

The magazine of the Probation Institute

<https://doi.org/10.54006/XXCN3230>

ISSN 2752-6933

# PROBATION

Issue 28: June 2023

## *Quarterly*

## Desistance and Practice

Where does the Experience stop, and Practice begin?



**Learning from deaths under  
probation supervision**

A recent study

**The point of no return?**

Exploring why people leave  
the probation service

**The 'pains of probation' on  
young adult males with  
a sexual conviction**

An exploratory study

# PROBATION *Quarterly*

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# 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 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 (Note: we do not publish requests for research participants)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.

## 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.

## Jake Phillips

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# Welcome to Probation Quarterly Issue 28



**Jake Phillips**  
Editor, Probation Quarterly

## Editorial

<https://doi.org/10.54006/GDYE1793>

I have said before how people with lived experience of probation should be able to influence policy and practice. But 'lived experience' should not be taken for granted, nor exploited to simply legitimate existing systems of harm. Yet, as Warr (2021) has argued, 'the idea of 'lived-experience', the 'convict voice', has been hijacked and heavily fetishized here in the UK'. We are fortunate, then to include an article from Andi Brierly in this issue of *Probation Quarterly*. Andi discusses some of the difficulties he has faced when navigating the path between having both 'lived' and 'professional' knowledge of the criminal justice system, helping us to think about how certain forms of knowledge are validated and put to use. Such ideas should help prevent situations in which the multiplicity of experiences are denied in favour of a 'monolithic lived experience' with which all must identify (Warr, 2021).

Probation in England and Wales has evolved considerably from its roots in the 1907 Probation of Offenders Act. What we don't often think about is how probation services and systems in other countries share those roots - as a result of British colonialism - but may have diverged in the way they operate whilst remaining shaped by the legacies of colonial rule. In this issue we are provided with an insight into how probation is operating in three such countries. We thus have an article from Debbie Golden and Summer Machon on probation in Guernsey as well as an article from Fiona Campbell, Laura Aston and Nicola Robinson on probation in the Falkland Islands and St Helena. They conclude their article with an invitation to join their newly formed network of people interested in probation in the British overseas territories.

Whilst Wales is formally the same jurisdiction as England and is much closer to home than the islands of the Falklands and St Helena, Jake Thirkell's article highlights how probation is being delivered differently in Wales and highlights some valuable insights for the One HMPPS programme as it is implemented in England.

A number of articles in this issue focus on the vulnerabilities that people on probation face. Thus, Karen Slade provides a useful summary of her research on the people who are most likely to die whilst under supervision. Laura Sanders' research highlights the importance of supporting men under supervision through a trauma-informed lens, while Hannah Darby focuses on the 'pains of probation' as experienced by young men under supervision for a sexual offence. Andrew Fowler's review of the recent book *Probation, Mental Health and Criminal Justice* provides further evidence of the vulnerabilities that people on probation face and underscores the argument that mental health support needs to be a cornerstone of quality probation practice and service delivery.

Mike Guilfoyle's account of his struggles around managing the tension between the desire for summary justice with the need to ensure that people in court are treated fairly and provided

with the opportunity to participate in their hearing further highlights the difficulties of 'delivering' justice in the context of the modern criminal justice system. A group of former practitioners from de Montfort University have collaborated on an article which explores the concept of professional curiosity and – specifically – the challenges that less experienced practitioners face when trying to be professionally curious. Finally, Michelle McDermott and Laura Haggart tackle the difficult problem of trying to understand staff turnover in the Service and highlight some important ramifications for both recruitment and retention policies.

The next issue will have a themed section on probation in the devolved nations. If you have anything you would like to submit please do get in touch. In the meantime, I hope you enjoy reading this issue.

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# What's going on at the Probation Institute?



**Helen Schofield**  
Chief Executive  
Probation Institute

The quarter since the March issue of *Probation Quarterly* has seen some important changes - not least the appointment of a new Secretary of State for Justice. We were not sorry to see the departure of Dominic Raab MP from this post - his attitude towards probation, parole and the prisons did not inspire confidence. We hope that his attempts to make changes regarding the Parole Board will now be addressed so that practitioners can again be clear about what is required of them

We know that the new Secretary of State for Justice Alex Chalk has a much more positive view of professionalising probation through independent regulation and we will take all possible steps to encourage this.

The two recent and tragic serious further offence reviews point very firmly towards the need for a robust, external and independent approach to the accreditation of practitioner skills and absolute assurance of ongoing professional development. We will be interested to understand the benefits to practice of the new internal register of practitioners qualifications.

The Probation Institute online Research Event "Thinking about confidence in probation" on 22nd May was well attended. Professor Gwen Robinson from the University of Sheffield gave a very thought provoking presentation of initial findings in the research study Rehabilitating Probation - <https://rehabilitating-probation.org.uk/> being undertaken by a consortium of universities between 2022 and 2024.

Sir Graham Smith Award holder Kyle Hart presented the findings from his research into levels of perceived confidence and competence among practitioners coming into NPS unification from the different routes. Both presentations demonstrate the importance of attention to recruitment and retention strategies, positive support for practitioners and creative approaches to achieving a cohesive workforce. We will be returning to the long term research project in the future and we will be publishing Kyle's research in the Autumn.

This Research Event was the first time that we had invited only our members to register. This approach provides an opportunity for members to meet (albeit on line) and we would like to this audience to be larger! As you read the Probation Quarterly please bear in mind that we do not charge for this publication and that we rely very heavily on membership fees for our income. If you are not yet a member, we hope you will join to help to ensure that we can continue our work. We have set a goal to increase our membership by 100 members by the end of this year. That increase would contribute significantly towards

the design, production and editing of the Probation Quarterly.

<https://www.probation-institute.org/member-benefits>

<https://www.probation-institute.org/how-to-join>

We were pleased in April to be able to submit proposals to the Justice System review by the Shadow Justice Team on "Independent Regulation," "Timely and effective pre-sentence reports" and the "Location and organisational structure of probation". We are currently developing our submission to the House of Lords Home Affairs Committee Inquiry into Community Sentences to be submitted by 15th June.

We are working with Liverpool John Moore's University to implement the recommendations from the research into the histories of veterans who have committed offences of serious harm. The research is titled "Journeys to Harmful Behaviour". We are bringing together learning resources to support implementation. The research and the resources can be found on our [website](#).





EXPLORE ▶

## **Desistance and Practice: Where does the Experience stop and Practice begin?**

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Andi Brierley, Head of Access, Participation and Outcomes  
Leeds Trinity University

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<https://doi.org/10.54006/CMNN3456>



## Lived Experience in Criminal Justice

The term 'lived experience' is contested in many sectors, particularly in criminal justice. It is often used to describe someone who has lived through something, often a social challenge - and is then recovering. Someone who has experienced addiction, treatment and recovery for example has a lived experience of the recovery process. This piece is a personal attempt to articulate the complexity of lived experience in criminal justice practice. I spent the years between the age of 16 to 23 in and out of prison and heavily addicted to heroin (captured in my memoir and first book *Your Honour Can I Tell You My Story* (Brierley, 2019)). This lived experience unbelievably transitioned into a 15-year career in Youth Justice - to even becoming a Child Looked After Specialist, safely diverting children in care from the system itself. This extreme transition from prisoner to justice practitioner has left me wandering around in liminality. Liminality has been described in literature as 'betwixt and between'; a middle phase of any ritualised process, during which the individuals involved are understood to be 'no longer' and simultaneously also 'not yet' (Jewkes, 2021 p.563). After 15 years of writing pre-sentence reports, managing risk through assessment, delivering cognitive behavioural therapy (CBT) programmes, or using interpersonal skills to connect with children in trouble with the law, I've struggled to identify where my lived experience ends, and my individual or personal skill sets begin. This so-called identity shift is captured in Maruna's (2001) work around self-narrative scripts and *Making Good*. However, the complexity of an internal fractured identity resulting from the 'psychological pains of confinement' (see Crewe, 2011 p.13) that predates working within statutory services such as youth justice or probation has not been



**Andi Brierley**

Head of Access, Participation and Outcomes  
Leeds Trinity University

critically explored in research as it has within the voluntary sector (Buck et al., 2022). This tension in my own identity being under described and under theorised within criminological research has set the course for my current PhD research.

## Cessation of persistent offending doesn't 'always' mean a change in identity

In practitioner spaces, I would no longer be able to act as I often did as a prisoner, and in ex-prisoner spaces, I'd have to modify my behaviour as a criminal justice practitioner. It would be nice to suggest that the identities formed within these often-opposing groups were open to collaboration and recognition of each other's world views as valid or credible, but this is far from true.



This meant I had to develop skills to operate in both spaces: a skill set which has received little criminological attention. It is this tension or conflict that developed a fractured identity and confusion about the extent to which my drive, skills, and motivation to support children to desist was underpinned by my own lived experience, or whether it was more about inherent skills, ability, and self-efficacy that my colleagues seem to have built their careers on. The children I worked with were often quite clear that in their view, I 'had an insight - in reference to crime and desistance - due to my lived experience' that many colleagues lacked. This narrative led me into a constant trap of falling back into believing my lived experience was the primary skill I had to offer my employer. I am not alone here: research in the US in the 90's on lived experienced professionals helping those in recovery from drug and alcohol issues or eating disorders stated they didn't relinquish their spoiled identities, but rather capitalised on their previous identity strategically within practice (Brown, 1991). I did the same but using my lived experience to generate capital within the field - with no evidence-base or guidance about how to do so - left me to navigate this challenging course of action on my own. All of this raises the questions: what is lived experience within criminal justice and - more importantly - can it be deployed as an evidence-based practice model within statutory services to facilitate desistance amongst people in the system?

### Lived experience in literature

If we turn to scholarship, we can find definitions of lived experience. Lived experience has been described as 'direct personal experience of a

social issue/issues; "lived expertise" as insights gathered through lived experience; and "experts by experience" as change-makers who seek to use their lived experience to inform the work of social purpose organisations or social change work' (Buck et al., 2022 p. 823). In a criminal justice context, the literature seems to describe people like me in terms of using our experience to create social change. Yet, being in local authority care, being excluded from school and serving four prison sentences to then writing pre-sentence reports and contributing to criminology and criminal justice literature as I have is no mean feat and takes an enormous number of skills to make that happen. Being in a state of liminality prevents me from celebrating that, making my practice primarily about my experience, rather than me as a person.

Research on the effectiveness of recruiting people with lived experience of prison in the US for example found that 'wounded healers' (LeBel et al., 2015 p.109) can benefit those in receipt of criminal justice interventions. I have and always will advocate for this framework because I have witnessed the generative benefits first-hand. That said, from my own lived experience of transitioning from prisoner to justice practitioner, I would suggest criminal justice services recognise the personal impact on the identity of those being recruited as a diverse need. One that is unique to people that transition from being harmed by the justice system, to being a professional within it, which can create a 'pain of transition' so to speak. My learning has taught me first-hand the emotional toil which can develop into insecurity and vulnerability within the workplace.

## The Lived Experience Critical Reflection

Much dialogue ensues between people with 'lived experience' of the criminal justice system, invested academics and other stakeholders about the definition, validity of knowledge as expertise and who should be the gatekeepers of the term. In addition, there are important questions about whether justice services are appropriating and even exploiting people with lived experience to exchange their own lived experience whilst being naive to the complexity of the process I am attempting to articulate here. Some formerly incarcerated scholars believe justice services and organisations should reach out 'purposefully to include the wisdom of those with the lived experience' (Harriott, 2021). This argument is expanded into the academic sphere through the Convict Criminology movement which believes the dual perspective of the prison experience and academic qualification can extend the boundaries of the criminological imagination (Earle, 2018). On the other hand, some formerly incarcerated scholars believe this lived experience progress has evolved into a fetishization whereby individuals are trading off their stories for capital (Warr, 2020). There appears to have been more dialogue about lived experience in academia than there is in the practice realm of criminal justice.

## A Complex Epistemological Space

With this dialogue in mind, where does all this contention take us as justice practitioners, I hear you ask. It seems to me that this tension is grounded in what is known in philosophy as epistemology: the philosophy of knowledge production - truth, belief, and justification - in practices of research and inquiry (see Steup &

Ram, 2020). Feminist epistemology has recently explored how 'dominant conceptions and practices of knowledge attribution, acquisition, and justification disadvantage women and other subordinated groups' (Anderson, 2020 p.1). For the children that I worked with, me knowing more about their lives *because of our shared experiences* demonstrated that - from their understanding of truth at least - our embodied knowing was more legitimate than that of taught knowing. It is easy to disregard such views as ignorant or simply the uneducated views of children with cognitive deficits who offend but to do so would - I believe - be a mistake. The justice-involved children and adults supervised by probation have an embodied knowledge and understanding that we as practitioners must not disregard or subordinate through other forms of knowing. Philosophically speaking, we must find a way for statutory justice services to go beyond mere participation or service user involvement (see HMIP, 2019). Doing so would ensure that everyone's knowledge and understanding - however accrued - of the world is valued and respected. I have a natural respect for the children and young people in conflict with the years of experiencing professionals disregard my knowledge over their own learnt understanding of my own personal circumstances.

I have recently attended two symposia aimed at critically reflecting on lived experience in criminal justice over the last few months. These symposia were held by people with lived experience to consider the nature of lived experience in the justice system, asking whether there has indeed been progress in addressing the inequality and subordination of justice involved people. It seems to me that the answer to that question is: yes, we are making progress.




However, as with any social development, there are often teething problems which many of us can see. The way forward for me personally is that we understand that all knowledge is knowledge and that embodied knowledge of poverty, trauma and adversity does not need justifying to professionals just because a crime has been committed. Lived experience of crime and desistance is more than anecdotal stories: it is everyday living with the reality of crime and its consequences. Crime being an immoral act doesn't in any way diminish the knowledge of those involved knowing why they are in that world - which provides crucial insights on the way out - even more so if they are interacting with others that have been through the desistance process themselves. I am personally quite excited about moving away from an understanding of expertise that is rooted solely in research and textbooks and towards a shared understanding within criminal justice organisations that embodied knowledge is an equally legitimate form of knowing. Although we are not quite there yet, I am sure a collaboration between lived learning and learnt learning is closer than we think.

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A close-up, slightly blurred photograph of a person's hands and arms. The person is wearing a dark green jacket and is sitting. They are holding a blue pen and writing in an open notebook. A black smartphone is resting on the left page of the notebook. The background is out of focus, showing other people in a room, suggesting a conference or meeting setting.

## **Building a network for British Overseas Territories and remote/rural probation provisions – a legacy of the 5th World Congress on Probation and Parole**

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By Fiona Campbell, Laura Aston and Nicola Robinson

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<https://doi.org/10.54006/KFXV6433>

The 5th World Congress on Probation and Parole was held in Ottawa, Canada from 28th September to 1st October 2022. The congress is held every two years with the aim of bringing together practitioners, academics, researchers, and related organisations with a common interest in probation, parole, and community justice globally. The theme for 2022 was “No One Left Behind: Building Community Capacity”. The conference heard from representatives from Europe, Africa, Asia, UK, USA and of course Canada on topics ranging from developing community interventions, current research and what ‘rehabilitation’ and ‘best practice’ looks like in probation. This year, the conference had representatives from St Helena Island for the second time, and the Falkland Islands for the first time. In this article we share our observations on networking, learning and development opportunities following our time together at the World Congress. We conclude by introducing the Community Justice Overseas Territories (CJOT) network of support we have established for probation and community justice provisions across the British Overseas Territories and beyond - a legacy of our experiences at the World Congress on Probation and Parole.

Both St Helena and the Falkland Islands are small, remote British Overseas Territories (BOTs) situated in the South Atlantic with England and

Wales qualified Probation Officers (POs) providing the island’s probation provision on mid- to long-term contracts. As the islands’ POs are typically on career breaks from HMPPS, the trend has long been to look to England and Wales to develop these small but important probation services. However, attendance at the World Congress was an important reminder that learning from each other and those in similar contexts, as well as exploring good practice and opportunities for learning and development further afield, is particularly beneficial to the work delivered by these remote island services and their practitioners.

The Probation Services in St Helena and the Falkland Islands are comparatively new, established in 2013 following the arrival of England & Wales qualified probation officers for the first time. Although probation work had been a feature of both island’s criminal justice systems prior to this it had been delivered *ad-hoc* by professionals from prison, or health and social care roles. The breadth of work completed by probation officers ranges from pre-sentence reports and facilitating supervision and intervention across the community and custodial estate, to identifying, developing, and delivering community service provisions.



Probation officers also provide support on a non-statutory basis, and work with young people and victims. In the absence of qualified SPO equivalents, strategic work such as sitting on safeguarding boards, criminal justice councils and developing policies and procedures also falls to probation officers. Both services share several challenges owing to their remote location - most notably professional isolation and living and working in small communities far from home. One of the ways staff in both islands have sought to overcome this is through 'dotted line' supervision with colleagues in HMPPS, and more recently with peer support arrangements.

Laura and Nicola began to meet online two years ago, before planning to attend the 5th World Congress alongside Fiona where the three met in person for the first time. This was following a precedent set in 2019, when St Helena Probation Service was represented at the World Congress for the first time by Fiona in Sydney, Australia. Enabling individuals practicing in these unique circumstances to draw support from others within the context of a conference like the World Congress, has strengthened the working relationships between the South Atlantic Ocean's two Probation Services and provided vital learning and networking opportunities which are not commonly available to probation officer grade staff.

At the World Congress, Laura and Fiona presented an academic poster which explored the positive impact of a community service partnership between St Helena Probation Service and the St Helena National Trust during their time working

together as practitioners on St Helena. This received considerable interest from professionals, practitioners, and researchers who visited the stand over the three days: an invaluable networking opportunity. Throughout the conference there were opportunities to explore probation practice with professionals from around the world; from Japan and their impressive Volunteer Probation Officers to the 200-year-old Dutch Probation Service. Visiting Kingston Penitentiary - one of Canada's oldest prisons-turned-museum - as well as a tour of working prison Joyceville Institution, which boasts an open estate with tree lined streets, was a chance to hear how Canadian correctional services continue to learn and improve their practice. Another highlight was the opportunity to observe a Parole Board of Canada hearing and spending time at a Q&A with parole board members afterwards.

Of particular relevance were sessions where the value of international policy transfer and exchange was explored both by Iuliana Elena Carbutaru, Vice-President of the Confederation of European Probation (CEP) in the context of developing probation services in Romania. Similarly, Stephen Pitts and Leo Tigges presented 'Building Service & Community Capacity: Learning from International Experience' which strongly resonated with many of the experiences of those responsible for developing probation in the South Atlantic over the last decade. Other useful workshops explored areas such as youth justice and victims, supporting areas of practice that are within the remit of probation officers on St Helena and the Falkland Islands.



The conference spanned Canada's National Day for Truth and Reconciliation on the 30th September which seeks to recognise the ongoing impact of Canada's residential school system on indigenous communities. Several presentations focussed on Canada's First Nation, Inuit and Métis people. One example of this was a session on the justice system's 'Gladue Principles' which aim to take specific account of the experiences of indigenous communities in Canada in a specialist pre-sentence report. In a time where the decolonisation of institutions is an essential consideration for all, this emphasised the importance of valuing culturally informed practice. Ensuring that practice is drawn from a wide range of evidence bases, regardless of geographical location is a vital element of practice across the BOTs given the diverse make-up of communities across the territories.

The conference provided a platform for those that share similar professional values and are striving to do better in a world where everyone is short on time to connect. These experiences helped to solidify a commitment of support not just for the South Atlantic islands, but to other Overseas Territories and developing remote or rural probation services. The opportunity to connect with likeminded professionals and share learning and development is something that as a group of professionals, we are determined to take forward. As such we have founded the Community Justice Overseas Territories network (CJOT) and aim to continue to build and grow a strong professional network supporting others practicing in similar contexts, with knowledge exchange and peer support at the heart of the network. The network's connection to Sheffield Hallam University's *Helena Kennedy Centre for International Justice* - home to numerous research active academics in probation, in

addition to being one of just four providers of the England and Wales probation officer qualification degree - will enable the network to support opportunities for continuous professional development through academic input. We are planning a number of outputs, ensuring evidence-based practice is at the heart of our work. The network will also be a space to showcase the excellent work that already takes place in these lesser-known probation services.

Returning from the conference in October 2022, CJOT met to draft and review an initial Terms of Reference whilst also undertaking several other pieces of planning and peer review activities. The network's next steps will be to arrange its membership both with professionals in the British Overseas Territories and elsewhere. We hope to write to Probation Quarterly with an update of our membership, it's activities and planned works before October 2023 when further events are planned to mark the 10th anniversaries of both St Helena Probation Service and the Falkland Islands Probation Service.

If you would like to find out more about the Community Justice Overseas Territories network, please get in touch by email on:

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# An introduction to the Guernsey Probation Service

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Debbie Golden and Summer Machon  
Probation Officers, Guernsey Probation Service

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<https://doi.org/10.54006/VUSA5498>



Guernsey is part of the British Isles, a self-governing British Crown dependency, just a forty-minute flight away from London. Despite its geographical and political proximity to England and Wales it has a distinct probation service model. In this article we outline the main features of the Guernsey Probation Service and reflect on its similarities and differences to probation in England and Wales. The Guernsey Probation Service operates across the Bailiwick of Guernsey. This includes the islands of Guernsey, Herm, Alderney, and Sark (which despite having its own set of laws and parliament, uses Criminal Justice services provided by Guernsey).

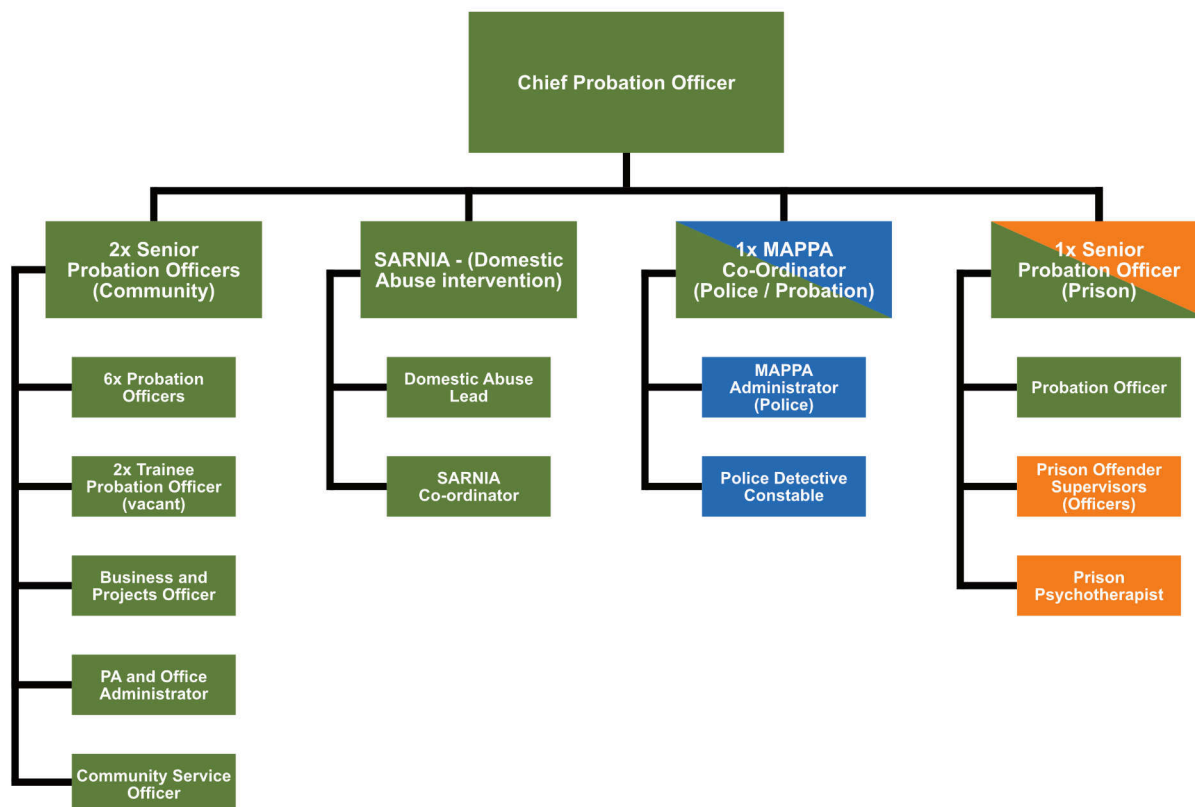
The island of Guernsey forms part of the Bailiwick and is a 27 square mile island off the coast of France forming part of the Channel Islands. The island has a population of 63,000. Here in Guernsey, the Probation Service prides itself in ensuring its staff have a good work life balance. The office closes at 5pm, allowing staff the opportunity to enjoy one of Guernsey's many beautiful beaches and scenic views after work. During our annual away day - which we attempt to hold in the idyllic island of Herm - we engage in team building activities to focus on our vision:

*We will contribute to making the Bailiwick of Guernsey a safe and secure place to live through the effective rehabilitation of those who offend. We will address the causes and consequences of offending and enable those who have offended to make a positive contribution to the community.*



**Debbie Golden & Summer Machon**  
Probation Officers  
Guernsey





Although a relatively small team (see figure above), the Guernsey Probation Service currently supervises 239 adults, who are either managed under a Community Service Order, Suspended Sentence Supervision Order, Probation Order, Parole, post custodial sentence Order, or in custody.

As Probation Officers in Guernsey, a typical week includes being based in Court to advise the court on options available for sentencing, writing Social Enquiry Reports, offender management in the community delivering one-to-one and group interventions, Prison visits, completing Parole reports, home visits, attending all agency meetings, managing breaches and revocation of Licences, and acting as Victim Liaison Officers. We aim to operate using the end-to-end Offender Management model and this feels much more realistic given the size of the island. This approach ensures practitioners remain skilled in all areas of probation work.

We have access to clinical supervision and ongoing training with a Clinical Forensic Psychologist, who provides consultancy for the Island's Probation Service. This complements the supervision we have with our line managers and team practice development meetings, to ensure that practitioners are using current research to work towards best practice.

### Local legislation

Guernsey Probation Service has its own unique jurisdiction, Criminal Justice System, and legislation. Whilst many of these are similar to others within the British Isles, there are distinct differences and nuances that need to be considered. Having watched how legislation has developed in the UK and Jersey, Guernsey has been able to review what works well and what was missing.



Two examples of this are when developing the revised Probation Law (2018) and Sexual Offences Prevention Order (SOPO). When Guernsey introduced SOPO legislation, we made the decision that Orders can be managed jointly by the Probation Service and with the Police, allowing the Order to include conditions which both prohibit activities and those that direct engagement to address offending behaviour.

With the Probation Law, a Probation Order allows the Court to add any conditions that are necessary and proportionate to manage risk. For example, not to consume alcohol, exclusion zones, non-contact, and phone checks. This allows for bespoke conditions that are responsive to each case and for the Courts to impose two sentences for one conviction: for example, a punitive element of Community Service alongside a rehabilitative element via a Probation Order.

The Prevention of Discrimination (Guernsey) Ordinance 2022 comes into force in October 2023. There is no current Discrimination Law in Guernsey, and we currently work under 'best practice'. The new legislation will give us greater accountability to ensure our work is equitable and better meet the needs of our clients and staff members.

## Interventions in Guernsey

Due to the size of the population, offending behaviour work is often delivered one-to-one usually with the allocated Probation Officer both in the community and custody. We use a range of structured non-accredited materials to address identified needs. We are currently piloting a

computer-based Cognitive Behavioural Therapy suite of interventions (Intervention Hub) for low to medium risk clients. We work closely with a clinical forensic psychologist to assess, formulate, and provide one-to-one treatment for people convicted of sexual offences using the NOTA sexual offending treatment programme.

There are some group programmes delivered and this includes Sarnia, a strengths-based intervention, which is delivered as a combination of group sessions and one to one modules, to address domestic abuse and violence. This programme is available for male and female perpetrators, and people without a conviction who are working with other services as a preventative approach. The Domestic Abuse Strategy is very much aligned with the Probation Service. We currently have two full-time posts that are dedicated to delivering the Sarnia Programme.

We have links with a local charity, In-Dependence who provide the Criminal Justice Substance Service to better support those with problematic substance use. They use the SMART (Self-Management and Recovery Training) treatment as their focus for intervention, which looks at addressing both recovery and maintenance from alcohol and substance use.

## How we assess risk

We don't use OASys or anything that could be considered similar in Guernsey. Initial risk assessments are completed pre-sentence with a Social Enquiry Report. We are trained in a range of specialised risk assessment tools.

We apply LS/CMI as our static risk assessment tool for likelihood of general re-offending. For violent offences, we have the option of using HCR20. For domestic abuse and inter-personal violence, we apply SARAv3. For sexual offending we have the option to use RSVPv2 alongside Stable and Acute, C-PORT and RM2000. For serious violent and sexual offenders, we aim to use fourth generation risk assessment processes which include static, dynamic and case management/ scenario identification. Therefore, alongside the risk assessments, we provide a level of clinical judgement to support our assessment and management of risk.

## Similarities and Differences

Whilst there are lots of differences from the UK there are also lots of similarities working in Guernsey and we face the same challenges, risks and rewards as our Probation Officer friends across the water. We have adapted and integrated best practice principles for managing risk of serious harm and public protection. MAPPA legislation was introduced in 2015 and forms an integral part of our multi-agency approach, especially with law enforcement agencies. The luxury of a small island is that we are one team, and this really helps build positive working relationships with agencies across the Bailiwick of Guernsey. Due to the proximity of all agencies, meetings are usually face-to-face, relatively easy to arrange and facilitate. We have the usual difficulties of silo working, but also lack the third sector infrastructure which limits our ability to refer and always meet the individual needs of our service users.

## Community Service

The Community Service Scheme is managed by the Probation Service and can be imposed as a direct alternative to custody or as a stand-alone sentence. Three group parties are held each week and we are fortunate to have good links with charities who provide individual placements

for those clients who need additional support or risk management.

## Drug treatment

Interestingly Guernsey's substance misuse culture is very different to the mainland with fewer class A drugs, such as heroin and cocaine being available. This has a knock-on effect on the crime profile, with importation of illicit substances being prominent. Offending behaviour therefore tends to highlight the supply, possession and acquisition of prescribed substances, and cultivation/supply of Cannabis. Whilst there is a subculture of criminal behaviour that is driven by substance use and the need to fund this, overall, Guernsey feels comparatively safe due to the differences in crime profile and close community living.

## Future of Guernsey's Probation Service

One of the positive things about working in Guernsey is the flexibility of instigating change. As Probation practitioners, we can directly influence change in our team and service with fewer procedural layers and processes. Recently this has included improving our responsiveness to neurodiversity and introducing a service user forum.

The Senior Management Team have adapted the recruitment process by introducing the PQUIP scheme to Guernsey. This will ensure new team members are trained in Probation Practice and bring this knowledge to Guernsey which is an exciting new era. This will complement our existing staff profile, who include both Social Work qualified and UK trained Probation Officers. Previously, Probation Officers were initially trained as Social Workers, or we would recruit off-Island.

Working for the Probation Service in Guernsey is a unique, interesting, and rewarding role.

# Men, Trauma and Probation an overlooked population?

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<https://doi.org/10.54006/EFMZ2960>





The theme of trauma-informed practice within Probation has been a prominent feature in recent editions of the Probation Quarterly (see Baldwin 2022, Bradley and Petrillo 2022 and Shepherd, 2022). The dominant discourse surrounding trauma-informed practice in the Criminal Justice System has positioned its implementation as an opportunity to demonstrate gender-responsivity and improve outcomes for women (Bloom and Covington, 2000). This focus on women's experience of trauma has been constructed on the basis that women's trauma is more frequent and more severe (Matheson, 2012), irrespective of evidence suggesting only a marginal difference exists between frequency and duration of trauma for men and women (Sóegaard et al, 2021). But to focus on whether one person's experience of trauma is more important, more significant, or more deserving of recognition, fails to embrace the intentions of trauma-informed practice.

Some critics have argued that probation practice fails to adequately recognise the significance of trauma (McCartan, 2020). In this article I propose that this is because men's experiences of trauma are not properly acknowledged because they have been considered less important and less significant when compared to women. Men account for the majority of people on probation and recent statistics suggest that as many as 81% of incarcerated men have experienced at least one adverse childhood experience (ACE), increasing to 45.4% with four or more ACEs (Ford et al, 2019). My research with probation practitioners, carried out during 2022, focused on the use of trauma-informed approaches within



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probation. Data was gathered through a combination of semi-structured interviews and online surveys with practitioners with sentence management experience. Participants were predominantly front-line probation practitioners, with only a small number of middle managers (five) and senior leadership team (one) taking part. A common theme identified from the data collection was that whilst women's experiences of trauma were generally acknowledged, men's trauma was largely ignored. Practitioners considered that this was particularly evident during trauma training, within the physical and emotional environment and within practice decisions.



## Training...or maybe not?

The provision of trauma awareness training can help reduce re-traumatisation. This is most effectively achieved when basic training is provided to all staff, irrespective of role or grade, rather than intensive training for a small number of staff (Fallot and Harris, 2009). Whilst practitioner feedback regarding accessibility and quality of training was varied, a common theme was that training had been predominantly offered to practitioners working with women. In addition, several practitioners identified that the content of the training they had been offered focussed solely on women's experiences of trauma:

*There should be more training across the board...but I've only been on one about females. (Participant H, Probation Services Officer)*

Some practitioners considered that gaps in knowledge and understanding were a consequence of training being provided by partnership agencies, rather than directly through probation, and as such these organisations had their own training agendas focussed on women:

*The training I received was delivered through the prison and was focused on trauma informed practice when working with females...training should be offered to those who also work with males and more consideration should be given to the trauma that males can experience. (Participant Q, Probation Officer)*

Whilst men's *experiences* of trauma are absent from staff training, it is contentious to assert that the organisation is evidencing a commitment to providing a trauma-informed environment for people on probation.

## The environment

Creating an environment that promotes physical and emotional safety is a core value of trauma-informed practice (Fallot and Harris, 2009). The significance of the physical setting was recognised by a number of my participants, with some identifying that probation settings can be unwelcoming and oppressive spaces that may be reminiscent of other criminal justice settings such as Police Stations and Prisons. The conflict between the physical environment and the principles of trauma-informed practice have been identified elsewhere (see Mullen, Dick and Williams, 2022). This appears, for women at least, to have received some acknowledgement. Women on probation were identified by participants as often being seen in alternative environments such as women-only settings, informal venues such as coffee shops or partnership offices and were deemed more likely to receive home visits. The same responsiveness and flexibility does not seem to have been extended to men:

*I don't necessarily think that we are encouraged to give the same treatment to male individuals, and they are expected just to report to the office, it's kind of non-negotiable (Participant F, Probation Services Officer)*

Men are at a disadvantage when potential barriers to engagement are not being identified or addressed with the same magnitude as they are for women. Supervising men in hostile environments not only increases their likelihood of re-traumatisation but given their propensity to externalise rather than internalise their emotions (Smith, Mouzon and Elliott, 2018) has the potential to increase the risk to others through triggering aggressive or problematic behaviours. For these reasons, waiting areas specifically can be a cause of stress, anxiety, and trauma (Lamb, 2021) and should be considered from a trauma-informed perspective.

The existing culture of the organisation is significant for both people on probation and practitioners. An environment that fails to acknowledge and give credence to men on probation's experiences of trauma, implies that male practitioner's experiences of trauma, either direct or vicarious, are also insignificant. At a time when society is being encouraged to proactively reduce the stigma surrounding men's mental health, the organisation should consider its own contribution to this.

## Practice decisions

Any desire to provide a trauma-informed environment should be accompanied by a review of existing policies and procedures conducted from a trauma perspective (Fallot and Harris, 2009). Existing research with people on probation highlights that fear of enforcement can be a particular barrier to seeking support or being open and honest (Mullen, Dick and Williams, 2022). Participants from my study felt that enforcement decisions were the least likely area of practice to be considered from a trauma-informed perspective. Many participants reflected on how difficult it is to balance managing risk and be responsive to factors such as a trauma, particularly in the absence of trauma-informed guidance. As with other areas of practice, there were indicators that gender influences enforcement decisions as a result of increased pressures to deliver trauma-informed practice with women:

*With our females we will think about the impact of a recall, whereas with a male we probably will just hit that recall button (Participant D, Senior Probation Officer)*

This is another area of probation practice where men are likely to be increasingly disadvantaged and at increased risk of being disproportionately re-traumatised.

## Conclusion

Analysis of the data collected in my research highlights an important disparity in how trauma-informed approaches have been adopted and applied differentially to men and women on probation. Whilst the pursuit to improve outcomes for women on probation was generally considered positive, it appears to have been to the detriment of men on probation. The following recommendations could help address this:

- Provision of basic trauma awareness training to all staff, encompassing all grades and roles. Training should be inclusive of both men and women's experiences of trauma.
- Reviewing physical probation settings, such as waiting areas, to ensure that these are designed to reduce re-traumatisation and promote safety.
- Provision of guidance to practitioners that promotes and enables practice decisions to be considered through a trauma-lens for both men and women on probation.
- A commitment at a strategic level to support a cultural change that ensures men's trauma, as experienced by people on probation and practitioners, is recognised, and addressed.



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# When summary justice and procedural fairness collide

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Michael Guilfoyle, Former PO and JP

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<https://doi.org/10.54006/DVSR3499>



Since being sworn in to sit as a Lay magistrate in the Adult court I have encountered a rich and diverse range of courtroom experiences that have enlivened and enlightened my outlook on the administration and role of local justice. One key aspect of the effective and efficient management of any courtroom process hinges on 1) the timely prosecution of cases and 2) having due regard to the manner in which summary hearings are conducted such that all parties are, as far as is practicable, full and active participants. The former had been jolted into judicial overdrive by the overriding organisational imperatives enjoined on magistrates and other court users under the systemic reforms brought in by the Transforming Summary Justice initiative in 2015. Bear in mind that the lower criminal courts process more than 95% of all criminal cases.

In this article I aim to share some brief and selective personal perspectives, anchored in my role of nearly ten years as a magistrate, on some of the inherent challenges that I believe are embedded in daily courtroom practice which have arisen from the demands of summary and procedural justice that can and have adversely impacted and marginalised defendants. Justice, fairness and equal treatment are - rightly - lauded as indispensable within the terms of the Courts and Judicial Equal Treatment Bench Book (ETBB revised edition 2022) which aims to increase awareness and understanding of the different



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circumstances of people appearing in courts. However, such aims can be easily unsettled and delayed by ill thought through technocratic reforms evidenced most recently when Magistrates' court staff voted overwhelmingly in favour of strike action over the rollout of HM Courts & Tribunals Service's Common Platform - another reform seen as 'key to modernising the court system'.

On one memorable court sitting, a case which exemplified the challenges of dealing expeditiously with a convicted defendant, the bench had the benefit of listening to an Oral report from the court based probation worker.



This report noted that all community options had been exhausted, but the case fell short of having proper regard to procedural fairness and full user participation. A sentence of custody was imposed and the defendant distractedly looked towards his legal representative, although such an outcome was it seemed not entirely unexpected, to ask if he could speak to him in the cells. The duty Solicitor nodded his assent and dock security staff prepared to escort the defendant through the portal into the cells. The bench chair (now called presiding justice) had consulted the The Adult Court Bench Book which provides guidance for magistrates who sit in the adult court dealing mainly with defendants aged 18 or over. It is used for reference at court and to support more consistent practice. As sentencing pronouncements often sound portentous, care is meant to be expended in clearly explaining what a sentence (and any ancillary penalties) might mean for the defendant. With the introduction of the Offender Rehabilitation Act (2015) The Act provides that all those released from short prison sentences will now first be subject to a standard licence period for the remainder of their prison sentence to be served in the community, and then be subject to an additional supervision period.

I was awaiting the wording on the pronouncement card to include reference to the statutory obligations on the defendant on release from my colleague as sentence was passed. By the time, I had alerted her to this omission, the next defendant was already in the secure dock and the dramatis personae who had attended for the previous sentenced defendant were trooping out of court. An offhand aside to the effect that

'cell staff will let him know' but what about his period on supervision, I queried, I am sure that probation will be in touch was the clipped response!

At the end of any sitting magistrates undertake a post-court review to pick up on any issues/ concerns that might arise during the day with the legal advisor in attendance. Having referenced this omission above, it appeared that this was far from unusual. I sensed that this absence of expressed concern was partly prompted by the bench's unfamiliarity with the recent legislative changes brought in by ORA, as well as the incessant pressures of a busy court list. Getting through the day's list, with contested bail hearings, committals and often troubled defendants needing legal advice, not to mention other sentencing decisions ahead, can mean that procedural efficiencies trump considerations of equal treatment.

But such 'benign' oversights continued to thread themselves in subsequent ORA cases. It was with a wry smile that I listened to numerous cases in the Breach Court - on a separate occasion - in which defendants in breach of ORA provisions on post-sentence supervision seemed blithely unaware of the import of such obligations. That is not to say a cluster of other factors had also impacted on levels of compliance, not least the perennial issues of dependency, homelessness and variable levels of post-release supervisory support. Essentially, though, disengagement from legal proceedings risks shifting the 'case-hardened' managerialist dial when procedural fairness is compromised.

In one case - drawn from a non-CPS hearing (miscellaneous cases prosecuted in the magistrates court) - I asked whether consideration had been given to imposing an Educational Supervision Order (ESO) after hearing an Oral report on a case of adolescent truancy whereby the parent, a litigant in person, was being prosecuted by the Local Educational Authority. The probation worker in court demurred on the basis of insufficient time and my court colleagues seemed bemused that such an Order existed! The escalator belt of sanctions to the cusp of custody was getting perilously close, but the absence of any familiarity with such diversionary options seemed unconscionable.

But the value of shared decision making cannot be underplayed, and such characterisations sit alongside another sentencing outcome that embedded the value of social justice as a determining factor when reaching outside the secular matrix of Sentencing Guidelines. A defendant was found guilty of an offence of common assault after trial and sentencing options were being rehearsed in deliberation in the retiring room. The defendant was a man of previous good character, who had been involved in a dispute with his stepson in the context of an ongoing low level familial conflict which had 'boiled over' on the day in question. A confused narrative over who was responsible had resulted in a decision that narrowly found against him. However, several material factors were aired in what was an animated discussion, with the legal advisor perched nearby, ostensibly available for advice on legal facts and condign sentencing.

The impact of a sentence (custody had been discounted at this point) of a higher community order, in terms of employability and likely need to change professions entered into deliberations. In short, I argued that a Conditional Discharge was merited in the circumstances. This view was vehemently challenged. However, the collateral impact of the sentence, in terms of future employability and the low risk of reoffending (the stepson had moved out of the address) meant that this outcome - although falling outside the sentencing guidelines - under the interests of justice argument prevailed. Might it be cautiously said that a factored consideration of age discrimination aided by proportionality and deliberative justice worked in this case?

It would perhaps be too hasty to proffer any enduring conceptual lessons or remedial policy reforms on the basis of such an individualised account. That said, observational and participant engagement as a magistrate has at least convinced me that court practices can - if left unchallenged - all too often prioritise efficiencies over fairer justice outcomes, such that the quality of summary justice is diminished and court user-voices are too often marginalised or overlooked.



# **Review of Probation, Mental Health and Criminal Justice: Towards Equivalence**

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Edited by Charlie Brooker and Coral Sirdifield. Routledge.  
ISBN 9781032044927

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<https://doi.org/10.54006/JETG3597>





This collection – edited by Brooker and Sirdifield – successfully champions the need for a better response to mental health by probation services. It advocates for parity in terms of how the subject is considered within the field of criminal justice. The book is also about research and probation practice related to suicide, substance misuse and the relevance of lived experience. It is largely written from a psychological perspective. The book comprises 7 parts starting with a broad systematic literature review, prevalence, thematic reviews, psychological treatment, probation and COVID-19, methodological issues, and a conclusion. Through meticulous research the book reviews and expands on the limitations of the best information available about, for example, the high prevalence of mental health disorder in the probation population. The unsettled context of contemporary probation work following government reform, reunification, and the enduring challenging nature of probation work is acknowledged. Brooker and Sirdifield call out the ‘institutional failure’ (p. 205) to provide adequate mental health services as discriminatory, advocating for a commissioning initiative such as those seen in Youth Offending Teams (YOTS). As someone who is passionate about probation work the book can make for uncomfortable reading; a good reason for why anyone with an interest in probation work should read this book. A key question in all of this is: what is the role of a probation worker in relation to the mental health of supervisees?

The book highlights key areas for development in probation work. In the chapters concerned with the prevalence of mental health disorders there is



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commonality of inconsistent practices: in the collection of data by probation agencies; assessment; referral to appropriate support and professional curiosity to discern the mental health needs of an individual. In thematic reviews the probation mantra of the importance of the relationship is repeated. In the section on psychological treatment, Fowler’s chapter about treatment and screening reminds us that when people are in prison and on probation this is ‘low hanging fruit’ (p. 122). This is an opportunity to work with people to show the positive impact of therapy on symptoms of mental health illnesses. Overall, it is argued that better probation healthcare is required. When the evidence is reviewed there is an understandably exasperated tone to the book where the authors and contributors implore for better provision.

From my perspective, as someone teaching on the Professional Qualification in Probation at Sheffield Hallam University three chapters stood out as 'must-reads': Slade's chapter on suicide prevention in Approved Premises (APs); Bates' chapter on autism and offending behaviour and Emma, Jason, and Phillip Mullen's chapter about co-production through lived experience. Slade's chapter on APs reminds practitioners that transitions can be high risk time for suicide, for example, from prison to the community. There is limited research and guidance for practice around suicide and self-harm for Probation workers. The practical recommendation to carry out safety planning-type interventions makes a lot of sense. The subsequent explanation of the collaborative safety plan is essential reading for all probation workers. Bates' chapter on autism and offending utilises case studies to illustrate distinct aspects of autism that influence behaviour. The practical 'reasonable adjustments' (p.148) to probation practice for people with autism are particularly useful. The observation that there is no central body in HMPPS that oversees reasonable adjustments for people with autism or neurodiverse conditions managed in the CJS stood out as a priority. Emma and Jason who have experienced being supervised by a Probation Officer make a compelling case for the importance of peer mentors and peer research with lived experience to work alongside people on probation. There are countless examples of how lived experience can contribute to creating honest conversations about how people are experiencing their own mental health and the criminal justice system. This can enhance service provision and research findings through the development of trusting relationships.

The section on COVID-19, by Ellis-Devitt, Coley, Lawrence, and Musimbe-Rix spotlights how the pandemic brought existing inequalities in society

to the fore. In addition, the pandemic intensified the mental health needs of minoritised groups and emotional labour for probation staff. This should make us pause for thought in relation to demands placed to attend more training. The implementation of Transforming Rehabilitation and the reunification of probation which took place during the pandemic poses layers of challenge for practitioners and organisational leaders. There needs to be a period of stability and recruitment for staff to be given time to pursue continuous professional development. Without exception, every person I have worked with on the probation qualification is motivated to work in a human service supporting their community and people on probation. The motivation, care and aptitude are there, the barriers lie elsewhere.

Demonstrating this Buckley, Singh, and Moore cite (p.91) Chief Inspector of Probation Justin Russell's comments in relation to insufficient work being done since the Bradley Report in 2009. This rings out in Brooker's recent blog (2023) calling for an Implementation Group with relevant expertise to implement the Council for Penological Co-operation at the Council of Europe's White Paper on mental health in probation. Brooker's patience is waning, and the frustration is understandable. The evidence of the need for mental health support in probation is irrefutable. Doing something about it is long overdue: start by reading this book.

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# Learning from deaths under probation supervision

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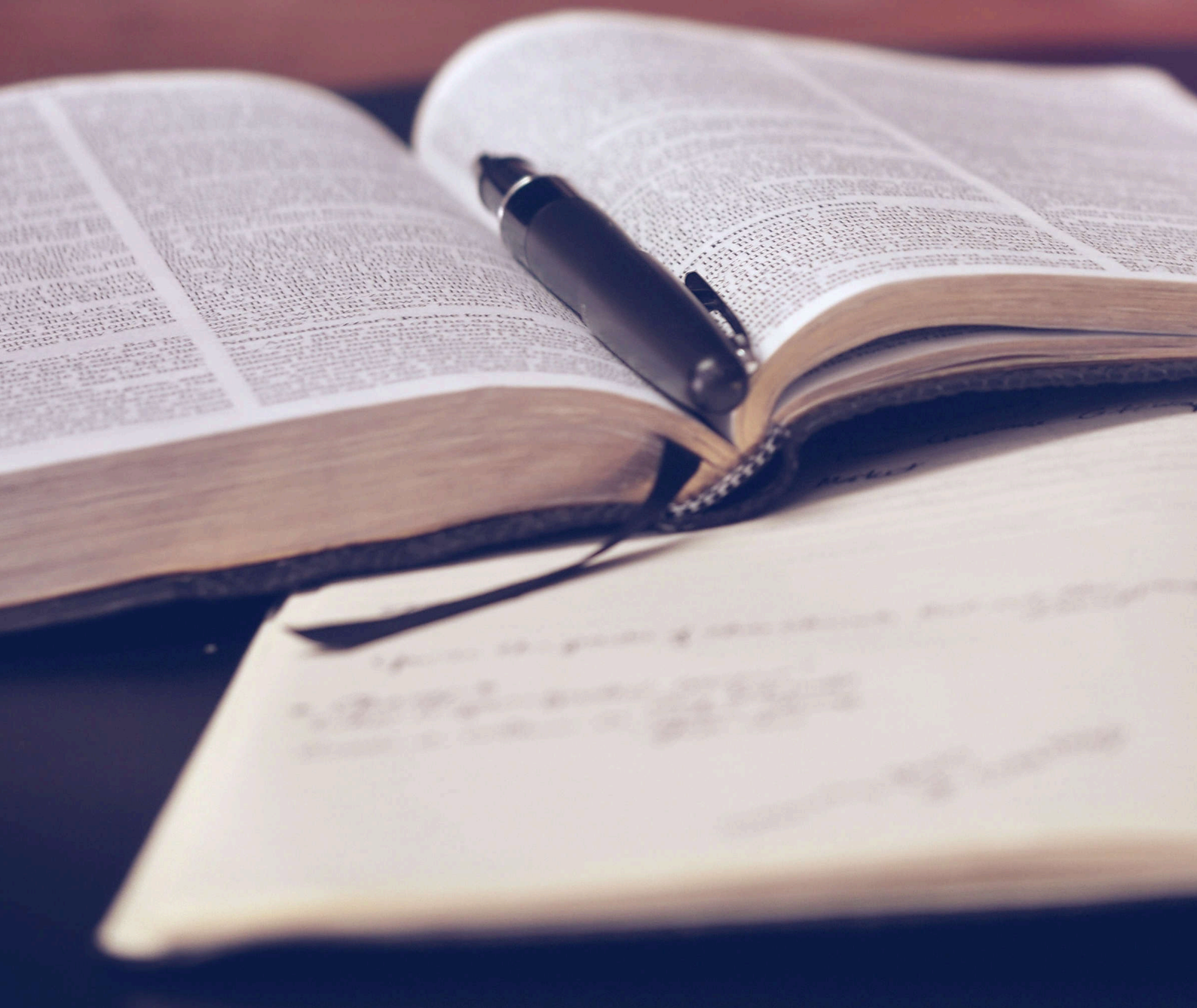
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<https://doi.org/10.54006/BAVZ9067>





## Introduction

There has been a growing interest and calls to develop our understanding and action in preventing the deaths which sadly occur in those on probation supervision in the community, known as a 'death under supervision' (DUS). Any death can have a profound impact on the lives of people who knew them, both personally and professionally.

We know that people on probation supervision are more likely to die prematurely and from non-natural causes when compared to both general and custodial populations (Skinner & Farrington, 2020). Yet, this population has received far less research and policy attention than people who die whilst in prison custody despite making up most of the overall caseload. Growing interest from the Prisons and Probation Ombudsman and HM Inspectorate of Probation (HMIP) amongst others, has begun to shine a light on deaths in the community and the need for more focussed prevention activity.

First, we must recognise the differing responsibilities across the justice sector. Unlike custody, where there is a duty of care in the preservation of life as the person is in the custody of the state, this is not reflected in the community other than, to an extent, within Approved Premises. Probation practitioners in the community are not the lead partner in preventing death. That said, they can encourage and support those being supervised to address issues affecting health and wellbeing, management of these needs relies on other partners. Nonetheless, many of the risk factors for non-natural deaths align with those for offending behaviour including physical and mental health needs, poverty and family breakdown and substance misuse which reinforces probation's role in the pathway to prevention.



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University & HM Prison and  
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Some research has examined deaths in prison leavers, likely due to a known spike in deaths in the days and weeks post-custody but there has been less exploration of the needs of those on community sentences. This may be because England and Wales (E&W) are the only authority which routinely publishes data on deaths across the probation caseload meaning there are no international studies and only a few small-scale studies in E&W in recent years. Since 2019, HMPPS have made moves to improve the clarity of their data with a new [Policy Framework for reporting and reviewing deaths under supervision](#) to support enhanced data and learning from all deaths. There remain limits on its completeness (i.e., causes of death are based on non-official information) and scope (e.g., health information is not routinely available), but we can dig deeper into the data to develop insights into the risks and unmet needs for premature death in all people on probation.

[Our recent study](#) sought to expand our understanding of the profile and characteristics of those who died under probation supervision in E&W between 2019-2021, with a focus on deaths categorised as self-inflicted (which includes both 'drug overdose' and 'suspected suicide'<sup>1</sup>) and homicide. The study reflects 1700 deaths that were classified (i.e., we did not include unclassified or those classed as 'Other' by the probation practitioner) and used information drawn from nDelius (the Probation Service case management system). We considered how personal characteristics and experiences were over- or under-represented within each cause of death, compared especially with natural causes. Since we didn't have data for people who did not die and 600 deaths were unclassified, we cannot say these are risk factors, but they can provide new insights into patterns and allow considerations into priority areas of need.

## Pattern of deaths

The study identified an extremely high proportion of non-natural deaths within this population. Within classified deaths, over one-quarter are drug overdose (25.9%), a minimum of 10% are suspected suicides, 7.9% are accidental death and 4.8% are homicide. This equates to nearly 50% of cases reported as non-natural deaths. This is far more than the general population where according to ONS, natural causes (e.g., cancer or heart disease) account for over 90% of deaths. Remarkably, although we found the expected rise in drug-related deaths after custody release, this rise was also present after community sentencing, which may have implications for how we explain why drug deaths occur, risk management and wider service provision.

## Drugs and suicide risk

Across post-custody and community sentences, there are strong and unique contributions for both drug misuse and suicide risk for all types of non-natural deaths. For example, a history or current suicide or self-harm risk was present in a third (33%) of suspected suicides but also a quarter (23%) of drug-related deaths. In line with patients in contact with mental health services, only a small proportion of cases had current concerns reported in the weeks leading to the death. Focussing on improving the identification and follow-on management of suicide and self-harm concerns could be a leading avenue for both justice and health services in ambitions to prevent suicide and drug-related deaths.

## Enforcement action or recall

Relevant to probation, the initiation of enforcement action or recall within 28 days of the death, was more likely across all non-natural deaths. Concerns that lead to action by probation may function as an imminent risk *marker* for suicide or drug-related deaths. The relationship with these actions was greatest for those on post-custody supervision and facing a potential return to custody, although it was present amongst people on community sentences. It is likely that rather than being causal, this marker is an indicator of wider social, psychological, or mental health issues, common in this population, which are culminating in the violation of the terms or conditions of their sentence. It is also possible that recall actions in the community trigger the same impacts as reported in custody and so raise the risk of harm (e.g., sense of unfairness, acute loss, hopelessness, or loss of control with a return to custody; Fitzalan-Howard, 2019).

<sup>1</sup> Suspected suicides in this report are those classed as dying by three methods: hanging, suffocation and fall from height only; any drug-related suicides would be placed in drug overdose and any other methods would be 'Other' and not included.

## Employment

Contrary to the usual protective nature of employment, we found that employment was linked to suicide- this may be down to the precarious employment situation of many in contact with the criminal justice - a situation shown to increase the risk of suicide (Nguyen, et al., 2022; Milner, et al., 2017).

## Minority groups

There were significant disproportionalities identified for minority groups alongside these broader factors. These included women displaying a higher rate of drug overdose than men (although not of drug use) with greater prominence in mental health issues, suicide or self-harm risk and domestic abuse (both as perpetrator and victim). Furthermore, homicide rates were striking amongst people from ethnic minority backgrounds (accounting for 35% of homicides) or of Muslim faith (accounting for 19%). Other factors may have a mediating effect, and the small numbers mean caution should be applied. Nevertheless, this pattern of disproportionality is present in official MoJ statistics across multiple years and the general population e.g., ONS identified a 4-time risk of homicide within Black and ethnic minority populations accounting for 29% of all homicides. This suggests the need for further strategic direction to consider the diverse nature of risk along with gender and cultural needs in the prevention of non-natural deaths.

## Violence

Finally, there are implications linked to domestic abuse and weapon use. Across non-natural deaths - domestic abuse perpetration was prominent - with around 1/3 of all non-natural deaths (compared to 1 in 5 of natural causes) being a known perpetrator, whereas being a victim was present in <5% of non-natural deaths. Furthermore, around 15% of deaths by homicide were known for weapon carrying or use. Services engaged with approaches such as the multi-agency risk assessment conference (MARAC) and multi-agency public protection arrangements (MAPPA), may wish to consider how their management of risk-to-others also encompasses the vulnerability for non-natural death.

## Conclusion

We have been able to start identifying some of the prominent factors linked to non-natural deaths amongst people in the community who are being supervised by the CJS, especially at transition points. The raised risk of drug-related death after community sentencing as well as post-custody; confirming enforcement actions or recall as risk markers; the need to reflect diversity in our strategies; to the relationships between risk-to-others and fatal risk-to-self should all be the focus of future strategic and policy development in this area. Acknowledging the heightened risk in this population is the first step but our findings indicate that effective management of offending-related needs alongside health needs can support death prevention. These findings can help shape the overall direction of travel through joint working on shared ambitions to prevent avoidable death.

This work was supported by HM Prison and Probation Service.



## Further resources

The study report is freely available here:

Slade, K., Baguley, T., and Justice, L. (2022) *Analysis of profiles for deaths under probation supervision. England and Wales, April 2019- March 2021*. Nottingham: Nottingham Trent University. Available at <https://irep.ntu.ac.uk/id/eprint/45894>

In 2022, Nottingham Trent University and MoJ held a joint event '[Innovation in suicide prevention for those under probation supervision](#)' and the range of practice and academic talks are available via the link.

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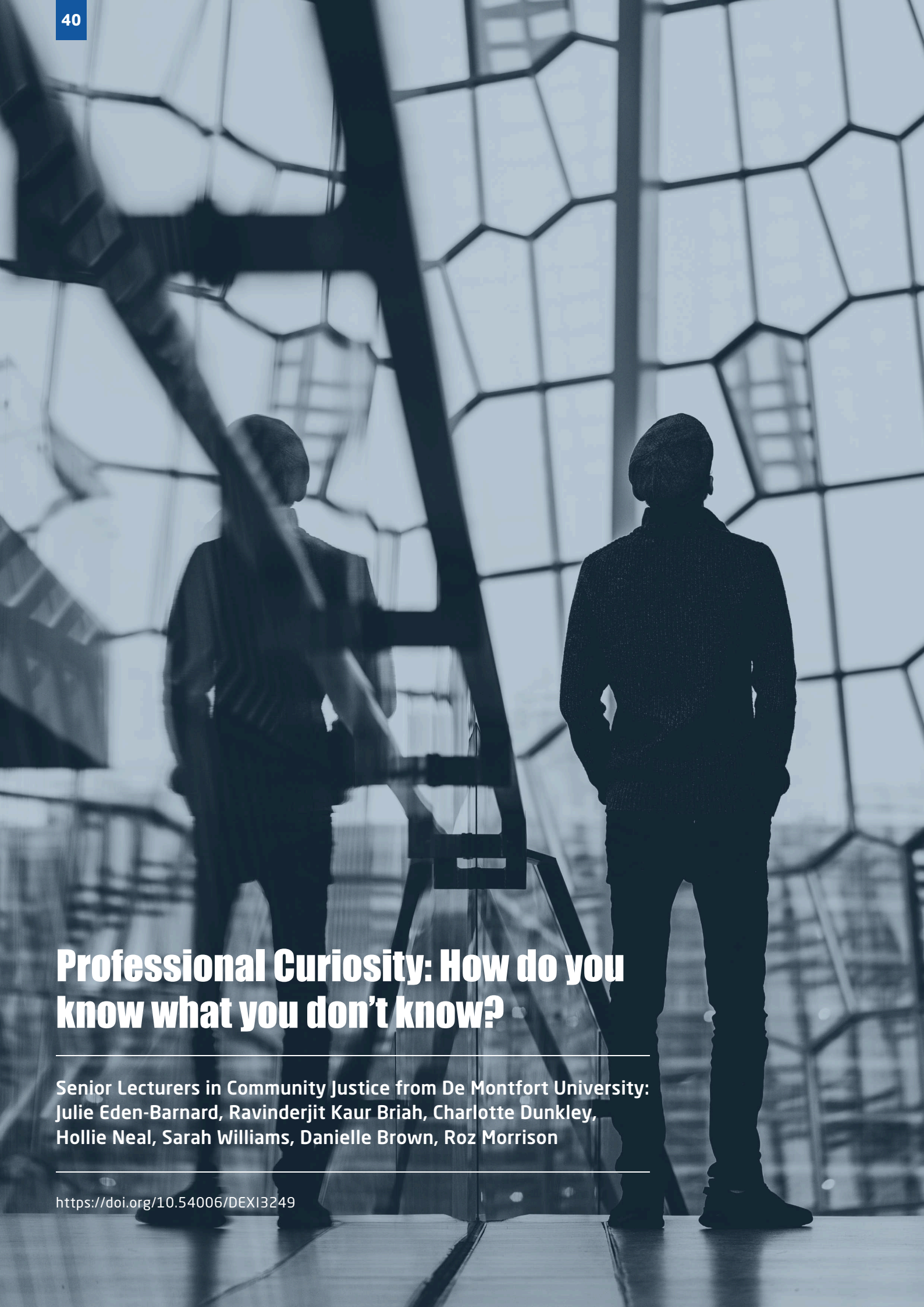
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## **Professional Curiosity: How do you know what you don't know?**

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<https://doi.org/10.54006/DEXI3249>

Recent Independent Serious Further Offence Reviews conducted by HMI Probation (2023a, 2023b) have followed a trend of highlighting inadequate evidence of professional curiosity in practice and the impact of this on risk assessment and management. The 2023a Review also raises questions about the appropriateness of training and newly qualified practitioners managing high risk and complex cases. As academics who are involved in the delivery of the academic component of Probation Officer training, these recent reviews have prompted much reflection within our team. In this brief article we aim to share these reflections, identifying factors and conditions that we consider to be fundamental for a practice culture of professional curiosity.

## Professional Curiosity

The language of professional curiosity has found its way into probation practice through previous HMI Probation inspection reports as part of a critique of practice; a term used by inspectors to describe an absence of behaviour that they anticipate that they should see. Discussions around how professional curiosity is defined in probation and what it means to practitioners can be found elsewhere (for example, Phillips et al 2021, 2022, HMIP, 2022). In essence though, there seems to be some consensus that it is about not accepting information at face value. There is a certain level of skill and knowledge that is involved in this process; practitioners need an awareness of the whole puzzle in order to understand that you only have one piece, you need to know how many pieces are in the puzzle to determine if any are missing, and a picture of what the whole should look like. It is this point that has been the focus of our reflections and we have been provoked to consider how we identify missing information to gain a more complete understanding.

Drawing on our own practice experiences we have considered the importance of a critical appreciation of the evidence base that underpins practice and how training packages can often be the end product of research. This means practitioners understand policy and processes, but little of the journey that has enabled these conclusions to be met. A concern here is that this can result in mechanical application, rather than the methodical and critical thinking that would support the development of professional curiosity.

As an example, probation training had enabled a practitioner to score a Spousal Assault Risk Assessment (SARA). However, learning about the research that underpinned the development of SARA and by considering academic studies such as the Homicide Timeline (Monckton-Smith, 2018) provided her with a deeper understanding of the commonalities in domestic abuse cases and subsequently prompted consideration of the prevalence of these situational risk factors in her own cases. She considered how mandatory training had provided her with a framework to follow ('when this happens do this'), and how this was often a response to surface behaviour that she observed. However, a more in-depth understanding of the research enabled her to reflect on her own cases and practice through discussions with colleagues. In turn this meant that she was able to exercise a greater level of professional curiosity and probe a little deeper. As a consequence, she felt that her risk assessments and risk management plans were more robust. Arguably, without understanding the research and applying the theory, practice risks becoming process driven and the practitioner's ability to be curious is duly limited.



## Theory to Practice

This example neatly demonstrates how within our team our identities as pracademics are significant when it comes to the development and delivery of the Probation Officer training: it is fundamental that the teaching and delivery of vocational programmes are rooted in practice. The role of theoretical perspectives in making theory to practice links in probation training is essential in ensuring that learners can apply what they have learned to real-world situations in the workplace, (Knowles 1984). Theoretical perspectives in criminology and criminal justice provide a foundation for understanding and explaining behaviour and helps learners to develop the critical thinking skills that are necessary for problem-solving. Therefore, when teaching on vocational programs like the Professional Qualification in Probation (PQiP) pracademics need to create a curriculum that balances theoretical perspectives with practical applications; theoretical perspectives provide the necessary knowledge and understanding of a particular subject, while practical applications allow learners to assimilate this knowledge.

To effectively assimilate theory to practice, pracademics, Practice Tutor Assessors (PTAs) and experienced workplace mentors should incorporate hands-on learning experiences that enable learners to apply their knowledge to practical situations. This can be achieved through observing, co-working and managing cases that are sufficiently complex to provide appropriate learning and development opportunities in the practice setting, as well as learning activities that

are interactive and immersive, and simulate real-world scenarios in a safe learning environment. Within our teaching for example, we have incorporated interactive case studies that help situate opportunities for practice in problem scenarios. As students navigate these scenarios, they construct the knowledge necessary to understand the workplace, and develop essential competencies and higher-order thinking skills that are fundamental to practice. The use of case studies in teaching and assessments allows probation learners to test their ideas and reflect on findings with encouragement and support from peers and pracademics without the fear of an SFO occurring or the pressure of causing more harm to victims or people on probation.

Moreover, learners should be supported and encouraged to reflect on their learning experiences in order to support them to make connections between theory and practice. This can be achieved through discussions with colleagues, reflective writing tasks, or group projects that require students to analyse and apply their learning. Discussions which lead to development in learners will focus on why sensitive questions need to be asked and why investigatory approaches need to be taken (Kemshall 2021: 6). As demonstrated with our reflective example above, discussions that encourage learners to make links back to theory and research are key to developing deeper critical thinking and increasing confidence in risk decision making, which in turn increases confidence and skill that is necessary for increased autonomy in the longer term (Eddie et al, 2013).

## Safe Spaces

As academics, we are acutely aware of how relational and environmental factors impact on the learning experience. Principles of humanist theories of learning argue that when learners feel safe their learning experiences will be easier, more meaningful and more effective (Petty, 2010). Conversely, if learners feel fearful of failure or will be blamed for mistakes, it is unlikely that they will be successful (ibid.) It is important that consideration is given to creating and maintaining a safe learning environment as this provides the conditions that enable practitioners to exercise professional curiosity. Defining a safe space is difficult but Webster's Dictionary provides a good starting point; "a place intended to be free of bias, conflict, criticism, or potentially threatening actions, ideas, or conversations". As this can mean different things to different people, it is important that differences in positionality and issues relating to intersectionality are understood.

As an academic provider of PQiP training, we have a unique insight into learners' experiences of training. We recognise the importance of being able to offer a safe learning space that is independent from the workplace, and we see the role of the personal tutor as integral to this (Wakelin 2021). Inclusivity and adaptability are key for creating safe spaces online (Education and Training Foundation, 2021). A digital skills shortage creates challenges for learners who are expected to be immediately competent with online platforms. In the workplace, line managers play a crucial role in the establishment and maintenance of a safe space, providing opportunities to discuss and reflect on personal and professional challenges. This is reliant on a positive and trustworthy relationship, that balances performance with learning and development, which can be difficult to achieve.

The recent SFO Reviews (HMI Probation 2022, 2023) have highlighted a backdrop of high workloads and staff shortages. This threatens the development of meaningful relationships with colleagues, such as line managers, PTAs and mentors, that are necessary for people to feel safe in their work environment. It has also consistently been identified as a barrier to reflective practice (Goldhill, 2010; Coley, 2016; and Ainslie et al., 2022). To foster safe learning environments and protect reflective practice as a core element of probation practice, staffing and workload pressures must be addressed. Furthermore, it is important that an appreciative approach is taken, ensuring that good practice is regularly highlighted and widely shared in order to encourage practitioners to learn from the things that go well. This should help to move away from cultures of fear. Mechanisms such as reward and recognition and regional and national awards are examples of how this can work in practice.


There is a danger that professional curiosity is seen simply as something that is or is not being done in practice. This view minimises and undermines the arguably complex conditions that underpin an individual practitioner's abilities here. We summarise this complexity as the right teaching, the right cases, the right support and the right environment. Striking a balance between managing operational and reputational risk and providing learners with cases that are sufficiently complex is always going to present a challenge. However, as a consequence of the recent SFO findings it would appear that a greater level of caution is being applied to the allocation of cases to learners. Whilst this response is on some ways understandable, it could also be seen as reductionist. Furthermore, it raises concerns that opportunities for critical aspects of learning are being minimised at a point where learners have additional support and workload protection in place.



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A close-up, low-angle shot of a person's lower body and hand. The person is wearing a blue suit jacket, dark trousers, and brown shoes. They are holding a large, brown leather briefcase with a gold-colored clasp and handle. The background is a light, textured surface, possibly a sidewalk or pavement.

# **The point of no return? Exploring why people leave the probation service**

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<https://doi.org/10.54006/KFGZ6850>



Researchers at the University of Portsmouth conducted a small-scale study which explored the under-researched but important area of probation staff attrition by gaining insight into the reasons that operational probation staff have voluntarily left the probation service. This article reports on the initial findings from the study, outlining key drivers for resignations and considerations for encouraging a return to probation work.

Probation staff attrition has been an increasing source of concern following the Transforming Rehabilitation reforms. Despite the announcement of reunification of probation services from (then Justice Secretary) David Gauke in May 2019, the number of voluntary resignations has continued to rise. At the commencement of the research study the Ministry of Justice workforce quarterly (March, 2022a), showed that the percentage of staff voluntarily leaving the service increased for both probation service officers, to 9.3% (an increase of 4.9% percentage points) and probation officers, to 5.1% (an increase of 2.4% percentage points). The most recent statistics demonstrate an overall probation staff resignation rate of 7.0%, with continued vacancies and staff attrition, albeit with an uplift due to accelerated trainee recruitment (Ministry of Justice, 2023).

The literature suggests a range of potential causes for this; Issues of high caseloads, changes in caseload profiles and increasing staff pressures (Tidmarsh & Marder, 2021; Cracknell, 2022) provide some insights into the experiences of operational staff. This comes at a time when rising costs of living adds pressure in terms of the slow pace of wage increases in the public sector. Furthermore, the probation service continues to face upheaval in terms of centralised decision-making which continues to challenge the professionalism of the workforce (Carr, 2022).



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Amidst this, the covid-19 pandemic disrupted service delivery and the Exceptional Delivery Model and subsequent hybrid working had implications for the wellbeing of staff, who moved to managing high-risk and emotionally exhaustive cases from their home environments (Philips, et al. 2021). The emotional labour that staff invest within probation work has been well-documented (Phillips et al. 2021) and the impacts of staff attrition can be seen in the workload of the staff members who remain (HMIP, 2021).

Whilst staff recruitment drives are undertaken to fill the gaps in labour (Moj, 2022b), it is noted in professions such as probation, policing and social work that significant time and resource investment is required to enable practitioners to be sufficiently experienced within their roles. The probation workforce strategy highlights the need to focus upon the recruitment and retention of staff (HMPPS, 2020). It further highlights the need for opportunities for progression, continuous professional development opportunities and to gain further insight via exit data collection.

Whilst the issue of staff retention is recognised, there is limited research exploring the reasons that staff have voluntarily resigned and, therefore, this research study aimed to better understand the drivers for staff decisions to leave to help bridge that gap.

## Methodology

Drawing on research undertaken by Charman & Bennett (2022) who explored voluntary resignations of police operational staff, this study used mixed methods of online survey and interviews. Invitations for both were circulated via social media, inviting ex-probation practitioners (grades 3-5; Probation Service Officers (incl. trainee probation officers),

Probation Officers and Senior Probation Officers, respectively), who had worked in probation services in England & Wales and who had voluntarily resigned since May 2019 (the announcement of reunification of probation services). Participants were asked to complete a mixture of fixed and open-ended responses exploring their experiences as practitioners, their reasons for leaving, and their current career directions.

## Results

47 participants provided responses to the questionnaires and a further four interviews were conducted to provide additional qualitative insights. Most of the survey respondents identified as female (85.1%), with the largest proportion of respondents within the 35-44 age bracket (38.3%). Participants were from across operational grades 3-5. Senior Probation Officers accounted for 17% of the sample, Probation Officers made up 61.7% of the sample, Probation Service Officers were 19.1% of the sample 2.1% described themselves as 'other'. One part of the survey included a 20 item likert-style scale, with participants asked to rate whether the items were a factor in their decision to leave the probation service. Of these 20 items the five highest rated were; stress of the job (89.3%), high workload (89.3%), organisational change (78.7%), morale (78.7%) and impact of job on emotional wellbeing (76.6%).

This is perhaps unsurprising, reflecting the early findings of the Rehabilitation Probation project noted by Carr (2023) in the previous issue of PQ where practitioners cited issues of successive organisational change (in the case of unification), high workloads and 'fire fighting'. It is evident that high workloads increase stress and associated wellbeing issues for practitioners (HMI Probation, 2021).



Probation work is highly complex and it was apparent from open-ended responses that many participants were facing burnout. Many seemed to be carrying the burden of the potential consequences of their decision-making and were questioning the support they would receive should things go wrong. Furthermore, whilst 'pay' was not in the top-five reasons it was a factor for 63.8% of participants and later qualitative responses reflected a misalignment with pay and the nature and responsibility of the work.

In addition to the scale items, participants were asked to reflect on any other reasons for their resignation. An analysis of these responses highlighted some interesting themes, namely the lack of **psychological support for the type of work**, with specific reference to sexual offenders, domestic abuse perpetrators and Integrated Offender Management work.

One of the concerns raised by Phillips et al. (2016) is the relentless nature of high-risk work within the NPS and concomitant risk of burnout, potentially leading to good officers leaving. Although an exploratory study, these findings go some way to support this view:

*'The more skilled you are in the role, the more complex and demanding work you are given, with no consideration to the psychological impact of such work at those volumes.'*

**Management style** was a recurring theme, comprising a range of behaviours that were described as a lack of support or compassion. In some cases this was experienced as a failure to

care for practitioners through personal and professional incidents. Some participants further expressed issues with untrained and inexperienced SPOs which compounded the aforementioned behaviours.

The theme of '**process over people**' reflected the participants' accounts of the conflict that they felt, both in terms of their ability to do the front-facing work with people on probation that they were passionate about, against target and process-driven cultures, that questioned their 'professional legitimacy' (Tidmarsh, 2022):

*'the job became more about process than engaging people on probation'*

Being part of the civil service presented a further conflict of values for some respondents, whilst specific details were not provided in the survey data, Carr (2022) has outlined some specific tensions arising from this.

We were interested in understanding the extent to which the reasons for resignations tainted their view of their time working for the probation service. Whilst there were reflections of the challenges previously discussed, the fondness for the work and the people (both those on probation and colleagues) could not be overstated:

*'I miss working with probation officers. I worked in several offices/ locations and always found probation workers to be a great collection of people. Shared interest and passion for helping people.'*

This last theme struck a chord for us, as practitioners turned academics, who both joined the Probation Service as young women. Participants talked about how being a probation practitioner was part of their identity, (previously identified by Mowby and Worrall, 2013) and that the work had shaped their character and values. For some, like us, they had 'grown up' with the job:

*'I grew up in the service getting to know not only the service users I worked with, but of different agencies all whilst developing a wealth of skills I didn't know I had. I grew into the adult I am now with a strong set of professional and personal values underpinned by integrity and a belief that people deserve second chances.'*

It is perhaps this deep-rooted connection to probation work then, that offers some explanation as to why over half (57%) of respondents would consider a return to the Service, and thus presents some optimism to attracting ex practitioners back into the fold.

## Recommendations

Despite some significant reasons for participants' resigning voluntarily, the data paints a picture of a willingness to return to much-loved work. This

presents a real opportunity for the Probation Service, to learn lessons from those who have left to assist with retention *and* **regain a pool of talent** that, with the best of intentions, cannot be replaced through the large-scale recruitment of trainee probation officers.

Recommendations from the research include the availability of **fractional and alternative posts**. Fractional posts provide the opportunity for a better work life balance, whereas alternative roles offer a multitude of benefits, from allowing expertise and knowledge to be shared through mentorship and development, to protecting the risk of burnout by providing opportunity for skilled practitioners to spend time away from the front line and receiving more support from the organisation. Such opportunities would further highlight **value** in the diverse needs of the workforce. For some participants, feeling valued by SPOs and senior management would have made the difference between them staying and leaving even in the face of the challenges cited throughout this study.

There are some limitations to this study, primarily in relation to the self-selecting and small sample size. Nonetheless, even on this small-scale, the preliminary findings presented here provide important insights which can pave the way for further research and improved policy in relation to recruitment and retention of staff.

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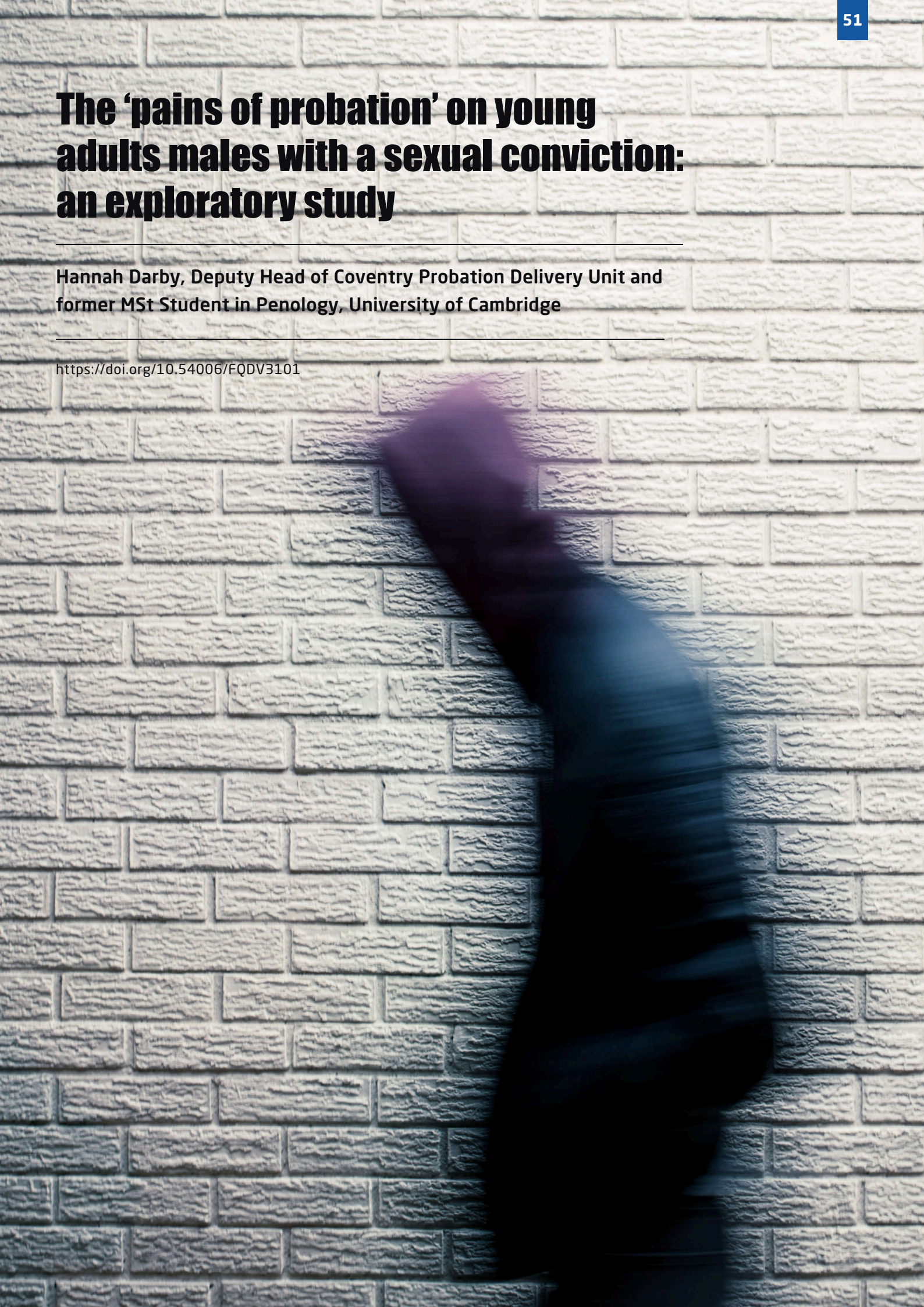
# **The ‘pains of probation’ on young adults males with a sexual conviction: an exploratory study**

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<https://doi.org/10.54006/FQDV3101>





Explorations of the experiences of incarceration have revealed the 'pains of imprisonment' (Sykes, 1958, Crewe, 2011). The 'pains of punishment' discourse has only recently shifted its attention to community punishments, with the few explorations revealing that probation can be experienced as painful (Durnescu, 2011, Hayes, 2015). Understanding community punishment, in terms of the pains it produces on the lives of probationers is useful for evaluating the effect and effectiveness of penal practice and policy (Hayes, 2015). Existing 'pains of probation' studies have tended to treat probationers as a homogenous group, but I wanted to understand how demographic variations and offence shape community punishment experiences.

Studies have found the stigma and punitive risk management practices associated with sex convictions creates barriers to, gaining and maintaining employment (Brown, Spencer and Deakin, 2007), maintaining family ties (Mann, Devendran and Lundrigan, 2019), securing accommodation (Mann et al, 2019), and the wider development and maintenance of pro-social networks (Wood and Kemshall, 2010). There has been little academic attention on 'Young Adults' aged between 18 and 24 (HMI Probation, 2021), and even less research with young adults with a sexual conviction (Eastman, Craissati and Shaw, 2019). For young adults their bio-psycho-social outlook and functioning is characterised by a period of developmental transition, immaturity, and exploration of their identity and the world (Arnett, 2000, Prior et al, 2011). Both academic research and policy advocates treating 18- to 24-year-olds as a distinct group (Eastman et al, 2019, HMIP, 2021).



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I interviewed 17 young adult men with a sexual conviction, who were subject to both Community Orders (CO) and Suspended Sentence Orders (SSO). The participants in this study experienced an array of pains, which were pervasive, impacted across the life of young adults and extended beyond the boundaries of the Order. These pains affected both inward and outward facing aspects of their life. There was an acuteness and distinctiveness to the 'pains of probation' because of participants' ages and offence type.

Whilst participant experiences varied, it was possible to group pains into three main groups. The first were 'Pains of Conviction': the impact of community punishment within the context of having a sexual conviction. These pains related to social rejection and judgement, supervisory management processes by probation and police, and the internal struggle young adults faced as they tried to validate who they were.

A distinguishing feature of participants in this study was their dependence on their parents/ close family, with whom a number lived and relied upon for practical and emotional support. By visiting young adults at home, probation and the police indirectly visited those they lived with. This placed participants in an uncomfortable position when expected to discuss personal topics:

*They say, "what are your sexual fantasies?", "how many times do you masturbate?", "do you like this, that and the other?", while my brother's just in the other room...and I'm feeling like, you don't need to really ask these questions at the moment.*  
Max, (24)

These pains were exacerbated by not always understanding the need for private information to be discussed. Having to talk about private sexual fantasies and deviant sexual interests as well as the offence caused shame and led to participants questioning their identity and self-perception. Given young adults are still forming their identity, these experiences could encourage internalisation of a 'sex offender' label (Mann et al, 2019), impeding attempts at constructing a non-offending self-identity.

The second group of pains were the 'Pains of Liberty Deprivation', relating to restrictions on participants freedom, choices and movements and being required to attend probation appointments. Such restrictions created barriers for securing employment and maintaining family relationships and friendships (Brown et al, 2007, Mann et al, 2019). Restrictions disrupted family dynamics, hindering families' abilities, and possibly their desire, to provide and maintain strong, supportive relationships with their young adult relatives (Kilmer and Leon, 2017). Restrictions placed on young adults' use of social media, internet and software were equally

burdensome, impacting on lifestyle choices, hobbies and aggravating feelings of isolation. Perceived as a rite of passage at their age, participants inability (due to their community punishment) to travel and explore the world left them feeling as if their life was on pause, contributing to a feeling that time was being lost, wasted, or suspended. Positively, obligations to attend appointments brought stability to a life stage that is characterised by instability, in the form of a routine. Participants did not always understand why certain restrictions were placed on them, perceiving some conditions as disproportionate to their offence. This left them frustrated, questioning the fairness of their sentence. Participants felt trapped by their restrictions, likening them to a 'weight on their shoulders':

*[the restrictions are] always there...It's not necessarily a sharp sudden [pain], it's just constant. It's like...an emotional version of an eternally lasting tattoo...constant needles pricking*  
Chris, (22)

The third group of pains were 'Penal Welfare Issues', relating to participants needs and vulnerabilities, especially in relation to wellbeing (physical, emotional and mental health), education and employment, and relationships (family, friends and partners). When asked whether they would describe the experience of being on a probation order as painful, nearly half indicated that they consider it mentally or emotionally painful:

*Totally agree [that probation is painful. It's an] emotional pain...you know when you're in that much emotional pain that it actually turns into physical pain in your chest. I get that all the time, squeezing my heart*  
Georgie, (21)



Participants experienced acute and persistent stigma, exclusion and social rejection from the public, employers, education providers and family and friends (with the notable exception of 'close' friends/family), due to the nature of their offence:

*As far as the legal system is concerned, I'm not a person, I'm a sex offender...The entire world perceives me as someone that's worse  
Drew, (23)*

Social media platforms - used by young adults as a dominant communication medium - aggravated the pains of stigma, with participants fearful that social media posts would result in more people becoming aware of their conviction, fuelling retributive action. Being unable to obtain a level of education or employment experience due to restrictions and social rejection "affects the foundations for [young adults] incomes and occupational achievements for the remainder of their adult work lives" (Arnett, 2000, p.469). Young adults adopted a range strategies and mechanisms, both helpful and unhelpful to cope with the impacts of community punishment. They comprised internal ('Focusing on the Positives', 'Resigned Acceptance') and external ('Maladaptive', 'Personal Support', 'Professional Support') approaches and were broadly utilised by most participants across all experienced pains. A positive probation supervisory relationship was characterised by trust, being non-judgmental and personable, where meaningful support is given:

*There's a clear idea of non-judgment in the room, clear idea of trust...She'll tell me about her [animals] that she's got, just a little scrape of inside her life, which might not seem a lot but she's just letting me into her life, so it's building that sort of trust slowly  
Alex, (23)*

Such positive supervisory relationships were used frequently by participants and appeared to alleviate some 'pains of probation' and increased participants' hopes for the future.

### What does this mean for probation practice?


This study had a relatively small sample size, which limits the generalisability of the findings. Female, and black, Asian and minority ethnic experiences were not represented, overlooking differences in probationer experiences arising from marginalised demographic positions. That said, the findings of my research suggest that probation practitioners should ensure young adult probationers understand the requirements of their Order "adopting an approach that considers individual maturity" (Moj, 2022, p.9) in order to improve compliance. Moreover, this research supports the Moj's (2022) policy on the management of young adults in which the "maturity of Young Adults must be assessed", to better support engagement and compliance.

The findings of this study indicate that if Probation Practitioners understand how the bio-psycho-social developmental traits of young adults impact their community punishment experience, they can take steps to alleviate any resultant pains. Such an approach will facilitate both public protection and reduced re-offending because some pains acted as barriers to building and maintaining informal social controls and bonds, and developing a non-criminal identity, associated with promoting desistance from crime.

To alleviate pains related to loss of freedom and privacy, Probation Practitioners should ensure that young adults understand why specific restrictions have been placed on them and the purpose of asking personal questions. Family dynamics should be considered when conducting home visits, especially if Probation Practitioners intend to ask young adults questions of a personal nature. Finally, a trusting, supportive supervisory relationship can both alleviate some 'pains of probation' and aid desistance (Fernando, 2021) and so practice which minimises the pains of probation (McNeill, 2019) is a perfectly legitimate aim for the Service and practitioners that work within it.

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A tall, white flagpole stands against a clear blue sky with scattered white clouds. The flag of Wales, featuring a red dragon on a green and white background, is flying from the pole.

# **Delivering prison and probation services in Wales: a view from the leaders**

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<https://doi.org/10.54006/IXVZ3393>



In 2019, the Commission on Justice in Wales asserted that HM Prison and Probation Service had “achieved greater alignment in Wales between prison services and probation services than anywhere else in the UK” (Justice in Wales for the People of Wales, 2019). That struck me because HMPPS is looking again at what it means for prisons and probation to be part of one agency that wants the same outcomes, often working with the same people. The “One HMPPS” Strategy will create six “Areas” in England that bring together the regional structures for probation and prisons in ways similar to the creation of the Wales Directorate in 2014, each under a single Executive Director.

I wanted to know what prison and probation staff in Wales find helpful or challenging about their work together, so I made it the subject of my Master’s dissertation. I researched how staff understand their role as part of an aligned HMPPS, whilst working for the people of Wales and retaining their probation and prison identities. In this article I summarise my dissertation (Thirkell, 2023) and pull out a small number of key findings from my research.

## The research

I interviewed twelve people who work in HMPPS Wales, divided almost equally between prisons and probation. I wanted to talk to people who face day-to-day issues that span different parts of HMPPS, so for prisons I spoke to Governors, and for probation I spoke to Heads of Probation Delivery Units and Heads of Service, as well as the Prison Group Director, Regional Probation Director, Deputy Director for the shared assurance team and the Executive Director. To interpret the literature and interview responses, I drew on Schein and Schein’s (2016) famous three-part explanation of organisational culture:



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artifacts (including meetings and organisational structures), espoused values, and underlying assumptions like how probation and prisons’ different approaches fit together and how staff work across internal organisational boundaries.

## Context and culture

Understanding HMPPS Wales is complex. Prisons and probation both have long histories as separate organisations and this has led to each arm having a deep and distinct culture (see Liebling, Price and Shefer, 2011 and Chui and Nellis, 2003). For almost twenty years, they have both been run as part of the National Offender Management Service and then HM Prison and Probation Service, which has had various iterations and undergone a range of structural and policy changes (King and Willmott, 2022).

The relationship between English and Welsh authority regarding criminal justice is described as “dragonisation” (Jones 2020). In Wales, responsibility for criminal justice remains with the Westminster government, but many of the necessary partnerships, such as health and housing, are devolved through the Welsh Assembly. This operating environment means that HMPPS Wales is not simply two organisations linked together by line management; it is a diverse organisation of sub-cultures that has evolved in a unique context.

All of this is helpful as background, but to understand how it manifests in practice I asked questions directly of probation and prison senior leaders running the operation. Staff described the practical features of HMPPS Wales – its line management structure, meetings, and partner relationships – but also features of its national and organisational culture. They talked about national pride and demographic differences between the cities and the valleys. They consistently described a uniquely Welsh approach to working with partners, putting outcomes for people serving sentences before process and procedure, and working across organisational boundaries within HMPPS.

### Individual pieces in a jigsaw

The most important theme that came up repeatedly was the idea that prisons and probation should remain distinct, but when aligned in one Directorate they are more than the sum of their parts. They continue to operate within their separate cultures but share expertise, information, and partnership-working in ways that allow them to perform efficiently and effectively. This was expressed through metaphors like “jigsaw”, “parts of a machine” or “thread”:

*We're not looking for, you know, homogeneity in terms of practice culture, but I think there has to be an understanding of the part in the process that we play and that either stuff comes after us or stuff went before us [...] the little bits and pieces in the puzzle. (Probation leader)<sup>1</sup>*

*the joined up approach feels as though all parts of the machine are informed by all the other parts of the machine, if that makes sense... At a governor's level [...] I can see the blockers to some of my probation colleagues within [the prison] and what I can do to change them. Some of that's about culture, but some of it is about two organisations learning from each other. (Prison governor)*

Staff in HMPPS Wales claim this allows them to achieve tangible things that would be more difficult if prisons and probation were less aligned. For example, one governor spoke about the partnership between prison staff's “jailcraft” (Crewe, Liebling, and Hulley, 2015) – the instinct honed over years in a prison environment that helps them to quickly assess where there may be problems or opportunities with a person in custody – with formal probation risk management. This alignment allows better assessment of the conditions or support required for an individual's licence period on release. In another example, staff claimed that external partners respond better to an end-to-end picture of HMPPS' work because the Prison Group Director and Regional Probation Director (who line manage prison and probation staff) are aligned in their messaging, and the Executive Director can speak for both.

<sup>1</sup> All quote are taken from Thirkell (2023)

## How to achieve greater alignment - pick up the phone

Staff in Wales set out several practical ways that alignment is achieved, including the single Executive Director, and regular opportunities to discuss shared problems between prison and probation leaders. However, they placed even greater emphasis on the importance of feeling like a single team.

*You are instilling not just leadership, but rapport, friendships and then that helps, I think, when you've got some tough decisions to make you understand what makes that person tick. (Probation Senior Leader)*

This chimes with research on organisational culture, which highlights the importance of this kind of personal relationship for developing the trust that facilitates quick communication and problem-solving (Schein and Schein, 2016). Staff talked about how easy it is to “pick up the phone” so frequently that I wanted to understand why such a simple suggestion is so important:

*Researcher: The point about that phrase is, 'I don't feel there are barriers to me talking to anybody else in this leadership level because I know that they are on the same team as me'.*

*Participant: Yeah, yeah, absolutely. (Probation senior leader)*

## Outstanding questions and Conclusions

As a Master's dissertation, the research has some limitations. The sample size was small and limited to senior leaders. It would be useful to understand the extent to which the joined-up

approach is experienced by a wider range of staff. Also, the research focussed on a single jurisdiction and a comparative approach would shed more light on how things work in Wales. Staff expressed great pride in working for “the people of Wales”, and a willingness to do what is needed for those people regardless of organisational boundaries. It is not clear how far other jurisdictions could adopt similar practices without that single national identity, or given other differences like larger probation caseloads and prison populations that areas in England will have. However, as the first research study of HMPPS Wales, the findings are a useful introduction to the clearest example we have of an aligned prisons and probation directorate.

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