recognises that the current support in probation for these individuals is insufficient, the progression to tackle this issue between 2017, when this issue came to the fore in the Lammy Review, and 2021 has been minimal. Subsequently, the lack of acknowledgement to tackle these issues is greatly impacting the trust (or arguably, lack of trust) that ethnic minority service users and staff have in these services (Ball et al., 2022)

Like the REP, The College of Policing (COP) has recently introduced the “*Police Race Action Plan*” (2022) that intends to help forces identify and tackle racial disparities in policing although adoption of this plan is not currently mandatory. The lack of consistency across these plans is unlikely to reassure ethnic minority individuals that racial inequality is going to be addressed any time soon. Indeed, the length of time that it has taken to begin to address these issues through implementing plans to hire more ethnic minority individuals may – understandably – be seen by some to be little more than “*a box-ticking exercise*”: one that fulfils the requirements of an equal workplace but feels disingenuous (HM Inspectorate of Probation, 2021).

Recognising disproportionalities in probation: staff and service users

Although racial inequality is an uncomfortable conversation, it is vital to improve experiences for ethnic minority individuals. Both probation service users and probation staff highlighted that there is a poor understanding of racism it has been noted that white individuals felt that they could not discuss race equality issues for fear of being labelled racist (HM Inspectorate of Probation, 2021). Moreover, service users understand the racial divide in sentencing and arrests, but they fail to acknowledge whether their treatment in probation differs from others due to a lack of conversation with probation staff (HM Inspectorate of Probation, 2021). Not only does this limit the opportunity for discussion, but it highlights the clear difference in treatment for ethnic minority groups leading to service users, and staff, feeling under-supported to discuss racial inequality.

Minimal effort has been made to discuss racial inequality with staff and service users. As a

result, staff attrition rates are significantly higher amongst ethnic minority probation staff (18.4%) compared to other ethnic groups (7.7%) (HM Inspectorate of Probation, 2021). There is, thus, an urgent need to rebuild trust with ethnic minority staff as well as probation service users. Service users have highlighted that they are more comfortable conversing with a probation staff member who is of the same ethnicity, but the lack of ethnic diversity amongst prison staff limits this opportunity. Only 8.2% of probation staff identify as an ethnic minority, compared to 20% of probation service users who identify as an ethnic minority (Ministry of Justice, 2018; HM Inspectorate of Probation, 2021). It may well be the case that the lack of willingness to address these issues previously is now causing ethnic minority individuals to choose to not work within this sector.

In addition, the racism that service users experience in the criminal justice process affects their engagement with probation (HM Inspectorate of Probation, 2021). Although the REP recognises the disproportionalities in the treatment of ethnic minority individuals, the actions to tackle racial inequality must be consistent across the entire CJS.

Moving forward: Recommendations

Staff and service users from ethnically minoritised backgrounds face issues related to racial inequality. Recommendations from the inspections of race equality in probation are currently being addressed through the Race Action Programme (RAP) set by HMPPS. Moving forward, reinspection of these issues will occur by at least 2023 ensuring that the service needs of ethnic minority individuals on probation, and staff, are fully considered.

However, more work is needed to progress this across the criminal justice system and wider collaboration between individual institutions is necessary. For example, HMPPS should liaise with COP to ensure there is consistency across both plans, enabling ethnic minority individuals to feel supported throughout the entire criminal justice process. In addition, there is scope for a stronger media presence of the RAP and PRAP which has - hitherto - been minimal. Gaining public confidence in these services is vital to HMPPS and COP and so a more public debate holds the potential to refine solutions and improve current plans, allowing a range of individuals to express concerns or interests. Developments of the plans must be discussed publicly and presented to the public as an issue to be resolved, not just a topical conversation. In Ball's (2021) article a probation worker stated that, "... the current drive has only been influenced by the Black Lives Matter agenda, which I expect to fade once the agenda is no longer politically correct." How many more movements must happen for race equality to be noticed? Although HMPPS have addressed some issues, there is still a lot of progress to be made; both within individual institutions and across the criminal justice system. The reinspection of the RAP (2020) will hopefully encourage further action.

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'Prisoners Abroad' Resettlement Service

Housing Security and Lessons for Probation

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Introduction

This paper reports from a small-scale qualitative study involving people imprisoned overseas and supported by the resettlement service 'Prisoners' Abroad' following deportation to the UK. A key focus of Prisoners' Abroad resettlement work is assisting 'returnees' into secure accommodation and to retain housing tenancies over the longer-term in efforts to prevent homelessness. The centrality of housing from the perspectives of both the service users and Prisoners Abroad staff provide important insights and lessons for wider probation practice. Without a housing base, people lack the certainty and stability needed to address practical and emotional issues typically experienced after prison. Moreover, to establish the requisites for everyday functioning so that moving forward can be achieved.

Between September 2021 and June 2022, ten service users and six staff from the Prisoners Abroad resettlement team and external partner services were interviewed. This was to find out how people cope with and manage their day to day lives post-deportation and how the different dimensions of the Prisoners Abroad resettlement programme assists social inclusion and re-integration (Cracknell and Ward, 2022). Our study adds to a growing body of research on 'post-deportation lives'. This maps onto expanded legislation across different countries that facilitates deportation as scholars seek to learn what happens to people through these experiences (cf. Hasselberg, 2016).



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The ten service users included eight men and two women aged between 28 and 73 years who at the point of interview had been back in the UK for between three months and three years. The people interviewed were purposively sampled to gauge experiences during the earlier phase of return and as the months and years unfold beyond. Seven of the ten had lived in the country they were deported from for most of their life, taken there by their families as a small child. As such they had left everything including their children and grandchildren.

All spoke of the multiple difficulties they faced on return and the critical role Prisoners Abroad played in their mental coping. However, for the purposes of this paper, we concentrate on the importance of settled housing.

The Prisoners Abroad Service

'Prisoners Abroad' has supported British citizens imprisoned overseas since 1978 and now operates a service with three main strands - in-prison support, provision to family members of those imprisoned and a comprehensive, phased resettlement package on return to the UK. It is the only service of its kind in the UK. Through their 'resettlement step' approach the first phase is assisting with immediate, critical care when a person arrives into a UK airport. This involves providing people with a 'welcome pack' containing hygiene items, a travel pass, directions to pre-arranged emergency accommodation among other vital necessities. From there a one-to-one service helps people access health and welfare provision, longer-term temporary housing and with employment preparation. The third phase is supporting clients to establish independence and self-reliance and for less need of Prisoners Abroad services.

The approach adopted by Prisoners Abroad is grounded in desistance theory and takes a holistic, strengths-based and person-centred frame of reference (Ward, 2010). Given it is found over a third of 'rough sleepers' in England (Ministry of Housing, Communities and Local Government, 2018) have served prison sentences, understandings of the links between housing security, prison release and desistance is essential.

Findings: Housing security

Leaving prison and navigating the process of settling into the community is daunting and filled with various barriers and potential pitfalls for any person. Yet, this is doubly compounded for Prisoners Abroad clients. They carry a unique set of circumstances linked to the trauma of permanent country removal, severed family connections and a loss of belonging and cultural identity. Most had left the UK as a young child meaning family ties, networks of support and employment experiences were located in a country now far from that they are required to live. They are unfamiliar with how systems work and how and where to access crucial aspects of resettlement, such as healthcare or financial support.

The significance of having accommodation could not be underestimated for this population. Homelessness was something most respondents had come close to as through thoughts about what deportation would result in. A number said that while they were preparing for deportation in the last months of their prison sentence homelessness and "sleeping out" was something they greatly feared. Arriving into the UK with nothing aside from a bag of belongings; some existing distant relations and little knowledge of the extent to which Prisoners Abroad would help, housing was the single most important thing to them.

When it comes to accommodation it is Prisoners Abroad they have done everything since I've arrived. ...I would have been on the street ... you have please to highlight this kind of thing. It's very difficult because a lot of us otherwise will go back to committing crimes. (male, 59 years).

Following the initial stage of support that Prisoners Abroad provide when a person returns to the UK, a longer-term view of resettlement is envisioned for clients. This places stable accommodation as a key factor, and the ability for people to make choices and to start shaping their life. A resettlement worker outlines the main aims the service has for people as they become more settled into the UK:

... the aim in resettlement is to provide the best options for people in terms of making a successful life in the UK. It's not necessarily perfection, but it's just trying to get someone to a stable position where they're capable of making decisions or having the luxury of making decisions and doing things and moving on. ... where someone has options, you are not homeless, everything is not limited anymore, you're aware that you've got options and you can move forward and do something that you want to do next (resettlement worker).

Stable housing also enabled returnees to establish a sense of home and comfort in the midst of deep feelings of isolation and abandonment. Making their space 'homely' and being able to cook food created feelings

of comfort and familiarity and aided cultural connections through cuisine with the place they had left behind. It also assisted to establish a sense of motivation to progress and get on with other aspects of their resettlement.

I feel like I'm in a good place, like I have a place to lay my head. I can think straight, you know I'm doing positive, I'm not doing illegal stuff, I feel good (male, 59 years).

Stable housing also enabled people to begin to be less dependent on Prisoners Abroad which is something that is embedded in the Prisoners Abroad model.

Once I got my house I started moving forward slowly. Then I didn't really need her help, up to that, she really helped me a lot (male, 28 years).

Prisoner's Abroad step-by-step approach beginning with crisis support and working towards enabling people to move-on independently is key in helping returnees to be more resilient and self-managing in the future. The service manager for the resettlement service described a key aspiration for their clients is to ensure people have attained a sense of stability in British society and are "sewn into the community" and are "able to function". Part of this involves plugging people into community and voluntary activities, assisting routes into education, training and employment and ensuring people move into long-term, stable accommodation.

Lessons for probation

Our findings highlight that Prisoners Abroad administer a comprehensive 'through the gate' service, that provides continuous and meaningful support to people during their prison sentence abroad, immediately upon their deportation and as they (re)settle into life in the UK. This addresses the practical, emotional and cultural barriers that returnees face and is fundamental in preventing homelessness with this group.

The approach of Prisoners Abroad and its key values could be replicated within probation practice. Research on probation notes the 'through the gate' experience promised by the 'Transforming Rehabilitation' probation reforms have largely failed to materialise (Cracknell, 2021). The Prisoners Abroad approach can be conceptualised as a truly 'through the gate' service, where meaningful contact is made while the person is serving their sentence and with initial plans drawn up, people are met at the airport gate and emergency accommodation provided. Service users work closely and co-productively with a keyworker to shape necessary practical and emotional support and most importantly housing.

Several Prisoners Abroad staff were former probation officers and noted the combination of a person-centred approach and smaller caseloads meant being able to work closely with clients, to find creative solutions to problems and draw on available resources in the community. Staff mentioned feeling less restricted in their roles and more able to make a tangible difference to the client group they worked with.

Concluding comments

Our research finds the work Prisoners Abroad undertakes is uniquely impactful particularly in relation to housing and preventing homelessness. Prisoners Abroad staff understand that helping

a person secure stable and permanent housing is fundamental and no further aspects of a resettlement plan can be completed until a stable base has been secured. Initial emergency accommodation helped ease the immediate stress and crisis that recently deported clients felt, and further support aided people to navigate the complex local authority and private housing systems. This has clearly helped many Prisoners Abroad clients find long-term housing, as well as ensured that the housing is safe, secure and adequate for an individual's needs.

Housing provision for people released from prison in the UK and in London is scarce with high costs and benefit relief shortfalls, but paying attention to housing security is critical and fundamentally necessary to address all other aspects of functioning in UK society.

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Thinking about emotional work and emotional resources in women's voices in desistance and recovery

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On the 19th of January the Lincolnshire Women and Girls Research Network organised a research seminar on Women's Voices in Desistance and Recovery at Lincoln University titled 'Working to reduce the weight of reoffending and addiction for women'. In this brief article, we share some thoughts and reflections on some of our recently published papers which we presented on. The aim here is to open up new viewpoints on ways of capturing the gendered weight of supporting and maintaining desistance. After summarising the two papers, we highlight the potential value for research and practice and raise key questions from the conversations that followed. We conclude with a short note on our vision for next steps.

After a rounded introduction by Lauren, Linnéa kick-started the discussions by speaking about the role of social and emotional capitals in desistance which she had explored in an article in the *European Journal of Probation* (Österman, 2022). The paper, grounded in a follow-up study from her PhD, aims to find a way of capturing what has been identified as a neglected area in the desistance literature: the gendered aspects of resources available to spend and to invest in desistance - both your own and for those around you.



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Social capital is quite well-explored in the desistance literature, with a wealth of recent work highlighting the relational aspects of desistance (see for example Weaver and McNeill, 2015), and will only very briefly be touched on here. In sum, the research found that beyond very particular ways of managing their social network - in line with findings in previous work (Nugent and Schinkel, 2016) - bridging social capital was identified as an asset for the women's desistance path. That is, networks that did not circulate around their ex-identity were particularly important. The role of motherhood emerged in the data as a valuable identity hook for being able to easier access bridging social capital.

Social capital is intertwined with trust and reciprocity. For a relation to be an asset - a capital - it needs to be a relationship that is based on reciprocity, trust and a sense of obligation towards others. Trust is something that has been problematised for women in criminal justice, linked to the fact that for many, experiences of violence have been committed by people in positions of trust (see for example Gomm, 2016; Gålnander, 2019). What was clearly found in this study was that the idea of mutual obligations must also be problematised; that is, the support these women were engaging in was very rarely reciprocal. Rather, women were doing the supporting, and others (often - but not always - men) were the beneficiaries of that support. Some of this support could specifically be understood as Desistance Emotional Work; (see below). As the support commonly lacked reciprocity and trust, these relations did not result in capital for the women.

When exploring these themes, it was soon found that the social capital lens on its own was not enough to understand women's experiences. In order to fully understand these processes I drew on the lesser-known concept of emotional capital, which can be summarised as the stock of emotional resources that a person

holds. Emotional capital is different from the traditional capitals in the way that it is used up in interactions - you spend it - and it specifically benefits those others. For example, there were numerous examples in my study of women, while managing their own desistance path, trying to heal earlier conflictual relations but being met with rejection and becoming further stigmatised by family members. Some were trying to manage this emotionally while simultaneously trying to support children who were experiencing problems themselves, not unusually in connection to criminal justice. For some, this involved children committing or experiencing violent and sexual offences, which in turn re-triggered the women's own experiences of trauma. These women were fighting on so many levels and investing so much emotionally to try to 'make it work' within the challenging family setting. As a consequence, their own emotional resources were depleted, which in turn commonly led to worsened mental health and higher doses of medication. Thus, we need to be wary of making assumptions about the family as a source of social capital and remain vigilant about - and find tools to reveal - the ways in which gendered support processes and expectations are impacting women's desistance paths.

Lauren then presented her co-authored paper with Dr Lyndsey Harris on the emerging concept of Desistance Emotional Work, or DEW (Hall and Harris, 2022). DEW broadly refers to the range of life domains which may be impacted by supporting someone to desist from crime. The concept is first introduced in Hall and Harris' (2022) paper 'The gendered weight of desistance and understanding the 'love of a good woman': Desistance emotional work (DEW)'. During six in-depth interviews with women whose partners had a history of offending the women discussed a number of reciprocal relational strengths when their partner's desistance was successful. There were a number of challenges faced including experiences of stigma; gendered emotional work associated with incarceration and probation; impacts on sense of self and agency including reflections on how feeling like a successful partner was related to the desistance process; familial strain and more. To encompass and bring attention to the areas which are impacted by supporting a desister, the term DEW, drawing on Strazdins and Broom's (2004) definition of emotional work - a gendered investment of energy into relationships that is often inequitable - was constructed. The introduction of the DEW framework intends to help enhance awareness amongst particularly researchers and practitioners of the range of impacts and ripple effects desistance can have. As presentations progressed, it seemed likely that awareness of women's emotional and social capital could help develop responses to easing DEW in practice. As such the concepts appear interlinked and complementary.

Work continues regarding the development of DEW, its parameters, and strategies for reducing its weight. Partners are not the only women affected by desistance: siblings, mothers, sisters and professionals can be proximate to and support the process, and of course women also desist. DEW is likely impacted by the partner's offence type, relationship length, and whether or not either partner is a parent. Initial findings that may have practical benefits suggest that when considering desistance processes, it is imperative to consider gendered implications. This will avoid further burdening women with expectations of care in the absence of sufficient support in place for them. Women emphasised the importance of confidentiality and anonymity in sharing their stories, due to the implications of stigma associated with having a criminalised partner, and as such these values should be key to consider when offering support in practice and ensuring it is accessible.

The two presentations elicited rich conversations which were - positively - largely initiated by practitioners. Core questions included whether DEW and the emotional capital framework can be applied to women leaving domestic abuse situations, how we can critically consider the impact of life experiences - such as trauma and abuse - on the emotional capital that a person holds, what the possibilities are to extend the concept of DEW to other supporting roles, as well as how we need to remain critical to processes of responsabilisation in the context of desistance-focused practice. As always with good conversations, many of these themes raised more questions than answers.

That said, there was consensus that the conversations opened up new ways of thinking about desistance and recovery support in critical ways. There was also agreement that work should focus on increasing women's agency and centring their voices, equipping them with tools for making choices. Importantly, this must involve identifying ways of responsabilising men around their own desistance rather than relying on women's emotional work. Thus, valuable questions to ask in practice are: 'Are you currently supporting someone in desistance or recovery?' and 'What support/people do you have around you??' These questions could help practitioners know when DEW is being done, recognise the processes involved, and explore impacts on emotional capital. An extension to this is finding ways to 'top-up' women's emotional capital to make DEW more manageable, if that indeed is the path the woman wishes to take.

The thoughts presented in this article are points of departure rather than finished products. We hope that they go some way to identifying ways of capturing the narratives of support that many women are voicing but that are often unrecognised. Ultimately, this is about revealing subtle structures of inequality that impact on people's experiences of doing and supporting desistance. However, these processes do not exist in a vacuum and are inevitably linked to wider contexts and so raises questions about the societal circumstances, structures and practices that shape these experiences. Similarly, we should consider the ways wider

policies in relation to gender equality, welfare and social life influence the space that women have to negotiate experiences of desistance. An interesting next step in this research field is to compare experiences across cultural and social settings, as well as different meso-level systems of support. Looking forward, we hope to undertake an international, comparative study that centres gender equality, cultures and practices, to shed light on these important paths towards desistance and recovery.

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A call for optimists, dreamers and change-makers

**How we manifest a more just system for
young adults**

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Cynics feel free to scroll past this piece.

"If the problems in the justice system were easy to fix, they'd have been fixed by now..."

Melissa Case - Leadership and Development Coach & Former MoJ Policy Director

This sobering truth was handed to me when I was a bright-eyed, bushy-tailed policy official, within a couple weeks of starting my justice career. At the time, I led the private office for the Director General for Justice Policy, and later moved to the Youth Justice Policy Team in MoJ HQ. I think the director could smell the optimism on me, could sense I was flirting with the idea of reform (and its spicier cousin - revolution).

She was right to try and protect me - and these words offered me strange comfort when I eventually fell down the chasm between my optimism and the scale of issues within justice (and literally landed on a therapist's couch...)

Taking on a secondment in the third sector has (thankfully) renewed this optimism. At the Barrow Cadbury Trust, I've taken up a role as an Embedding Manager, supporting their Transitions to Adulthood (T2A) Programme. The Programme has run for nearly two decades now - and I'm responsible for taking the impressive evidence base they have developed on Young Adults and transitions in the criminal justice system, and converting it into changes to policies and practice, which can be felt on the ground. For those who are interested, this wealth of evidence can be found at t2a.org.uk

It has been a genuine joy to spend each day working with and talking to optimists from all sectors, who care about the system and are dedicated to playing their part in bringing about positive change. And though it is easier to focus on the barriers to change - I have always found it more productive to focus on the fact that positive change can and does happen regardless.

In focusing on the latter, I frequently surprise myself in how much easier it is to find value in my work, discover inspiring people and projects, learn new approaches and accept constructive challenge. All of this improves what I deliver day to day, feeds into my optimism, and fuels my sense of job satisfaction and contributing (in small and large ways) to a more compassionate, progressive criminal justice system.

A lot of this is linked to **mindfulness**. I accept it is an odd focus for an article on young adults and transitions. But I'm leading with mindfulness because it's a free resource we all have access to. We are all capable of arriving at working and telling ourselves:

"I have the power and ability to create positive change within the Criminal Justice System."

"I believe in a fair and just society and am committed to working towards that goal."

"I am open to new ideas and perspectives, and I am willing to learn and grow as I work towards my personal and professional goals."

Trust me, say these enough times - start each day saying these - and the change in mindset will surprise you too. You're of course welcome to replace these with anything that will help you tap into a more positive, inspired and energised mindset. (Pro tip - you can ask AI to write affirmations for you using [Chat GPT!](#))

I also lead with mindfulness because I'm aware of how much everyone at all levels of the Probation Service has struggled over the past couple of years in particular - the mental health, job satisfaction and confidence of staff is something that should be at the forefront of each reform. If it isn't, we really need to do all we can to prioritise our own mental wellbeing - especially when so many things are out of our control. Everyone reading this has permission to prioritise their mental health.

The Transition to Adulthood Programme oversees an Alliance of twelve charities focused on issues related to young adults. But every day I see a larger and growing alliance of people and organisations - an alliance spanning sectors, overcoming hurdles and creating spans much more widely and forms a rich picture of people who are helping drive momentum in this area.

We have to be grateful for all the ways probation colleagues, prison colleagues, charities, funders, delivery partners, policy officials and young adults with lived experience have contributed to bringing about changes the Trust couldn't dream of two decades ago.

I've been inspired by the Justice Select Committee Reports, best practice pilots, young adult focused strategies and guidance, young adult focused teams in various corners of the MoJ and HMPPS, transitions research projects and policy advocacy organisations run by young adults. A recent project which holds a lot of promise is the Newham Y2A Transitions Hub - a pilot providing bespoke young adult services and can stand as a blueprint for how probation can deliver world-class, effective support to young-adults. And I have long been in awe of how the Youth Justice Advisors Programme has developed - they're a group of young adults with lived experience offering advice and training to practitioners, and encouraging more inclusive practices.

We still have a long way to go, but there is a lot to be proud of. And everything was brought into existence by people who thought change was possible, and could see themselves meaningfully contributing to said change. You can't get anywhere without it.

I'm not paid to write about mindfulness though! So I'll close this with a few further insights on how we can all do more to support young adults and their unique needs:

- **Read up on the existing guidance on young adults**
Equip and the My Learning Hub are great places to start - there you'll find two 7-minute briefings and the Next Steps Resource Pack. The [HMI Probation Evidence base](#) on Young Adults summarises the cohort's needs well and the [T2A website](#) has a wealth of resources too.

- **Use your first meetings with young adults to start building a relationship**

Imagine one of the worst things you've ever done. Something you feel guilty about, and has marked the way people see you or how you see yourself... Now imagine talking about it to a stranger with a clipboard. Imagine the reservations you'd have and the discomfort you'd feel. We've heard from Young Adults that they want to build relationships with their probation officers before they have to completely bare all. Meeting young adults before they're released and using earlier meetings to get to know them and their future plans would help hugely.

- **Use pro-social approaches**

(Excuse the jargon.) A pro-social approach encourages a 'shift in identity' - a shift away from a pro-offending identity (I'm a trouble-maker, disruptive, a risk), to a more positive one (a good musician, a good father or partner etc...) The building blocks for this are activities, positive interactions and responsibilities. Young adults want their time on probation to be spent looking forward, building on strengths and taking their lives forward. A summary of the approach can be found [here](#) and a handy toolkit [here](#).

- **Engage with the guidance, capability building sessions and 3rd sector agencies - and protect time for your staff to do the same**

Time is an invaluable resource at the moment. When managers role-model that they're engaging with guidance, sign-post it, encourage staff to engage and protect time in diaries, they've seen promising results. Clinks has a helpful [directory](#) of 3rd sector justice organisations who might be worth reaching out to too!

- **Learn from best practice in other areas and publicise best practice in your own area**

There's so much good work taking place but it can get stuck within an individual region. The more peer learning we have, the easier it is for regions to develop plans that stand a chance of making a difference, and we all avoid having to reinvent the wheel. It's why strong pilot evaluations and reports are so important - they mean a stronger case can be made for findings and best practice to be used in other regions or at a national scale. T2A can also help you publicise your findings.

- **Support your office and region to develop delivery plans and reporting structures**

Clear governance structures with clear remits and lines of communication go a long way in ensuring that progress stays on track, and everyone feels bought into common goals.

Lastly and crucially...

- ***Employ and co-produce with young adults***

Where possible, support young adults in articulating what they want to see done differently. This is relevant in terms of asking how they want their individual relationship with their officer to look like, as well as bringing together young adults to advise on strategic questions. Existing young adult advisory forums such as the [Youth Justice Advisors](#) and [Switchback's](#) Experts by Experience are great for this!

Happy dreaming!



The diminishing voice of the probation service

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Introduction

In the past twenty years, the probation service in England and Wales has undergone four large-scale reforms, placing the service in a near-constant state of flux as it adopts to a revolving door of top-down re-organisations (Mair and Burke, 2013). Indeed, probation has recently emerged from the near 'death knell' (Newburn, 2013) of the failed *transforming rehabilitation (TR)* reforms and has since been reunified into one National Probation Service (NPS). However, the NPS faces a renewed set of challenges as it adopts to its increasingly centralised role within the civil service structure and subordinated role within HMPPS (HM Prison and Probation Service).

This article will briefly outline three current challenges probation is facing, including: the straight-jacket imposed by a monolithic civil service culture; the further domination of prisons arising from the 'one HMPPS' leadership restructuring, and; the diminishing voice of probation in court work and parole hearings. These three challenges demonstrate concerns that a vital service is losing its independence and critical voice on a local and national stage. These challenges will also be assessed in light of the negative media reporting regarding probation's role in a number of recent serious further offences (SFOs) (Editorial, 2023). This article will conclude by suggesting a potential pathway to ensure the distinct voice of probation continues to be heard.



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The diminishing voice of the probation service

The first concern relates to the current management structure of the NPS. When the *TR* reforms were brought to an end, the newly reunified service was subsumed into the civil service structure. Concerns related to the unsuitability of civil service management for probation have been outlined by academic research, probation union representation and penal reform charities.

For example, preliminary findings outlined by Tidmarsh (Webster, 2022), concerning professional identity, culture and practice in probation since the collapse of *TR*, explains that despite staff welcoming the opportunity to be working once again as a single public sector organisation, there was widespread disquiet that the probation service is not a 'good fit' with the 'grey, faceless bureaucracy' of the civil service, which doesn't allow for the flexibility and dynamism that is central to effective probation practice. Furthermore, Carr (2022) notes that as civil servants, probation staff are now bound by the civil service code and will face restrictions on their ability to speak publicly about their work - restricting their voice and ability to articulate concerns. Recent high profile SFOs and accusations that probation officers have been pressured to downgrade risk assessments (Editorial, 2013) help articulate the importance of staff being able to articulate concerns when they arise.

The National Association of Probation Officers (NAPO) have also published their opposition to the suitability of a top-down command and control ethos of the Civil Service to probation practice, describing this move as "a disaster for the profession" (NAPO, 2022). Francis Crook (now retired) chief executive of the Howard League for Penal Reform argues that the nationalised structure of the NPS under the reunification of probation, has "nationalised not localised" (Crook, 2021) the service and the civil service structure will leave probation with no autonomy,

independence or local voice. Indeed, Crook outlines concerns that the centralised structures of the civil service will damage local visibility and accountability.

The second concern relates to a more recent re-structuring of HMPPS, titled the 'one HMPPS' programme (Ministry of Justice (MoJ), 2022a). The last thirty years of probation reforms have witnessed a number of attempts to amalgamate prison and probation services, despite longstanding concerns that they inhabit very different cultures (Cracknell, 2021). The one HMPPS programme is the latest attempt and involves the creation of two new leadership roles; a chief executive officer of HMPPS and a director general of operations. These roles replace the previous structure, which had separate director generals for the prison and probation functions. This means that the leadership structure for HMPPS oversees both prisons and probation, instead of separate oversight of each organisation. The MoJ claim this will help promote a more joined-up framework and enables a 'whole sentence' approach to sentences (MoJ, 2022a). Although any attempts to help ensure continuity in resettlement processes should be welcomed, substantial concerns have been highlighted by this change of leadership structure. This includes critiques by the Probation Institute who hold serious concerns that the integration of prisons and probation at senior management level "will quickly lead to the disappearance of a distinct Probation Service" (Probation Institute, 2022).

The Institute outlines six ways where prisons and probation have very distinct and incompatible working practices, and how these practices might be damaged by this leadership change. This includes:

- **Profession:** The probation service requires a professional qualification at higher education level, whereas the prison service has no such requirement.
- **Purposes:** The probation service prioritises risk management and rehabilitation work, and is closely aligned with a social work ethos. In comparison, prisons prioritise safety, security and fairly run prisons and thus have a different underlying ethos.
- **Culture:** The two services have vastly different cultures, with probation embedded in the community and concerned with societal influences of offending, while prisons have different attitudes and behaviours towards the underlying causes of offending and are not community-based.
- **Size and funding:** The size and funding of prisons vastly overwhelms probation, dominating budgets.
- **Leadership:** Prisons have a clear command and control structure, while probation work demands more autonomy and in this respect it would be difficult for a prison practitioner to lead a probation service.
- **Training:** Probation training consists of a two-year higher education course, while prison training is 6 weeks long and is focused on security.

Napo (2022) outline similar concerns to the Probation Institute and regard the one HMPPS programme as a risk to the profession – particularly at a time as probation services are still undergoing the turbulence of reunification. Further concerns have been outlined by Justin Russell, the Chief Inspector of the probation

service. Echoing longstanding concerns of the ‘Cinderella service’ (Robinson, 2016) being dominated by its larger partner organisation, Russell forewarns that “the day to day operational and political demands of the prison service can all too easily distract focus from the Probation Service and its particular (and very different) needs” (HM Inspectorate of Probation, 2022) and asserts that the ‘voice of the Probation Service’ must continue to be heard amongst this leadership restructuring. At a time of negative press surrounding recent high-profile SFOs, it’s very important that HMPPS resources and focus are prioritised for the specific needs and issues that the probation service is facing.

The third concern relates to the probation service losing its voice within the important work it undertakes in the wider criminal justice system. For example, pre-sentence reports (PSRs) have been in sharp decline in the past decade (Robinson, 2017). The probation service has been a longstanding key actor in court work, however, a culture in contemporary court work that values speed over quality, means a critical element of probation’s pre-sentencing work is in decline as less PSRs are ordered and probation work is becoming a less visible presence in the court setting. Fast delivery oral reports have seemingly replaced the longer, but more in-depth PSRs (Robinson, 2017), however, there are concerns related to the quality of information provided in these oral reports, and this is potentially damaging the integrity of the probation voice in courts and sentencers trust in the recommendations made by probation staff (HM Inspectorate of Probation, 2020). The decline in the use of PSRs has had serious detrimental impacts on public protection, with their decline cited in a factor in poor risk management practices involving recent high-profile SFOs (Probation Institute, 2023).

A further example of this diminishing voice within criminal justice work, concerns probation's role in the parole process. A recent root and branch review of parole, now mean that probation staff are no longer able to provide recommendations or views on a prisoner's suitability for release or transfer to open conditions in the reports they provide to the Parole Board (Moj, 2022b) (this is currently undergoing a legal challenge). The review also gives further powers for the Secretary of State to provide a 'single view' on a prisoner's suitability for release, leading to ministerial control taking precedence over the professional voice. Notwithstanding evidence that this has led to a significant reduction in prisoners transfer to open estates and an expected increase in the overall prison population (Prison Reform Trust, 2022), this means that another core function of probation work – assessing and managing risk – is becoming eroded. Media reporting on the recent SFOs already calls into question the effectiveness of probations ability to manage risk, and this decision further undermines probation's expertise in this area.

Conclusion: charting a way back

Despite these above concerns, that probation practitioners continue to operate with such commitment in this difficult climate demonstrates the remarkable durability of probation values. However, three suggestions are outlined below which will hopefully help to sustain these values and amplify the crucial probation voice:

- Remove the NPS from the civil service framework and return to a localised service, where probation is accountable and responsive to its local communities, and practitioners are given the autonomy to operate and articulate their voice.

- Ensure probation continues as a distinct service, and its voice clearly heard within the HMPPS structure, alongside recognition and continued support for its underlying values, culture and training, that are distinct from the prison service. The recent *Target Operating Model for Probation Services in England and Wales* (HMPPS, 2021) provides a helpful guideline for supporting this, with a focus on professionalism and staff development, and seeks to implement Professional Standards alongside a professional register framework of probation practice and renewed training initiatives. Continued commitment to this professionalism agenda will be crucial.
- The targeting operating model (HMPPS, 2021) also emphasises a commitment to improving the quality of advice to courts and PSRs, this has subsequently been re-affirmed by a pilot scheme designed to improve the quality of information presented to court at each of the fifteen pilot sites (Moj, 2021). However, staffing issues continue to hamper probation practitioner's ability to provide their in-depth expertise in the court setting, and this issue needs to be addressed urgently. Recent decisions concerning parole board hearings should also be reviewed and reconsidered, allowing these expert professional opinions to play an important role in these hearings.

Despite the above potentially presenting as another widescale re-organisation, this hopefully charts a way back for the probation service to return to its roots as a service embedded in the local community, with a distinct professional identity, that has practitioners with the skill and knowledgebase to undertake vital work throughout the criminal justice system.

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Rehabilitating Probation – Researching Probation Unification

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The decision by government announced in June 2020, to unify probation and to bring most probation services back within the public realm, has no policy precedent. The scale of the exercise to 'in-source' services on a national level has never previously been undertaken. As well as a recognition of the failure of the Transforming Rehabilitation reforms, the accompanying policy announcement committed to further investment in probation services (to the tune of £155 million on an annual basis, as well as further capital investment), with the stated aspiration to '*Strengthen Probation*' and '*Build Confidence*'. Such an objective of course is itself a recognition that confidence in probation has been eroded over the years in which the vaunted 'rehabilitation revolution' failed to materialise. So, what does it mean to bring probation services back together after years of disruption and turbulence? And what are the challenges involved in rebuilding culture, identity, and legitimacy in a reformed public service?

Our research project *Rehabilitating Probation* is seeking to address these questions. The research is a three-year project (running from January 2022 until December 2024), and it is independently funded by the Economic and Social Research Council (ESRC). The research team led by Dr Matthew Millings (Liverpool John Moores University), includes Dr Harry Annison (University of Southampton), Professor Lol Burke (Liverpool John Moores), Professor Nicola Carr (University of Nottingham), Professor Gwen Robinson (University of Sheffield) and Eleanor Surridge who is working on the project as a Research

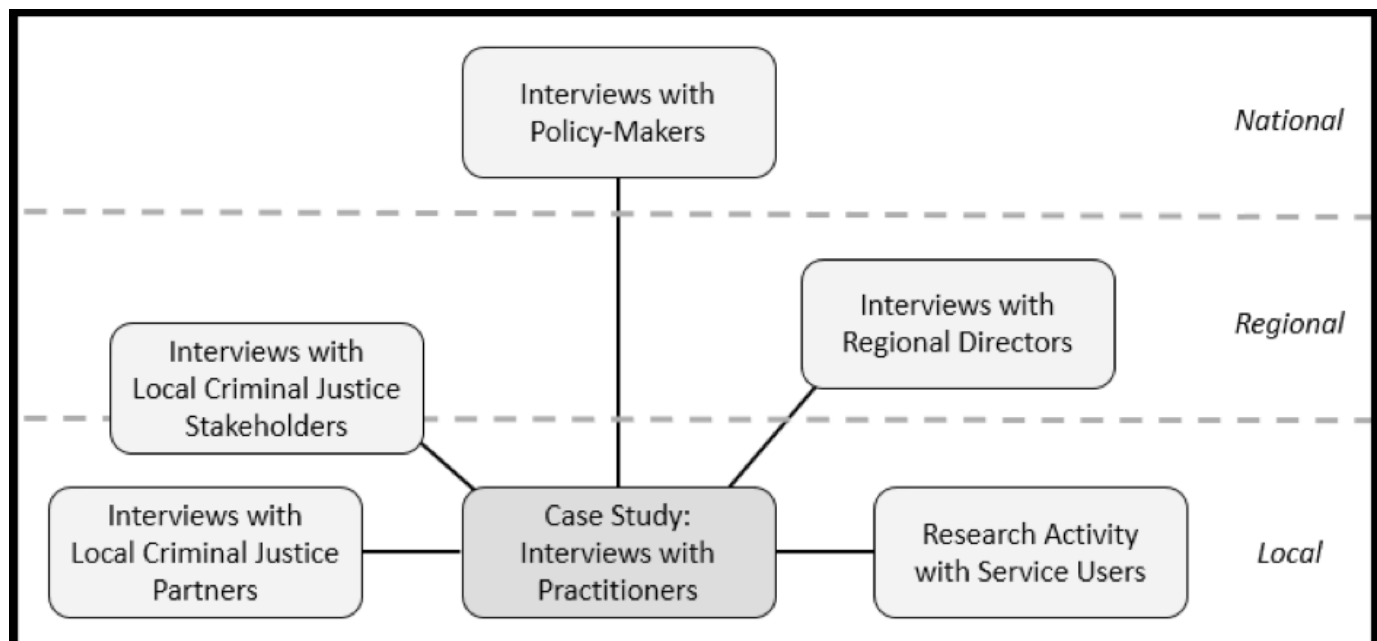


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Assistant. The project involves the exploration of the dynamics of reunification from a number of perspectives, including an in-depth study of one case study area (one of the 12 newly constituted probation regions); the national perspective from the point of view of regional probation directors and senior policy makers; the external perspective from various national, regional, and local stakeholders and the perspectives of service users in a co-produced phase of the study. The **Figure** on the next page provides a visual representation of the different levels of research activity.

Figure 1: Overview of research activity



At the 'Local' level in the first year of our study, we have interviewed 56 practitioners and managers working in a number of different Probation Delivery Units (PDUs) that span the case study area. These include PDUs in rural areas as well as those in towns and cities. We have interviewed staff who were either working in CRCs or the NPS immediately prior to unification (a roughly equal split of the sample). We have also interviewed a smaller number of staff who joined the service following unification, and therefore had no previous experience within a divided service. The average length of service of staff in this sample is 15 years, and the overall span is from 1 to 40 years, reflecting the broad diversity of experience within the probation workforce.

In this first sweep of interviews with practitioners we have explored initial reactions to the

unification decision, as well as the experiences of how this played out in people's work lives. Irrespective of where they were working at the time of the unification announcement virtually all participants welcomed the government's decision. Some, such as Dervla¹, who was working in the NPS questioned why the decision to reverse privatisation had taken so long: *I mean, it was inevitable. It was so shambolic after the split, that it was just a matter of time, wasn't it, before reunification?* While others, such as Mark a probation officer had regretted what he considered to be the waste of time and money spent on years of reforms: *I was angry. I was thinking, what an absolute waste of money.* So, while unification was broadly welcomed, for some it was also a signifier of the 'waste' that had preceded it and was therefore mixed with regret.

¹ All names are pseudonyms

Our interviews also show that staff were soon met with the dawning reality of what being brought under one organisation actually entailed. Rachel, a manager who had worked in both a CRC and the NPS prior to unification likened the situation to rebuilding after a marital break-up *'it's like, how do you get remarried after you've been divorced?'* It is also important to remember that all of this took place against the backdrop of COVID restrictions, where staff were often required to work remotely under the Exceptional Delivery Model. This meant that many people worked with a sense of dislocation, and at the time of this first phase of interviews (Spring 2022), had not yet had the opportunity to meet properly with new colleagues. This sense of people feeling dislocated as well as experiencing significant organisational change led Matt a probation manager who had worked in legacy NPS to reflect *'there are real issues around health and wellbeing and isolation'*.

Most profoundly these issues were compounded by staffing shortages across offices in our case-study region (and as Inspectorate reports and MoJ workload statistics reveal this is broadly reflective of a national picture). Some of the staffing shortages were a result of people deciding to leave probation in the wake of further organisational changes. Jenny a probation officer who had worked in a legacy CRC described the departure of a senior colleague, who made the decision to retire at the point of unification: *She felt she'd been through it already, she didn't want to, she was at that point where she thought, 'I'm not going through it again.'* So, she decided

to leave. Other people at the time of interview were reflecting on whether they would continue to work within probation. Here issues regarding pay, conditions, and workloads were significant themes. Some staff for instance observed that they would be better paid working in retail or other sectors and have fewer responsibilities.

Staff departures and shortages have understandably had profound impacts on remaining colleagues, many of whom described working long hours to cope with excessive workloads. This sense of a cyclical impact is reflected in Andy's (a Probation Officer working in a busy office) experience: *Somebody's gone off this week and their cases have been reallocated and I've picked up another couple of high risk (cases)'. The term 'firefighting' came up unprompted in numerous accounts, reflecting an overwhelming sense of dealing with immediately pressing issues to stave off chaos.*

My role at the minute just feels like firefighting...I don't seem to do any... I don't feel like I do any meaningful work. (Maria, Probation Officer)

It's just that constant firefighting, that constant feeling on a treadmill. And I can't remember the last time where I had a weekend where I didn't work or an evening during a week where I didn't work. (Alison, Probation Officer).

This was also underpinned by anxieties that people would miss something important on their caseloads, and this could lead to an occurrence of a Serious Further Offence. More than one participant referred to this as a '*constant fear*' that formed the backdrop of their work.

At the time of these first interviews efforts regarding recruitment of trainees was gaining momentum. But while the prospect of new staff joining was broadly welcomed, many participants appreciated the fact that people undertaking the probation qualification programme (PQiP), would require time and support to develop their expertise and competence. Moreover, there were concerns that without sufficient supports in place for trainees, they would inevitably leave, thereby continuing a pernicious cycle. This concern is voiced by Jenny, a Probation Officer working in an office experiencing acute staffing pressures '*Because yes, you can recruit them, but are they going to stay?*'

Themes around the impacts of organisational upheaval and coping with staff shortages were

dominant features in the first round of interviews. We are just about to go back to the case study area to interview staff for the second year of this project, where we hope to interview many of the same people (as well as new recruits) to explore what their experiences have been like over the past years. We will also return again in 2024, so we will be able to chart people's journeys over time. Our hope is to present as comprehensive a picture as possible of the challenges of organisational reform. In the other parts of the project, we are also exploring the changes from broader perspectives, with a particular focus on rebuilding confidence and legitimacy. In many ways probation is a unique study, but some of the challenges it faces (such as staffing shortages) are also seen across other sectors, and in due course we hope to present wider lessons regarding public sector reform.

You can find out more about the *Rehabilitating Probation* on the project's website:

<https://rehabilitating-probation.org.uk>



Moving forward with Restorative Justice in Ireland

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Restorative justice in Ireland has gone from being a somewhat novel concept to a default position for the Irish criminal justice system. This article outlines the progress that has been made in the development of restorative justice in Ireland in recent years.

In 2009 the Irish National Commission on Restorative Justice found that restorative justice could be an invaluable option for the Irish criminal justice system in responding to crime and recommended that a restorative perspective be introduced nationally into the Irish criminal justice system no later than 2015. The global economic downturn in 2008 meant this deadline was missed but restorative justice in Ireland continued to develop. The institutionalisation of restorative justice in Ireland has gathered pace with its continued and increasing use by An Garda Síochána (the Irish police force), the Irish Probation Service and the Irish Prison Service and political support its use has gone from strength to strength (Marder, 2019). There has been an increased use of restorative justice and practices in a wide range of voluntary and non-governmental organisations and Irish research has paid close attention to the potential use of restorative justice in the aftermath of sexual violence (Keenan, 2014; Department of Justice and Equality, 2020).

In 2017 the Criminal Justice (Victims of Crime) Act s. 2(1) defined restorative justice as

'any scheme administered for the time being under which, with the consent of each of them, a victim and offender or alleged offender engage with each other to resolve, with the assistance of an impartial third party, matters arising from the offence or alleged offence.'



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The Act outlined what the process should look like, provided safeguards for participants, and obliged statutory agencies to inform victims about restorative justice services where available (Marder et al, 2019). In 2018 the Probation Service established its Restorative Justice Victim Service Unit. The Council of Europe Recommendation CM/Rec (2018)8 of the Committee of Ministers to member States concerning restorative justice in criminal matters was timely, as it helped frame the challenge faced by the Irish criminal justice system where restorative justice had been developing more organically as opposed to through a strategic and integrated approach.

In the 2020 Programme for Government, it was stated that government will work with all criminal justice agencies to build capacity to deliver restorative justice, safely and effectively and restorative justice was also explicitly referred to in the Irish Governments Victims Charter. The Irish Youth Justice Strategy 2021-27 also refers to restorative justice in several places, including as a means to support (adult and child) victims of youth offending and enhance diversionary options from and during court.

One of the five central goals of the 2021-23 Department of Justice Plan was to strengthen community safety, reduce reoffending, support victims, and combat domestic, sexual and gender-based violence. To deliver on this ambition one of its strategic priorities was to deliver restorative justice safely and effectively through five objectives

1. To map the current state of play of restorative justice.
2. Activate a restorative justice website
3. Develop options for an appropriate mechanism and process to create awareness and availability of restorative justice at all stages of the criminal justice system with consistency of service ensuring quality in training and practice.
4. Consult with stakeholders on options and finalise a policy paper on the most appropriate choice.
5. Publish policy proposals.

The Department of Justice Plan 2021 Mid-year Report revealed that two of these objectives, to map the current state of play of restorative justice and to activate a restorative justice website, have been achieved. These objectives were achieved largely by Irish participation in

a European wide project entitled Restorative Justice: Strategies for Change (RJS4C). The Irish strategy was outlined by Marder et al (2019: 2) which aimed to "help embed restorative justice and restorative practices within the Irish criminal justice system, building on existing practices and stimulating new work to fill gaps in policy and practice".

The strategy identified three key themes: (1) accessibility (2) knowledge and (3) cultural change. Each had its own statement of principle. In order to be accessible, the strategy stated that "safe, high quality restorative justice should be available to all victims and offenders who would benefit from participation". Such accessibility should not depend on location, age, offence, or the stage of the criminal justice process. In terms of knowledge, it stated that restorative justice "should be known and understood widely and to such an extent that all relevant persons are aware of its benefits and risks, and the available service". Cultural change referred to having all persons working in or in collaboration with the criminal justice system trained in restorative practices to develop confidence in using restorative skills and process in their day-to-day work (Marder et al, 2019, 5-8).

In line with the Department of Justice objective to launch a restorative justice website, RJS4C Ireland launched www.restorativejustice.ie in 2021. The website provides a service map to identify organisations involved in the use of restorative practice throughout Ireland. It also collects anonymised case studies which cover a wide range of contexts, and which demonstrate the benefits of restorative justice. To date over 40 case studies highlight the use of restorative justice in the context of prison, police, probation and NGOs.

Since the Final Report of the National Commission on Restorative Justice (2009), restorative justice in Ireland has gone through periods of slow and steady progress as well as bursts of rapid development. This rapid development is in no small part due to the work of those in the Department of Justice, the Probation Service and the voluntary and non-governmental bodies working in these areas. Given the progress that has been made, the Department of Justice's next step should be to develop a suitable means by which to create awareness and availability of restorative justice at all stages of the criminal justice system. This should involve raising awareness of restorative justice with the judiciary as well as with An Garda Síochána and the Probation Service. Beyond the criminal justice system, efforts should be made to promote the rollout of restorative justice schemes throughout the country through statutory and non-statutory bodies and encouraging a broader concept of restorative practice to be included in schools, the workplace and throughout society in general.

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