

The magazine of the Probation Institute

PROBATION

Issue 3 | March 2015

Quarterly

PAUL McDOWELL

FEATURE INTERVIEW

"I would encourage people to pick themselves up and dust themselves off."

MINORITIES REPORT

Improving outcomes for young black and Muslim men in the Criminal Justice System

CENTRE OF EXCELLENCE

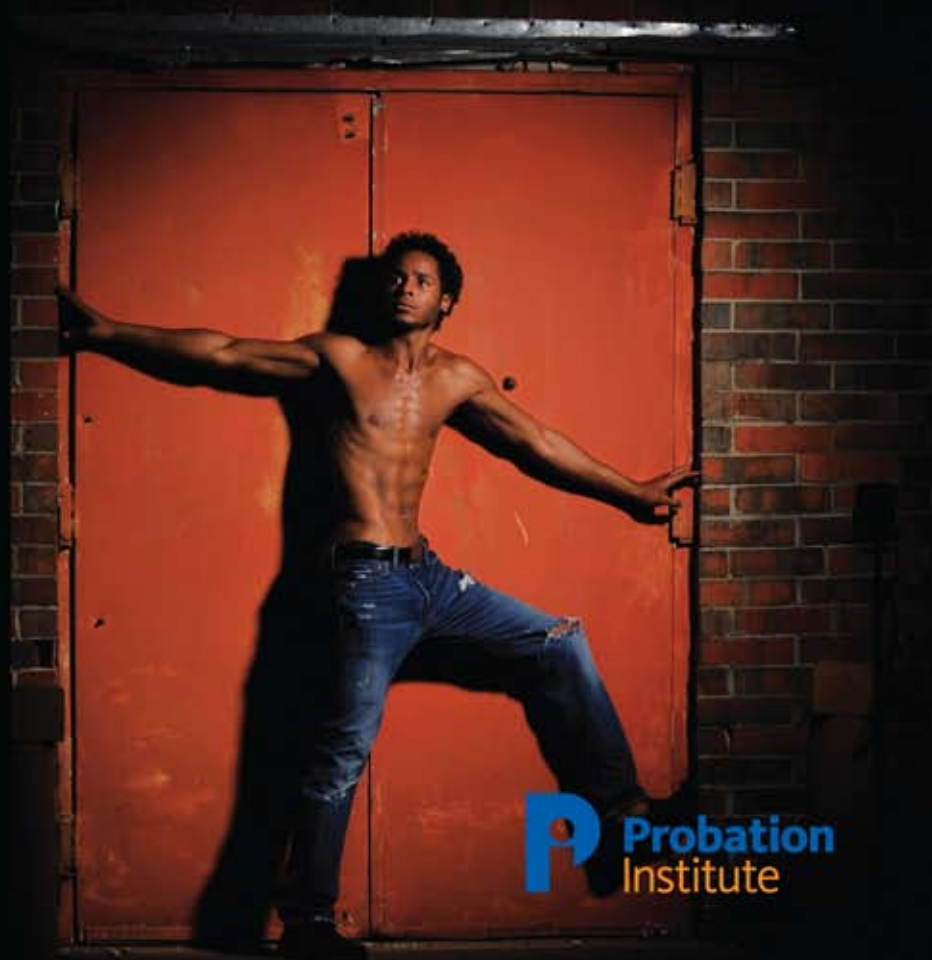
Reports from our December conference looking at excellence in probation

MANAGING RISK

Award-winning MAPPA category 3 research is updated for the Transforming Rehabilitation landscape

EVIDENCE OF IMPACT

The work of the Ministry of Justice's award-winning Justice Data Lab



P Probation
Institute

PROBATION *Quarterly*

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Welcome

Welcome to the Winter Issue of the Probation Quarterly, the magazine from the Probation Institute.

The Probation Institute has just celebrated its first birthday and there's a lot to be proud of in our time to date. In January we passed the 1,000 members milestone, and as this issue of the Quarterly went to press elections were open for the new Representative Council, which will provide elected members with a key role in shaping the work of the Institute as we move forward. We are now in the final stages of consultation on the development of a professional practitioner register, and will carry full coverage of this in our next edition. We were fortunate enough to speak with Paul McDowell just before his resignation as Chief Inspector of Probation. We carry his full, final interview as well as the comments of the Justice Secretary and his shadow on the matter. In his interview, Paul describes the disproportionality of young black and Muslim men in the criminal justice system as a "national disgrace" - an analysis it is hard to disagree with upon reading the final report of the Young Review. We cover the Young Review in-depth in this issue, and are particularly grateful to Baroness Young for providing an introduction (p.6). There is much else in the pages that follow that we hope will be of interest to institute members, from an update on award-winning MAPPA category 3 research to coverage of our conference in December which considered how to build the Centre of Excellence functions of the Institute.

We hope you enjoy reading this Probation Quarterly - and please get in touch with me at my email address below if you have any comments in response to anything you have read, or if you are involved in, or know of, practice which you think is worthy of coverage. This is, as ever, your magazine and we would be delighted to hear from you.



Catherine Sinclair-Jones
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Peer-led housing: the SHE Project

Creating a project based on her experiences was easy in theory, writes *Tracey McMahon*.

The inception of SHE (Support & Housing East Lancashire) began in August 2013 when I tried to access housing following a suspended sentence. As a single 44-year old woman, I did not fit the priority need for emergency accommodation or indeed any accommodation. My mother took me in and from her sofa I began to research the housing problem in East Lancashire.

I studied those coming from prison and the lack of affordable housing available to them. This sent my research further into the benefit system, the government's austerity measures and the benefit cap. It was clear there was a problem.

Studying my local area, Burnley & Pendle, I began to form the outline of my project. SHE Project has worked with private property owners and works on the hostel model adapted for community living.

Following a short spell in a hostel, I identified the need for female accommodation to be improved. My experience showed me that hostels were unsuitable for mature homeless women. My short-lived time in the hostel was highly unpleasant, with no towels and unclean bedding.

By spending time researching other projects, it became clear that mature women in the Criminal Justice System with no fixed abode were one of the most marginalised groups when it came to housing requirements.

My research revealed that mature women who had served a suspended or custodial sentence struggled to find stable accommodation and were thus at risk of sofa-surfing and a high risk of reoffending.

SHE has worked with the local and county authority on abstinence-based shared housing within the community. This two-pronged approach has worked with one woman withdrawing from the project and three at halfway mark (three months) requesting further

support. The first referrals for the project came via Lancashire Constabulary's Revolution unit. Although these women were not on any supervision order, both have engaged with the project on addressing housing, health and financial budgeting.

By sustaining their tenancy agreements, many of their needs have resolved simply because stable accommodation has been in place. This was something I found to be the case following my sentence.

Without stable accommodation, it was impossible to be accepted by a GP, a bank or to access benefits. I was able to return to work immediately as I was self-employed and some of my long-standing clients were willing to re-engage my services.

SHE offers stable, secure accommodation for an initial period of six months. Our women's units range from two-bedroomed to three-bedroomed properties which are furnished through community donations. The project works with the tenants on reading utility meters so each forms good habits for running their own tenancies as part of the 'moving on' process.

Being a good tenant means paying bills, being neighbourly and most importantly, being part of a thriving community. By offering a budgeting and housing service, SHE supports each woman as a bridge to normal living. SHE is a holistic support service based in the centre of town and has a hub where women can make telephone calls, log on to the internet and meet with peer mentors for support and guidance.

SHE has two of its team working towards becoming accredited life coaches. Many women benefit from peer mentoring. Peer mentor-led projects show inspiration, hope and transferable skills to women who are looking to get back to work supported into self-employment into organisations that are willing to employ those who have convictions.

Those coming from prison are just as

cont. on p.3



as employable as anybody else from the community.

As a peer-led project, SHE allows each member to find their feet and tap into the vast range of resources the project has on offer – from housing to employment with family engagement.

Women released from prison do want to return to their own community and it has been our greatest pleasure, in Burnley, to receive the support and develop strong partnerships with Burnley Borough Council, National Probation Service, Timpson, Lancashire Constabulary and Lancashire County Council and East Lancs/Cumbria CRC. The East Lancashire Council for Voluntary Services have also welcomed the project and without their support, it would have been impossible to come this far.

On the back of SHE, we are building a further social enterprise based on the members requesting further support. Now their housing is stable, the next natural step for these women is pathways into employment.

I changed my life and wanted a different life; my passion was to offer my childhood town a community project that offered a two-pronged and merged service. I hope we are able to achieve this for future generations.

Tracey McMahon has written widely on women in the Criminal Justice System. She has contributed to Criminal Law & Justice Weekly, UK Criminal Law Blog and is the editor of traceymcmahonblog.com

Institute to host Equality and Diversity conference

On 13 March 2015, the Probation Institute will hold its first Equality & Diversity Conference, drawing together probation practitioners and wider stakeholders from across the country to consider how equality and fairness can be better promoted in probation work.

We're delighted to include both Baroness Lola Young of Hornsey, and Professor Loraine Gelsthorpe as keynote speakers.

Recent publications such as the Young Review into how BAME individuals are treated across the criminal justice system, raise important implications for how probation adapts practice and services to address the specific needs and fair treatment of minorities.

The implementation of the Transforming Rehabilitation reforms poses urgent questions over how equality and diversity will be promoted across by service providers. Key themes of the day will include:

- How should probation practice and services adapt to the challenge of diversity across the caseload? Can services better address the

specific needs of minorities and provide fairness in delivery?

- What are the implications for equality and diversity brought about by significant policy changes such as Transforming Rehabilitation and the Equalities Act 2012?
- What does equality and diversity in probation look like, and how may we evaluate and assess this?
- How can the principles of equality and fairness be promoted in the work of probation staff and service providers?

The event is taking place at the Doubletree by Hilton hotel, Redcliffe Way, Bristol, BS1 6NJ (a short walk from Bristol Temple Meads Station) on the 13 March 2015. Arrival from 10.00, with the event starting at 10.30 – 16.00. A buffet sandwich lunch will be provided. The delegate cost for the event is £50 for Probation Institute members, or £90 for non-members.

If you'd like to attend this event, please get in touch at admin@probation-institute.org.

This is my first job. I studied beauty therapy in college for two years and after that volunteered with the charity User Voice. I really enjoy what I do. I get texts from people I've seen, thanking me for my motivation and dedication. It puts a smile on my face when I get feedback like this and makes me certain that this is the work I want to be doing.

I started my job in April last year

my best to get his offender manager changed. This is only done if there is a very good reason. In this case it is the best step. He is about to go back to university but is in danger of breaching his order.

I have to write up everything I do. On the referral form I will provide details about what



Every Wednesday I attend the local Integrated Offender Management meeting at the council offices. There's a mix of people at these: the police, St Mungo's (the housing charity), the housing officer, the drugs worker, mental health services, offender managers and the Senior Probation Officer plus myself. I give feedback on particular cases. I may also ask to see a case that's being discussed – it's

A day in the life of an Engagement Worker

Chelsea O'Mahoney talks about her work motivating service users

and am one of 15 engagement workers employed by London CRC. I cover Enfield and Haringey boroughs.

I don't live too far from work and commute in by bus. My first task is to check my emails to see if I have any new referrals or any service users to see. I could see up to four in a morning if it's busy.

Today I have a 10am meeting with a service user and his offender manager. My role is to talk to the service user and to encourage him to comply. I ask to see this service user on his own as it's clear there is a personality clash with his offender manager. I manage to calm him down and we agree that I will do

happened at the meeting, what we spoke about and the outcome.

I continue to see some service users, helping them to set up their benefits and signposting them to services if they have a problem. All forms and records of my activity go to our Equalities and Engagement Team at Head Office for evaluation.

I attend the weekly service user induction meetings at Enfield and Haringey and let service users know they can talk to me if they want to.

In the afternoon I'll respond to emails and write up all my notes. A lot of the time I am on the phone chasing up various actions that come out of the morning's meetings.

an opportunity for me to get more referrals. I also attend meetings of London CRC's North Service User Council together with two other engagement workers representing other boroughs. The Council is one of five across London and is led by User Voice enabling service users to discuss and put forward proposals for the probation service.

When I get home I'll relax for a little in front of the TV. I may go and see family or friends or go out for a meal and on to the cinema. Peanut, my cat, sleeps at the foot of my bed and always knows when my alarm is about to go off, ready for another busy day.

An engagement journey: From thief and drug dealer to an agent of positive change



Janice Nix (left) was a teenage tearaway whose stealing and drug dealing repeatedly landed her in prison. Determined to turn her life around, she is now an Engagement Worker with London CRC. She talks to John Rico about her journey.

Janice Nix started getting into trouble at an early age. Just 15 years old, she ran away from home, making her way, all on her own,

from Leicester to London; it didn't bother her that she didn't know anyone. One of her first new friends took her shopping and made

sure she always had spending money – this wasn't an act of generosity, but rather the grooming of an accomplice. Before long, Janice was

shown how this money was earned: through shoplifting, pick pocketing, and theft. At first Janice just served as a distraction to store staff, but pretty soon she was working her own jobs. For a young woman who had never had many nice things, the allure of cash and designer handbags was intoxicating...and hard to give up. As always happens though, the law of averages caught up with her. This would be the first of several brushes with the law.

When she was released from prison, she upped the ante: this time she got into drugs. Selling, mostly. She was making more in a month than most people made all year, "I could travel and get on a plane, I could send my daughter to Paris, I could do things for my family – but there was this constant fear because you always remember the police will someday knock on your door."

The police did come to knock on her door. More than once.

"My dad only visited once. My dad said, 'I came to this country in 1957 to make a better life for myself and you turn out to be a blasted thief and a drug dealer. You made your bed, you're going to lie in it.'"

Her last time in prison was the darkest of her life. Her daughter had to go to the United States to live with her father. Her mother and brother died – she didn't get to say goodbye to either of them. It's something that haunts her to this day.

But she also noticed something positive about herself: she had skills that she hadn't always been using to her full advantage. Prisoners and guards came to her to talk about their problems. It was her first inkling that she could use these skills to live a different type of life.

When she was released, she made the decision that this time was going to be different. Janice spent five months sleeping on the floor, her bank accounts having already been seized by the police. "I know what it's like to come out with no home and no job," she said.

This time though she had managed to secure a job with the NHS before her release. From there she began volunteering as a mentor. Eventually, this led to the opportunity to apply for a job with Probation. "One of the requirements for the post was that you must have some experience

From the day they are born, everyone is on a journey. How you share your journey can positively impact on other people's lives. I want to share my journey with service users that have given up hope in believing that they can turn their lives around. No matter what age you are, changes are achievable and I stand as evidence that this can be done.

Janice Nix

with the Criminal Justice System. I laughed...a few weeks later I was short listed, interviewed and successfully got the job. I remember screaming at the top of my voice when I got the phone call that I was successful.

"To hear my dad say to me, 'I'm proud of you Jan, you done good.' That means so much to me, so very much. It was something I never heard."

There had always been a thread of independence in Janice: the drug money that went straight into the bank account and savings, the forced sobriety she assumed prior

to dealing narcotics. Today, she is an Engagement Worker (EW) with the CRC. She spends her days sharing her story and experiences in a bid to try and change other young people.

As Janice tells it, the role wasn't always easy: "During the early months I received mixed reactions from practitioners. Some were welcoming and others were not quite sure how my role would be of value to service users or the Probation team. To date, I can now say that the opinion of most has changed as they welcome and value the role. As an EW, I have the opportunity to be myself in a professional manner when engaging with service users. Phrases like: 'You don't understand,' 'You're alright, you got a job,' 'What do you know what it's like to be homeless' and 'Who's going to employ me?' are fired at you with attitude."

"However, when hearing the words: 'Well actually yes, I do' service users momentarily sit back with a vacant expression before saying, 'You have been inside?' Not one person that I have said these words to has ever had anything to say after hearing them. The next question tends to be, 'You work for Probation?' Followed by, 'How did you get this job?'

"Transferring negative aspects of my life into positive attributes has not been easy. For me, the biggest change came when I started to volunteer...I have always had this burning desire that I want to help people. Exactly how would only become apparent when I started volunteering. The strangest thing about change is once you start making changes within yourself, other people also start noticing changes in you. I have led a life that I'm not particularly proud of, but I now recognise that without that past this awesome journey would not have been my future, and I am very proud of myself especially in my role as an Engagement worker."



THE INJUSTICE SYSTEM?



Disproportionately high numbers of young black and Muslim men populate our criminal justice system – and they report the worst experiences of all service users.

Baroness Lola Young (left) has chaired a task force exploring ways to address these issues. Here, she introduces 8 pages of articles and comment on the resulting report of The Young Review.

Two key questions have struck me during the past year chairing the Young Review into improving Outcomes for Young Black and/or Muslim Men in the Criminal Justice System.

Firstly, what have my colleagues and I learnt from meeting young black and Muslim men in the criminal justice system and those who aim to provide services for them? The second, linked question is concerned with policy and

politics: why does this topic matter?

The significance of the ways in which young black and/or Muslim men experience and perceive the intensity of negative stereotyping and its impact on outcomes for this group is yet to be fully grasped.

The lack of deep understanding on the part of politicians and policy-makers of the multiple ways that cultural difference is played out in institutions and agencies

needs urgently to be addressed.

Understanding the predicaments of young black and Muslim men is not a question of making excuses for criminal behaviour and the devastating effect it has on communities and society as a whole – indeed, the necessity for offenders to face up to the havoc wreaked by their violent crimes against people and property is a challenge for the offender population in general.

The point is actually the inverse:

in order to continue to reduce the number of crimes committed, we have to find better ways of ensuring that the drivers that contribute to repeated patterns of offending behaviour are reduced.

It was notable that none of the offenders with whom we spoke attempted to make excuses for themselves. When asked what they found most discouraging in their efforts to change their lives, their responses were remarkably consistent. All were intensely aware of the ways in which pernicious stereotyping affected the way they and their communities were perceived and the effect of such attitudes on their own perceptions and behaviour. So imagine this scenario: you are sitting on a train, going through a presentation. You register that no one sits close to you, other passengers preferring to stand for several stops. You reach your destination. You give your speech, and answer probing questions. Afterwards, a member of the audience approaches you and apologises: she had seen you, she admitted, from a station platform sitting with your computer and your rucksack, and declined to board the train, thinking you might be a suicide bomber.

Or imagine you are with your younger brother, walking to the bus stop, aware that an elderly woman has made a wide detour around you both, almost stepping into the path of a bus. You both laugh and next thing you know, you are up against a wall, several police in attendance, radios crackling, notebooks out, claiming the right to search you and the frightened ten year old boy in your care.

Consider the impact of these incidents replayed with variations for you, your friends, your family, until you are left with the conclusion that you can never be part of decent society.

Some of you reading this will not

have to use your imagination, as it will resonate with your own experiences. For those of you for whom this is an alien world, ask yourselves what kinds of mental toughness, what resources would you be able to summon to combat the feeling that all you will ever be is the embodiment of someone's nightmares?

These experiences and the feelings they give rise to do not serve as justification for or – on their own – an explanation of, offending behaviour. However, it would seem obvious that the intensity of the alienation and disaffection fostered by this social and institutional context is not conducive to effective rehabilitation and desistance.

Many times over we heard that offenders were too often treated as objects in a system rather than as individual human beings...

That brings me to the second question – why does this topic matter?

Many of the problems encountered by the black and Muslim offenders with whom we have spoken were, by their own account, similar to those experienced by the general offender population. The key difference is the ways in which the backdrop of racism and discrimination to which I have alluded play out both in terms of perception and reality. For example, it is notoriously difficult for any former offender to find employment: when there is also discrimination on the basis of race

and ethnicity, the task of securing a job may be even harder.

One of the compelling reasons for conducting this review has been the introduction of the Transforming Rehabilitation (TR) agenda. If the programme itself is hotly debated and characterised as 'challenging', then the task of addressing the negative outcomes for so many young black and/or Muslim men in the Criminal Justice System (CJS) under this initiative is even more so.

At the time of writing it is not clear what the government agencies' and independent providers' plans are for working on these issues. We wait with interest to see how they intend to ensure equality and diversity, their strategies for partnering voluntary sector organisations with demonstrable experience in the field and how outcomes will be monitored and measured.

What we do know is that agencies are increasingly assessing offenders on the basis of the risk that they pose, rather than on their needs. Yet if we think about the complex interaction of the multiple factors that are likely in many cases to lead to offending behaviour, then the idea that assessment based on a systematised notion of risk will work is surely a false one. These are not the kind of problems that are necessarily susceptible to conventional interventions that depend on seeing an individual as an object defined by the risk they pose.

There is no getting away from the reality: the task of addressing multiple factors, which require effective inter-agency, cross-departmental strategies and initiatives, and a recognition of the individual human being, is a daunting one. In addition, there is an absolute necessity for the agencies, organisations and companies involved in implementing TR to acknowledge the role of

racism and discrimination in their structures and institutions and to address it effectively.

The poorer outcomes experienced at each stage of the CJS as is evidenced in the Review's report suggest that we still have a long way to go to make real progress on this matter. Of course we support the government's goal of reducing reoffending rates, particularly as the results for this group of young men is disappointing. A system that establishes processes on the basis of equality and fairness will surely make more progress than we have so far.

During the course of the review, we felt a keen sense of disappointment with the (lack of) effectiveness of previous efforts to address the challenge of discrimination and its impact on the chances of rehabilitation for these young men. The Young Review partners and the Task Group were keen not to rake over the past for the sake of it, but we all felt it was crucial to acknowledge how much work

there is to do as a result of a lack of committed leadership and inadequate strategies.

Many times over we heard that offenders were too often treated as objects in a system rather than as individual human beings and that where rehabilitation programmes did exist, they rarely took into account the racially and culturally specific reality to which these young men might return. There seem to be too few prison-based programmes working with local community-based organisations that have the knowledge and capacity to engage these young men.

If the Criminal Justice System's approach to young black men of African Caribbean descent is based on the supposition that they belong to a gang, and that young Muslim men are, or soon will be, engaged in terrorist activity, then that is troubling. Such attitudes on the part of police, probation officers, prison staff and so on, lead to risk assessments that take little account of the individual's vulnerabilities. After a lengthy

discussion with a group of prisoners during one of visits, P, one of the participants, put it like this:

"Many of us accept responsibility for our actions, which brought us here, we wish to be able to serve our sentences in a humane environment and to be able to return back into our communities and contribute to society. But if we leave prison disillusioned, downtrodden and mentally abused then all that occurs is the creation of angry men."

The damage to individual victims and whole communities, the obvious waste of human talent, and the significant social and economic costs should be enough of an explanation as to why this subject matters. In addition, improving the system for black, Asian and minority ethnic (BAME) offenders would lead to an improvement for the general prison population and society at large.



Young Review: The recommendations

December 2014 marked the launch of the *Young Review: a landmark report into the experience of BAME offenders in the criminal justice system*. Despite frequent attempts at institutional reform, black and minority ethnic offenders are subject to discrimination and poorer outcomes than white offenders at every point in the criminal justice system, a situation which the outgoing Chief Inspector of Probation, Paul McDowell, termed "a national disgrace" when interviewed by *PQ* (see p.14).

Since October 2013, The Young Review, led by Baroness Lola Young of Hornsey, Clinks and The Black Enterprise Training Group (BTEG) has set out to explore why this is still the case, and how best to effect change for black and Muslim 18-24 year old male offenders in the new Transforming Rehabilitation landscape.

The figures:

- There is greater disproportionality in the number of black people in prisons in the UK than in the United States
- 13.1% of prisoners self-identify as black, compared with 2.9% of the over-18 population

➤ Muslim prisoners account for 13.4% of the prison population compared with 4.2% of the over-18 population

➤ The number of Muslim prisoners has risen sharply since 2002, when they accounted for 7.7% of the prison population

The Young Review was shaped by an inclusive Task Group comprising the voluntary, public and private sectors as well as academic institutions. The Task Group engaged with service users and wider criminal justice agencies to explore the current situation facing young black and Muslim male offenders, and these discussions informed the recommendations of the report.

Key recommendations:

1 Rigorously monitored mechanisms need to be implemented to ensure that independent providers address the specific needs of BAME offenders

2 Independent providers under TR should examine the diversity of their staff and supply chain, and evaluate how their own policies reflect previous learning

3 Independent providers should be incentivised beyond the scope of TR contracts to address disproportionate outcomes for young black and/or Muslim men

4 The MoJ fulfils its commitment to establish an advisory group on improving outcomes for young black and/or Muslim men which can act as a critical friend and provide support to government and new providers in the implementation of strategies and interventions to address unequal outcomes for this group

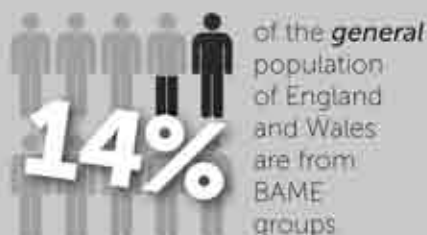
5 NOMS publishes its Equality Strategy in order to a) provide transparency for all stakeholders and b) form the basis for action, to include a stringent overhaul of the approach to services for young black and/or Muslim men in the CJS

6 Training for prison officers should be reviewed so that the perceived and actual problems associated with cultural competence of staff are overcome

7 Data collection and monitoring should be standardised across the whole CJS, governed by

Facts and statistics

Key figures from the Young Review



a minimum set of data which includes not just ethnicity but also faith, language and age, with rigorous scrutiny of any disparities in outcomes revealed

8 Individuals who understand the lived experience of young black and/or Muslim male offenders should play an integral part in the planning and delivery of programmes and interventions to support desistance

9 Commitment to the importance of service user involvement should be emphasised through communications with prison governors and new providers that ensure they correctly understand the policy enabling ex-service users to volunteer or work in prison and community settings

10 Data relating to ethnicity and faith should be collected and analysed as a matter of course for all ex-service users applying for security clearance to work in prisons or community settings through the standard plus route

11 The emphasis should be on dedicated resources for community engagement and partnership working models in prisons, rather

than commissioning frameworks and supply chains

12 Independent providers should work in partnership with community led organisations that are able to build social capital within communities and support families experiencing the stigma of offending to facilitate successful resettlement of offenders, and provide through the gate support to offenders themselves

13 This should ensure effective engagement, at strategic and delivery levels, of voluntary sector organisations with relevant cultural knowledge that can demonstrably meet the needs of 18-24 year old black and Muslim offenders in prison and the community

14 There should be a concerted effort to establish partnerships with employers across all sectors to set up employment schemes for ex-offenders

Next steps:

It is imperative that the issues raised in the Young Review are addressed, and that substantive changes must be made to the discrimination experienced by black and/or Muslim males in

the criminal justice system. The establishment of an Advisory Group, as recommended in the Review, would serve to keep equality issues live and put pressure on agencies to implement these important changes.

The proposed Advisory Group will consist of 12 representatives (recruited in open competition) across England & Wales, with a combined expertise necessary to drive these changes forward and ensure that racial discrimination in our justice system can finally be consigned to the past.

The Corston Report and Bradley Report have brought much needed attention and improvement to women's services and mental health provision in the CJS, and it is fervently hoped that the Young Review will shine a much needed light on discrimination issues that cannot afford to be ignored.

Want to learn more and/or discuss the issues? Contact Mark Blake or Jess Mullen quoting this article:

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13.1%

of prisoners self-identify as black compared to 2.9% of the general population

13.4%

of the prison population is Muslim compared to 4.2% of the general population

43%

of 15-17-year-olds in the youth estate are from BAME groups



The UK has greater disproportionality than the USA

Views: policymakers and supporters

After publication of the Young Review's final report, *PQ* spoke to justice policy chiefs and the official supporters of the Review for their

views on the report's findings and what the next steps should be to tackle this pressing issue.

“Over previous decades there have been various reviews and inquiries into this issue but not enough progress has been made. This is now a chance to make sure that at a time of huge change for the criminal justice sector these issues are addressed so that we build public confidence in the effectiveness of good rehabilitation.”

Clive Martin
Director of Clinks



“The Young Review provides a necessary and timely focus on the continuing disproportionality for young black and muslim men across the Criminal Justice System. It should make us uncomfortable and help re-engage our efforts to address this critical issue. NOMS will work to take forward the recommendations within the report – paying particular attention to the impact of the TR reforms on outcomes for young black men.”

Michael Spurr
Chief Executive, NOMS



“The Young Review comes at a time of major change in our rehabilitative services and makes a strong case for the criminal justice system to improve the custodial and non-custodial support services it provides for significant and growing numbers of young black and Muslim men. Young black and Muslim men want to be respected and encouraged as individuals and not viewed and treated through the lens of negative stereotypes. Better services for young black and Muslim men will result in reductions in reoffending rates and less money spent on repeating the cycle over and over again.”

Jeremy Crook

Director of the Black Training and Enterprise Group (BTEG)



“I’m determined that this timely report redoubles our efforts in tackling inequality in the Criminal Justice System. It’s vital that those caught up in offending get the rehabilitation and support that they need to turn their life around, taking into account their race or faith and recognising it as an asset.”

Simon Hughes

Justice Minister



Download: the final report

The Young Review, officially supported by the Black Training and Enterprise Group (BTEG) and Clinks, launched its final report and recommendations in the House of Lords on December 10, 2014. The report highlights the specific experiences and needs of black and Muslim men aged 18–24 in the Criminal Justice System, and sets out a series of recommendations that aim to ensure that action takes place to address unequal outcomes, from prison to resettlement.

Download the full report: http://www.youngreview.org/sites/default/files/clinks_young-review_report_dec2014.pdf



Was criminal justice always a field of interest to you?

Yes, criminal justice was absolutely always an interest: it's been my career. Although this is the first job that I've had that you could directly relate entirely to probation and youth justice, I've touched on them both in jobs that I've had in the past: I've led Nacro as CEO, where we had our fingers in all sorts of different pies and some of that was probation services and youth offending teams. I governed prisons where there were obviously probation officers playing an important role in the life of the prison, and that's always been of interest to me. I consider myself to have been a reforming prison governor so was always much more interested in things that will help offenders change their lives and move on from their past and reduce crime, rather than the necessary but rather unpalatable 'hotel' part of the prison service, which is about locking people up and keeping them secure. That wasn't really where my interest lay; I was much more interested in rehabilitation and reform.

What was your view of the work of probation, before becoming Chief Inspector?

So, it touched other things that I was doing, and so I challenged myself when it became clear that this job was a possibility for me. What was interesting about that internal challenge was I think I knew a lot less than I thought I did about probation, so when I actually thought about it I didn't really understand how it worked, how people do their jobs, what it all meant, or how it all joined together... That's quite an interesting observation anyway because it leads you not to a criticism of the probation service

FEATURE INTERVIEW PAUL McDOWELL

THE FINAL WORD

Paul McDowell resigned as HM Chief Inspector of Probation on 2 February following criticism over the awarding of contracts to Sodexo - of which his wife is deputy managing director - to run private probation services. Giving his reason as a "potential perceived conflict of interest", he said it was "imperative that any inspectorate is independent and seen to be so". One of his last acts as Chief Inspector was to grant an interview to *PQ*. He spoke to **Catherine Sinclair-Jones** about his year in post, where the service was headed and whether or not he felt it was in crisis.



or anyone working within it, but to a criticism of the criminal justice system and the way that it isn't joined up in the way that it should. People working within it (especially senior people as I was a prison governor) don't really understand how those constituent parts work, interlock and operate together. So I think I realised that I didn't know anywhere near enough!

How was your experience of being inspected as a prison governor?

It was a really important thing. My values are really rooted in the idea that I want justice and fairness and I'm committed to rehabilitation. That's why I joined the prison service in the first place: I wanted to be part of cultural change, and improving effectiveness of the prison service played a small part in that. So with those values, inspection played an *enormous* role, absolutely pivotal: I always looked forward to being inspected, I liked it, and I used inspection as a way of driving change within the prison. So my view always was: here are the expectations of the prisons inspectorate, in those circumstances, and that's going to drive our activity. The minute an inspection finished in a prison I was governing, the next morning we would start work preparing for the next inspection, and it would be a central drive.

So would you say it informed your own methods of inspection in probation?

I don't know about that – I don't think so. Going back to what I understand about the way probation works, I think what I've been able to do is come into this job with just a couple of words in my head to drive the methodology of probation and youth justice inspection: effectiveness and outcomes. I suppose I can kind of trace that back

to the prison work as I was always looking for the prison to work in a way that led to the right sort of reducing reoffending outcomes – I don't think I can stake a claim about how successful I was, but it's always in my mind. What we're trying to do now is to create a methodology, which helps practitioners to understand better which bits of activity lead to actual outcome.

the idea that you have to be in the public sector otherwise you don't have the right values is way off the mark in my experience.

And this is a critical difference because this is no longer about us testing whether or not probation providers are compliant with processes. That is a valid approach as well as long as you have a firm, clear view about what the right processes are, but I'm not convinced about that. I would rather actually test what the outcomes were and develop a better understanding of how those outcomes were achieved – or where they *weren't* achieved and *why* they weren't achieved.

How has working with Nacro affected your views on working with voluntary organisations working in tandem with public sector services, particularly probation?

Working for Nacro opened up my world in all sorts of different senses, and what it taught me was that whether it's probation, prisons, police or any other part of the

criminal justice system, the public sector has an awful lot to learn from the non-public sector. I would include charities, the voluntary sector and, yes, I would include the private sector in that respect. I think I've got licence to say this as I've spent the vast majority of my career in the public sector: the public sector can be extremely arrogant about where the expertise sits, and who owns the values. So the idea that you have to be in the public sector otherwise you don't have the right values is *way off the mark* in my experience. Others might say 'we do think the public sector have the right values and people do it for the right reasons, and we also think that of the voluntary sector.' Well that's fine, but you're wrong not to think that necessarily of the private sector. In my experience, in all three sectors, there are people with good values and people with bad values; people who are good at what they do and people who are bad at what they do, and making a differentiation simply on the basis of the sector you're working in is misguided, narrow and naïve.

Under the Transforming Rehabilitation reforms there's a renewed focus on resettlement and 'through-the-gate' services. Will this be translated into specific joint inspections with HMI Prisons?

This will all be built into our 'Project Outcome' programme, which we're working up at the moment, which will be an outcome-led inspection of the system rather than an individual supplier, whichever sector they're in, wherever they are in the country. What we will be looking to do is to inspect a geographical space and understand the effectiveness of probation services being delivered in that area through the lens of individual offenders and the journey they've taken through the system. So for instance, it would be an

What the Justice Secretary and his Shadow said about Mr McDowell's resignation

In a Written Statement to Parliament, Justice Secretary Chris Grayling said:

I wish to inform the House that Mr Paul McDowell has tendered his resignation from his post as Chief Inspector of Probation. As I discussed with the Justice Select Committee on 2nd December and covered in subsequent correspondence with the Committee Chair, an issue arose about a potential perceived conflict of interest for Mr McDowell given his wife's employment with Sodexo, and their role as a provider of probation services. I have considered carefully all of the potential mechanisms and systems that could be introduced and used to manage any actual or perceived conflict of interest. However Mr McDowell has decided that, in the circumstances, he will resign. Throughout this process Mr McDowell has acted with utter transparency and professionalism. Indeed I must acknowledge Mr McDowell's assured leadership and the grounded

independence of his findings in relation to the Inspectorate and the work he has done since his appointment. I regret that circumstances have changed and are now such that we have reached this position. At time of his appointment Mr McDowell's



position was fully reasonable and the appropriate pre-appointment processes in place at that time were properly followed. The Justice Select Committee will be involved in the appointment of a permanent successor in the usual way."

Shadow Justice Secretary Sadiq Khan was reported in The Telegraph as saying:

A Chief Inspector needs to be able to do the job without fear or favour, without any hint of bias, perceived or otherwise. Time and again, Labour has warned the government that Mr McDowell's position as Chief Inspector of Probation appeared compromised through links to private companies picking up one-third of the privatised probation service. It is shocking that Mr McDowell's departure has been delayed until the day after private companies take over the running of probation. When probation is undergoing the biggest upheaval in its history and dedicated staff are demoralised because of the Government's reckless privatisation, this is the time when a strong, independent Chief Inspector is needed the most as the guardian of the public's safety.



inspection of Staffordshire: the service provided by the NPS, the CRC, offender management work in prisons and any other agency that that individual offender has come into contact with as they journey through their custodial or community penalty from a

probation perspective. That's what we will be doing, and that inevitably means working with the prisons inspectorate in order to gather the right sort of information about for instance 'through-the-gate' activity and the effectiveness of prison offender management

work. That's a convoluted answer to a straightforward question, but the process is not straightforward and we want to take a whole system approach to inspection.

Nick Hardwick, Chief Inspector of Prisons, has made no bones about

his views that the prison system at the moment is 'in crisis' – is that a view that you share?

I'm the Chief Inspector of Probation, not Prisons, and although some of our work touches on what happens in prisons I'm not in a position to make that sort of judgement in the way that Nick is. What I can tell you from years of experience of working in prisons is that it's a tough place to work, and maintaining the right values, culture achievements in prisons has always been tough, will always be tough. I expect that Nick, with all his expertise and experience, is probably saying things based on the evidence of what he and his team are seeing that probably is accurate. I have no reason to believe that he is inaccurate.

What would be the key indicator for you that the probation service was in crisis?

My view would be that it would be in crisis if it wasn't achieving its outcomes.

Moving onto the Inspectorate's 'Transforming Rehabilitation Early Implementation' Report from last year, which was well received across the sector for its honest appraisal of the problems facing the probation service. In a recent Westminster Hall Debate, Prisons & Probation Minister Andrew Selous insisted that many of the areas of concern highlighted in your report had been addressed in the months following the report. Would you agree with that assessment?

We are in the process of following up our first report on the implementation of TR, and the report is due to be published by the end of March. I'm not going to pre-empt the content of that report as we're still doing

the fieldwork and gathering the evidence, and anything I say about the progress that's been made in implementing TR, or more broadly the effectiveness of probation services, will always be based on the evidence that we collect. It's not that I'm dodging the question, and

It's a national disgrace – I'd go as far as that – in that at every point in the criminal justice system if you are a young, black male between the ages of 18 and 24, you are more likely to face a harsher or more disproportionate outcome than your white equivalent in similar circumstances for a similar crime.

I'm on record on that first report and I stand by everything we've said in that report. We will report again at the end of March, and I would rather rely on that evidence.

There are more broad concerns highlighted within the report which it would be helpful to discuss in more detail with you now, starting with the issues concerning racial equality and diversity within the probation service and case allocation. What can be done to counter discrimination and inequality in the criminal justice system?

One of the great things about the probation service historically, and I'm sure that it won't change, is that its values in relation to the whole diversity agenda have always been way ahead of the game, and probation staff should be proud of themselves in that respect. My concern is more systematic than that, and probation like every other bit of the criminal justice system, plays a part in this – we continue to have a criminal justice system that deals disproportionately with BME offenders. That's something that I would really love to see change and we will be paying attention when we consider what thematic reports we focus on in the future, and as far as we can we'll make part of our outcome-led performance report. I believe there's a massive challenge culturally and behaviourally for the whole criminal justice system: whilst I do believe that the probation service has a pretty solid record on diversity, that doesn't mean it's in a perfect place because I've never seen an organisation that's achieved that. So we'll always keep pushing on these issues to try and encourage better outcomes. But I think it's a national disgrace – I'd go as far as that – in that at every point in the criminal justice system if you are a young, black male between the ages of 18 and 24, you are more likely to face a harsher or more disproportionate outcome than your white equivalent in similar circumstances for a similar crime. That's not defensible. It's a problem that's been with us for decades and decades and it hasn't gone away. And I'd really love it to go away.

The recently published Young Review is then perfectly timed from your perspective?

Absolutely, and I'm absolutely there. Those issues are core to my motivations, are core to my values, and that's the stuff that's kept me

going in the criminal justice system for a long time because it's just wrong as far as I'm concerned. One of the things that motivated me to choose this as my career in the first place all those years ago, was as somebody from an Irish family I'd just read Chris Mullin's book 'The Error of Judgement,' which was about the quite shameful treatment of the 'Birmingham Six' 40 odd years ago. It seemed to me that that wasn't just about prisons: it was about the courts, it was about the police, it was about us as a community and the way that we chose to behave simply on the basis of our prejudice. Here were people with the right accent in the wrong place at the wrong time, and we treated them abysmally: physically, mentally and in every other way. Although I don't think we're in that place now, I think we would do well to remember that some of those issues still linger.

Practitioners and parliamentarians have raised concerns about the future of women-specific services under the new arrangements...

Yes, you're right - you can divide this up in a number of ways can't you? We're concerned that appropriate and effective services that lead to the right outcomes for women are developed and delivered. I think there's some evidence of that around the country, but I don't think it's gone to scale and I think there's much more to do. What will be interesting to see is once the providers arrive on the scene in the CRCs, what happens to that provision and whether or not it falls by the wayside, and if innovation is brought into play as we had all hoped. Whatever you think about TR, if it leads to innovative practice I suspect even people who are uncomfortable with it would welcome innovative practice because why wouldn't you? Everyone would

welcome that. I think women are central to that, and will be a good test. So we will absolutely as an Inspectorate be looking to those issues. And there are a few: how young people are handled in the system, how women are looked after and how minorities are helped, supported and provided with the right interventions. It is to be seen, and we will take an interest in it.

Will the new private providers be subject to full scrutiny from the

This idea that private companies can hide behind confidentiality, commercial and confidence stuff - I don't know where the evidence for that comes from; I've certainly never seen it.

Inspectorate?

Yes absolutely, and I think it's utterly wrong to think that wouldn't be the case. It's a legitimate concern, and I completely get it, but what anybody with this view should do is look at the scrutiny that private providers in prisons come under. When I was a prison governor, a private provider would come under more scrutiny than me. So like me they would be inspected, and they would be audited and they would have an independent monitoring board (both internally but also externally in NOMS) and in addition to

that they would have public sector monitors onsite, overseeing the delivery of specific line-by-line elements of their contracts. So in those circumstances their scrutiny was greater, not lesser.

This idea that private companies can hide behind confidentiality, commercial and confidence stuff - I don't know where the evidence for that comes from; I've certainly never seen it. This idea that private companies can hide behind confidentiality, commercial and confidence stuff - I don't know where the evidence for that comes from; I've certainly never seen it. What I do think, is that if public servants don't get their role in scrutiny and oversight right, then of course things can fall between the cracks, but they can equally fall between the cracks for public sector delivery as well. Scrutiny and oversight are both critical in all of this, and inspectors have to deliver these. If they do, then everybody is held to account and that's absolutely appropriate. So for every failure identified in private prisons, for example, I can easily name ten in public sector prisons, and some of them extremely serious. So, take people back to various things that have happened in our prisons over the years and ask themselves honestly - can this simply be defined by saying: private bad, public good? Can it really? Please folks, look at the evidence. I don't think that's true.

Should there be concerns about the accountability and transparency of the NPS in that case?

I want to assure practitioners that this would not be the case - as part of Project Outcome we'll be very clear in our approach - what we're working on at the moment is writing a report on say Staffordshire, and be able to

say what things we saw working well in the NPS, in the CRC, or the prisons etc., and I'd make recommendations related to it - so we will be holding people to account in different organisations in terms of their part in the delivery of this service across this geographical space. There's a very distinct role for inspection to play, and it's not contract compliance. So oversight of contract compliance, audit, all those kind of pieces of work, that's for NOMS to be responsible for. What we do is inspect the effectiveness of the services being provided. So we're much less concerned with whether the contract has been complied with, payment by results mechanisms working or not - we're there to make sure on behalf of the public, that the service is effectively achieving its outcomes.

Let's move onto 'Project Outcome' in more detail. What outcomes specifically will you be looking for?

You won't be surprised to hear that this is all under development - we'll launch it in October. First and foremost of our outcomes is offending: has it been reduced or not. We want to look at that from a binary, frequency and seriousness point of view. We can afford to be interested in frequency and seriousness, unlike commissioners, because we're looking at the impact on the public. It's a massively important qualitative element of inspection to establish whether or not the frequency of crime has been reduced, whether or not the seriousness of the crimes being committed have been reduced as well as that straightforward binary measure. The second thing we'll be interested in is other services that contribute to recidivism are being delivered, so traditionally that would be the resettlement pathway, housing, education, drug treatment. The third element will

be compliance with the sentence. Underneath those three broad dimensions there will be a range of outcome measures that we'll be interested to test. So what we'll be doing is collecting that data, crunching it, analysing it, and reaching a judgement.

What you'll see from us in future is that in between our reports we'll regularly update our promising practice guides and develop them as a usable tool for practitioners to take learning that's rooted in outcomes, not inputs, and apply that learning as they see fit.

In what ways is this different from previous Inspectorate initiatives?

Previously the judgement that we've reached has been based on what we've collected out in the field, and the judgement is around to what degree the processes we believed were important to be done were reported to have been done. And the quality of how well they're being done. That's how we made our judgements before. Now we're making our judgements on the outcomes of what's being achieved and only then will we disappear into the field looking for those enablers and barriers that led to

those outcomes being achieved. So if they were achieved what were the enablers, so we can share that, and others can take it up as they wish, and what were the barriers, so that we can make relevant recommendations to help people improve.

CRCs are encouraged to be as innovative as possible to get results. Will this compromise any sense of a national or comparable set of standards?

It would be for an external agency to decide to have national standards or not. Our focus is effectiveness and outcomes - by far the most important outcome for the probation service to achieve is reoffending and I'm sure nobody would argue with that, while there are other things to consider too. If you do what I've just described and make your decisions based on the outcomes of what's been achieved, and then you go exploring for the enablers and the barriers, on the positive side, the innovation side, what you find theoretically is innovative practice. So if you're looking to find out how a positive outcome has been achieved, you might find something new, something innovative - and this methodology won't focus on standards, because they're much more input driven, but focus on outputs, outcomes and innovation, and share that promising practice. So what you'll see from us in future is that in between our reports we'll regularly update our promising practice guides and develop them as a usable tool for practitioners to take learning that's rooted in outcomes, not inputs, and apply that learning as they see fit.

Would these guides be widely disseminated?

Falling out of the bottom of each

report that we do will be a range of lessons learned and promising practice discovered. We plan to regularly bring those things together to publish and share those to benefit everyone. And this wouldn't be done in a bland, put it in a booklet and hope people read it sort of way: we also plan to get out and run sessions with staff face to face, help them and support them developing ideas. I truly believe that that's our role as well: we are concerned with effectiveness and that's what we want to accomplish.

And these sessions will be open to all practitioners?

Yes, and I think it's worth saying that this is a very positive process – we're not looking to catch anybody out. It is challenging though, because what we're saying is we're primarily interested in how you achieve outcomes, and we'll be decidedly unimpressed with anybody who tells us they're doing something good that *cannot* be linked to an outcome. If you can't show us the flow that leads to these positive outcomes you're achieving then why are you doing it? We're not going overboard and getting obsessed about causal links – if outcomes are being achieved there's a reason for this. So we're not looking for an academic rigour to people proving that there is a causal link between 'x' or 'y' on a particular day and an outcome achieved 6 months later. It's about a broader approach that people are taking, and being able to gather in that knowledge and share it, disseminate it so that people can take the learning from it.

How staff been consulted on Project Outcome?

Yes, in fact we're still in the middle of consulting people now, and have been formally consulting for a

while. So I started by going to the former Probation Trusts, and have since gone to NPS and CRC areas for months and months talking to staff, both about this and about the impacts of TR.

Will there be a more formal period of consultation?

Yes there will, and we're just moving into this phase now as the ideas start to get more meat on the bones. Everybody out there can expect there to be local and national events,

It's all too easy to sit in a corner and criticise and be unhappy, and while I understand these reactions I would encourage people to pick themselves up, dust themselves off and work together.

various things to draw in the views of as many people as want to share them with us. But it is challenging, it's a different way of looking at things, a discipline because in the future a positive inspection relies on the degree to which you're achieving your work.

It sounds very ambitious!

It is ambitious! But you know, my view would be, if you're given an opportunity to be the Chief Inspector of Probation, be ambitious but don't compromise.

For me, if you inspect a service and you can't establish whether it's achieving what it's paid to do, that's a compromise. So yes I'm ambitious and there are all sorts of challenges attached to this, not least the data collection and being sure what outcomes have been and have not been achieved. But yeah, deliberately ambitious. For good reason I think!

2015 looks to be another year of profound and radical change for the probation service. What message would you send probation staff?

Well, you could keep me talking for a long time on this. It's been a challenging period...and that's an understatement isn't it? Any organisation that goes through this level of change will find it extremely challenging, especially when it feels like the direction of travel is not one that some people in the service would want to go down. What I would say is: stick with it, keep working (and there's lots of evidence that people have) keep working with your colleagues to solve problems, really focus your energies on what it is that we're supposed to be doing within probation services: reducing reoffending, on behalf of the public. Because I've never experienced change in any organisation in the past where the challenge associated with the change wasn't also accompanied with an opportunity. I think it's all too easy to sit in a corner and criticise and be unhappy, and while I understand these reactions I would encourage people to pick themselves up, dust themselves off and work together. Use the immense skills and experience that you've got and re-focus your energies to turn this into something positive. Let's just see where this can be taken next.

Keeping it local: PCSO Nicola Burton and Neil Barber, manager of the West Marsh Community Centre, Grimsby, where drop in supervision is undertaken (see p. 25)



BUILDING A CENTRE OF EXCELLENCE

The Probation Institute, in partnership with the Alliance for Useful Evidence, hosted a Centre of Excellence conference in December to promote evidence and learning to shape professional practice.

Ben Ritchie, the Institute's Policy Implementation and Membership Manager, reports.



The Probation Institute, in partnership with the Alliance for Useful Evidence, hosted a Centre of Excellence conference on December 10, 2014. The conference brought together a diverse range of practitioners, researchers and policy makers to consider how to promote evidence and learning to inform professional practice across the probation and community justice sector.

The first session of the day featured a panel of Jonathan Breckon (Director of the Alliance for Useful Evidence), Alan MacDonald, (HM Assistant Chief Inspector of Probation), Prof. Jonathan Shepherd (Cardiff University) and Sue Hall (Interim Director of the Probation Institute).

Supply and Demand for Useful Evidence

Jonathan Breckon opened the session by advocating for an evaluative approach to be built into the development of social practice and policy from the very outset. This he argued is essential for ensuring there is a strong supply of evidence to inform the quality of professional practice.

Acknowledging that there are different standards of evidence and a wide range of methods, Jonathan argued that evaluative approaches should be adapted and balanced to suit the practical circumstances of the innovation being piloted. Drawing on Nesta's Standards of Evidence (www.nesta.org.uk/sites/default/files/standards_of_evidence.pdf), Jonathan highlighted different levels of evaluation, from simply collecting data that shows positive change, to evidencing causality and conducting independent replication evaluations to reach the highest standards. A small scale pilot with limited resources may start at a lower level

in its evaluative approach, but this may still supply useful evidence if it points to a positive impact, meriting an expansion of the pilot with a higher standard of evaluation built in to the process.

The perception of what counts as useful evidence among key influencers is also critical. Even if the supply of evidence is both high in volume and of a high standard, if policy makers, practitioners and potential investors don't themselves perceive the evaluation's results as a priority consideration, then other factors (e.g. political, socio-cultural, historical) may take precedence when informing practice and policy decisions. Therefore finding ways to encourage demand for learning from evaluations is equally important.

Understanding outcomes

Alan MacDonald, HM Assistant Chief Inspector of Probation, outlined the Inspectorate's approach to evaluating probation in light of changes being made to service delivery through the Government's Transforming Rehabilitation reforms. Reflecting that the Government intends to allow future providers greater freedom over how probation services are delivered, the focus of the Inspectorate will therefore shift to judging outcomes and improving impact.

Alan stated that the main outcomes which the Inspectorate would look at are frequency of reoffending rates, the impact of resettlement pathways and successful completion of court requirements. They would then look for factors which explain why outcomes are the way they are, identifying enablers and barriers to improving impact.

A system wide approach to inspection and evaluation has also become increasingly important, as multiple agencies work with

service users and have an impact on outcomes. The Inspectorate intends to trace the service users' journey across the criminal justice system, and particularly focus on the new interface between the National Probation Service and the Community Rehabilitation Companies, as demonstrated by the HM Inspector's most recent report into the early implementation of Transforming Rehabilitation (www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2014/12/Transforming_Rehabilitation-Early_Implementation1.pdf).

Through identifying the enablers and barriers to reaching positive outcomes across the system, the Inspectorate intends to formulate recommendations on where practice and services can be improved. Alan stressed the importance of dissemination and transparency to drive up innovation and learning of effective practice across the board.

The role of Institutions in promoting evidence and learning

Jonathan Shepherd, professor of oral and maxillofacial surgery at Cardiff University, presented on the important role institutions play in supporting knowledge and evidence, using his own profession of surgery and other organisations for illustrative examples. He reflected how such models in the future could be developed for the probation sector.

The National Institute for Health & Care Excellence (NICE) was highlighted as one such institutional model for supporting standards. NICE has a statutory footing to publish treatment appraisals and guidance, focusing on evaluating quality of life and cost-effectiveness, and facilitating NHS prioritisation and investment.

Yet Professor Shepherd also highlighted the important role professional membership institutions such as the Royal College of Surgeons can have in complementing standard setting institutions like NICE. The Royal College of Surgeons aims to inspire professionals across the sector to excel, incorporate new evidence and practice and meet the highest standards. It does this through celebrating pioneers, managing continuous professional development and facilitating professional networks. Professor Shepherd argued for the importance of independence, allowing the professional body to use evidence to inform its own positions and provide advice to Government and practitioners.

'Schools' which combine research with applied practice was a third institutional model highlighted by Professor Shepherd. Describing the value which trained 'practitioner-scientists' have brought to the medical profession, these individuals play a crucial bridging role in bringing research and applied practice communities together, facilitating the production, distribution and application of evidence. This model has also supported a multi-disciplinary and rounded approach to the understanding of medicine, which incorporates both fundamental and applied science.

The Probation Institute's development

The Probation Institute, as it develops as a Centre of Excellence for probation, aims to capture some of the fundamental elements of these institutional models which are supporting evidence and learning in other professions.

Sue Hall, Interim Director of the Probation Institute, gave an overview of the key features of the

Probation Institute at the event, including an exploration of the Institute's commitment to becoming a credible and recognised Centre of Excellence for Probation, better linking up practitioners directly with the research community and universities.

This would include:

- Dissemination of landmark research, and commissioning evidence overviews which draw together research and evaluations on particular topics
- Cross-sectoral and multi-disciplinary analysis, recognising that effective probation requires partnership across many different areas and sectors – health, family, working with police etc. The Institute can bring value and a wider

encompassing perspective here

- Practitioner involvement in evaluation. The Probation Institute will be giving practitioners the platform to present their work, and support opportunities for practitioners to undertake research sabbaticals. Academia, research and evaluation should continue to be a live part of professional life, and one where practitioners should be able to make a future contribution to.

The Probation Institute launched the Sir Graham Smith Award 2015 at the event, supporting practitioners to undertake short pieces of practice-based research (see pages 31-35 for more articles about the award).

The event was held in partnership with the Alliance for Useful Evidence. The Alliance champions the use of evidence in social policy & practice, and is an open-access network of over 2,000 individuals from across government, universities, charities, business and local authorities in the UK and internationally. The Alliance is free to join www.alliance4usefulevidence.org.uk.

The event featured several breakout sessions, featuring a range of research and evaluations. Probation Institute members can access material from the day via the Institute's website: www.probation-institute.org

Locality schemes: Tailoring probation supervision to the needs of specific wards

by **Ian Ware**, Director of Probation for Hull and East Riding LDU, Humberside, Lincolnshire and North Yorkshire CRC

In 2012 Humberside Probation Trust began a project focussed on Locality working in Grimsby whereby supervision is tailored to a specific area ward. A replica scheme was established in May 2014.

Background

Locality working is founded upon Desistance Theory. A dimension of this approach considers the link between an individual and their society, Sampson and Laub's 1993 study theorised that offending is more likely to occur when offenders

have limited social attachment. By the same principal, desistance is encouraged when individuals have goals linked to being part of society and a commitment to achieve them through legitimate means. Consequently, by working with offending behaviour within local communities and supporting individuals to build pro-social links, desistance can be encouraged.

Grimsby is an industrial town which was previously centred largely upon the fishing industry and food processing. The former fell into decline during the 1980s

leaving the town with a legacy of unemployment and social deprivation in certain areas. That said, these areas also have relatively good levels of community cohesion with successive generations of families having lived within those area wards and established activity in terms of neighbourhood groups. This area profile therefore lends itself to a Locality based approach to offender supervision.

The scheme was piloted within the South Ward area of Grimsby. The aim was to replicate the success of multi-agency working initiatives

already demonstrated by the Integrated Offender Management Scheme and Multi-Agency Public Protection Arrangements.

Grimsby is fortunate to have strong working partnerships established through the Reducing Reoffending Strategic Board and this forum was used to establish the basis of the initial Locality Pilot. Humberside Police agreed to commit a PCSO from the South Ward Neighbourhood Policing Team, April Haynes, who has extensive knowledge of the local area. A dedicated offender manager, Clare Gillender, later succeeded by Jenny Drury, was recruited to manage all of the statutory cases living within the South Ward.

Partner agencies Voluntary Action North East Lincolnshire (VANEL) and Empower agreed to dedicate key-workers to the scheme in order to support offenders to access volunteering and employment opportunities.

The initial pilot was evaluated in September 2013 and positive outcomes led to continuation of the scheme. Based on the success of the South Ward, a replica scheme was developed within the West Marsh area of Grimsby launching in May 2014. Offender manager Linda Jackson was designated as offender manager alongside PCSO Nicola Burton. Again, partnership agencies devoted specific key-workers and the Youth Offending Service and Young and Safe team also became involved from the outset, making locality working accessible to young offenders living within the ward.

The Street Based Youth Team work with young people living within the West Marsh who may be at risk of becoming involved with offending behaviour and work is also undertaken to support offenders who are making the transition from YOS to probation supervision.

The Locality Schemes have the

following main principals:

Localised multi agency working

– Offenders are supervised jointly by the offender manager and PCSO. Joint home visits are undertaken on a regular basis. This is effective in improving compliance and ensuring effective risk management by supervising offenders within their homes. Often this allows practitioners to build relationships with offenders' families and social networks which offers a clearer picture of their lifestyle and circumstances. Visits are conducted whilst the PCSO is in uniform which helps to build relationships with the neighbourhood policing teams and also offers reassurance to the local community by having a visible Police presence.

Accessible supervision

– Supervision is also localised via facilitation of drop in sessions within the Nunthorpe local community centre and the West Marsh Community Centre. Again this is effective in improving compliance through reducing offenders travel needs and giving offenders a sense of involvement within their local community. The multi-agency approach seeks to create a 'one stop shop' whereby during drop in sessions offenders can access key partnership support with dedicated scheme workers readily accessible.

Community involvement

– Both schemes place emphasis upon involvement with the local community. Offender managers attend monthly neighbourhood planning meetings within the West Marsh and the South Ward which are attended by local resident and councillors.

This offers a forum for local residents to learn about the scheme, offer feedback and air concerns.

Through attending these meetings offender managers gain an insight into the areas of local concern and offending related trends. Being visible to the community has also helped to develop awareness of probation practice and the role of the offender manager in supervising offenders within the locality.

Neighbourhood meetings often lead to suggestions regarding unpaid work projects within the local area. The aim has been for offenders to complete unpaid work requirements within their locality. This offers a sense of community reparation and also a benefit to the offender as they are working to improve the area in which they live.

Throughout the life of both schemes there has been emphasis upon evaluating effectiveness. The initial pilot within the Southward was evaluated on a monthly basis using data reports from probation case records and also arrest data specific to the ward. Data was compared to results from the generic probation caseload in order to determine the effectiveness of the locality approach. Outcomes were as follows:

- Between February 2013 and March 2014 4% of offenders supervised within the South Ward were subject to arrest incidents compared to 12% of the generic caseload.
- 90% of orders and licences supervised within the South Ward were successfully completed in comparison to 57% of the generic caseload.

A qualitative evaluation was also completed in September 2013 whereby offenders were asked to complete questionnaires offering feedback on the South Ward scheme. Feedback was received from



Community: A locality-based approach to supervision is working in Grimsby

twenty one offenders about what they liked about the locality pilot and all stated that they liked the flexibility of where their supervision appointments were held.

The responsiveness appealed to all offenders as they could have their appointments at home due to child care issues or because they preferred to attend the drop in centre as they felt that the environment was less intimidating than the Probation office.

They felt like their needs were taken into account and this encouraged them to engage to a greater degree in the supervision process. Empower were providing support to the majority of offenders who responded. They were being offered assistance with increasing their employability, securing housing and accessing volunteering opportunities towards a more pro social lifestyle. All of the respondents stated this support was helpful.

Current clients Becky and Adam offer a good example of how the multi-agency approach of locality working has helped them to move away from offending behaviour. Both live within the South Ward and have previously been known to probation but feel the different approach offered to them during this period of supervision has been

beneficial.

Becky describes how she had always held an ambition to run her own nail salon but having fallen pregnant at seventeen she had been focussed on childcare. Partner Adam was referred to Empower through his probation supervision and began working with key-worker Joanne Coates. She encouraged him to actively seek employment and Adam is now in paid work. Joanne also encouraged Becky to recognise that her dream of having the nail salon could become a reality. As Becky had skills sessions as part of her Order it was agreed that these could be completed towards gaining the relevant qualifications she needed to start her business. These were achieved and with financial support from family members and other members of the local community Becky is now running her own salon within the South Ward. Both continue to engage well with probation and have an excellent working relationship with Jenny Drury as their supervising officer.

The positive outcomes noted within the South Ward have also been noted within the West Marsh scheme. Whilst no formal evaluation has yet been completed initial indications suggest a reduced number of arrest incidents and improved compliance rates. Linda

Jackson has developed an effective working relationship with Nicola Burton, PCSO and Neil Barber, manager of the West Marsh Community Centre where drop in supervision is undertaken. Linda has noted improved attendance from clients who have historically been difficult to engage and even clients family members attending the drop in to share information and seek advice. Work is currently in progress with Humberside Criminal Justice Board towards creating a new evaluation framework for both schemes utilising both Police and Probation data but the qualitative examples of how practice is working are ongoing.

Future plans

As management of HLNy CRC will soon transfer to Purple Futures it is hoped that investment in locality working will continue given the positive outcomes generated thus far. We have recently linked in with the Troubled Families initiative in both ward areas which has added further to the multi-agency working approach. Working together to achieve shared outcomes within the locality areas ensures resources are utilised effectively and improves the service offered to offenders and their local communities.

Integrated offender management: Evaluation research in Merseyside and North Staffordshire

By **Anne Worrall and Mary Corcoran** (Keele University) and **Giles Barratt, Helen Bickett-Wilson, Lol Burke and Matthew Millings** (Liverpool John Moores University).

Integrated Offender Management is the latest incarnation of intensive supervision for prolific and persistent offenders in England and Wales. It is an attempt by the Ministry of Justice to provide a nationally recognised framework or 'strategic umbrella' to co-ordinate all multi-agency collaborations in working with offenders.

In 2010, a joint Home Office and Ministry of Justice document identified the five key principles of IOM as being:

- All partners tackling offenders together
- Delivering a local response to local problems
- Offenders facing their responsibility or facing the consequences
- Making better use of existing programmes and governance
- All offenders at high risk of causing serious harm and/or re-offending are 'in scope'.

Projects for prolific adult offenders (PPOs) were originally concerned with the reduction of volume property crime, predominantly theft and burglary, although more recent IOM projects now accept offenders with some form of current or past violence in their records. The central feature of such projects has been the combination of intensive

attention from both the police and probation services, with ready access to provision by other partner agencies. Physical co-location is a feature of many projects, including the two considered here.

The body of evaluation research on these projects comprises a mixture of internal monitoring, independent evaluations by academics and larger scale national or multi-site evaluations undertaken by Home Office and Ministry of Justice researchers. Methodological limitations have meant that the resulting reports and their conclusions, though positive, tend to be highly qualified in relation to reduced re-offending and cost effectiveness. Nevertheless, the joint report of HM Inspectorate of Probation and HM Inspectorate of Constabulary in 2014 concluded that 'cautious optimism' was justified, despite noting the under-development of performance management data and systematic evaluation.

The Knowsley IOM scheme

The Knowsley IOM scheme was commissioned by Knowsley Metropolitan Borough Council and was evaluated over a 6 month period by a research team from Liverpool John Moores University. Access to all participants was negotiated through site lead officers and participation in the study was anonymous, voluntary, and premised on informed consent. The

primary research methods and fieldwork involved undertaking focus groups with the strategic heads of services and semi-structured interviews with key operational partners, IOM service users and their immediate family members. Commissioned by Staffordshire Police and partners, Keele University undertook a 12 month research project to evaluate the North Staffordshire IOM unit, analysing both the process and the outcomes of this complex social intervention. Set in the context of existing literature and policy, the methodology consisted of semi-structured interviews with staff, stakeholders and offenders, as well as observation of some practice and some simple statistical analysis, including rudimentary cost benefit analysis.

Both IOM projects were located in deprived, predominantly white, urban areas, with crime rates that were higher than for surrounding districts. Although serious acquisitive crime had been a major concern for many years, both areas were experiencing new concerns around violence, particularly domestic violence and gangs. Consequently, both evaluations were asked to consider whether IOM, in principle and in practice, could make a contribution to tackling these newer priorities.

Both evaluations were faced with the fundamental question: What counts as success in IOM? It is



widely acknowledged that PPO and IOM projects are complex in terms of their multi-agency nature and the needs of their clientèle. Their value should be judged beyond crime rates and cost effectiveness, though these are of course important. Other criteria which should be taken into account include, on the one hand, health, educational and social benefits for participants and, on the other hand, improved multi-agency working and information exchange between project partners, and improved intelligence on prolific offenders.

In respect of the Knowsley project, a high level of support was evident amongst all the main statutory partners based on a

belief that it was building on existing arrangements as well as fostering new ways of thinking about how services should be delivered. The support and rehabilitative aspects of the IOM scheme appeared to have had a significant impact on some service users' perceptions of criminal justice professionals. What might previously have been acrimonious relationships between prolific offenders and the police had been transformed in some cases by the facilitative and accommodating nature of the interventions provided and approach taken.

There was a recognition that the effectiveness of the scheme rested on the ability of the staff involved to translate its aims into practice.

The motivational skills of the worker, regardless of their organizational affiliation, were seen as crucial in moving resistant individuals towards desistance. Small investments (such as giving an individual a lift to court) appeared to make a big difference in terms of building relationships between service users and IOM staff. Families of service users also acknowledged the support received from the IOM team, particularly in terms of receiving guidance and having someone to go to when new issues arose such as changes in the service user's behavior or changes in family circumstances. Moreover, families felt that alongside support for themselves and service users, the

enforcement and surveillance aspects of IOM were crucial.

Whilst there was a shared commitment amongst the partner agencies to the overarching objective of the scheme, which was very much seen as a shared aim around reducing re-offending through the targeting of specific groups, how this translated into practice was governed by the different organizational priorities and responsibilities of the partner agencies. Whilst it was believed that the scheme had brought about a cultural shift in terms of the relationships between the partner agencies, it was unclear how far this had impacted upon the working practices within those agencies beyond those workers directly involved. In this respect, it was identified that more work needed to be done to ensure that IOM was an integral part of the agencies working practices and ethos rather than merely an 'add-on' to existing provision.

The tensions around delivering on partnership agendas whilst also having to resource and deliver core services was particularly acute for some of the strategic leads who were stretched across a number of roles, often with competing priorities which were in turn made more acute by resource constraints. As the IOM caseloads increased it was becoming increasingly difficult for the small number of staff involved in the scheme to provide an adequate service to the target group.

Whilst it was felt that IOM had broadened the range of providers and led to a greater involvement by the third sector interventions in the borough, concerns were raised that despite the establishment of protocols for sharing data some partners were reluctant to exchange information. This was compounded by the absence of a shared computerized case management system, despite several attempts to

establish one. As a result information was often held on different systems and communicated in an ad-hoc fashion. This not only potentially compromised joint-working, but also often meant that there was a lack of dynamic information regarding the individual's progress and the impact of the interventions and services provided to them.

There was also a recognition that clearer criteria for assessing the individual's suitability for the scheme were needed in order to minimize potential duplication of effort and that timely pre-release information and intervention was seen as the key to being able to respond proactively following release from custody.

Most of the key findings from Knowsley applied equally in North Staffordshire, where the research was also asked to address three other issues: identifying specific areas of good practice; identifying which offenders benefit most from IOM and why; and what the future of IOM might look like. One example of good practice was the role of police 'field officers' who were seconded to the IOM from LPTs (where they remained based) for a fixed period, to act as a bridge between the IOM unit and local police officers, to aid mutual understanding and increase the general skill set of the police. It was noted that field officers saw themselves very much as having a 'change' or rehabilitative role as well as a 'control' role in relation to offenders. A second example of good practice, seen as vitally important by offenders, was the routine of IOM workers meeting offenders on release from prison and guiding them through the acute challenges of their first day at liberty.

Rather than focusing on which types of offence were suitable for IOM intervention, the North Staffordshire research identified

four broad typologies of offender on whom the IOM had made an impact: predominantly younger offenders for whom IOM was the last chance before custody; predominantly older offenders with lengthy prison records who couldn't face another term inside; vulnerable non-copers who simply wouldn't have survived in the community without IOM support; and those for whom IOM meant only 'control' and who were not yet ready for 'change'. It was recommended that resources should focus on the first three of these groups.

Despite the largely positive findings from these two evaluations, it remains the case that the future of IOM is unclear. On the policing side, Police and Crime Commissioners need to be convinced of its value if its funding is to remain secure. Much discussion is focused on the flexibility of IOM principles to address a wider range of offenders. On the probation side, the allocation of IOM to the CRCs raises numerous concerns from the risk assessment of IOM offenders to the willingness of the police and existing voluntary sector partners to be co-located with private sector providers. These two evaluations demonstrate that IOM 'works' well for some offenders in some circumstances and provided the definition of 'success' is sophisticated and nuanced. Whether or not that is sufficient to guarantee its future is a political, not a research, question.

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Managing risk

One year on from winning the Sir Graham Smith Award for her study of MAPPA category 3 offenders, London Probation Officer **Shelly-Anne McDermott**, updates her work and provides key messages for the "transformed" NPS/CRC landscape. Also, **Adrian Smith** writes about his father, who the award commemorates.



Who are MAPPA category 3?

Multi-Agency Public Protection Arrangements (MAPPA) are a mechanism for agencies (including probation, police, prison, youth justice, social care, housing, education and health) to co-ordinate their approaches in order to fulfil their statutory responsibilities and protect the public. Three categories of offenders are identified and managed within MAPPA, but category 3

includes the most open-ended group. Namely, categories 1 and 2 are determined by offences and sentences set within statute (broadly speaking, category 1 are registered sex offenders and category 2 are imprisoned violent offenders). By contrast, category 3 are 'other dangerous offenders' whom agencies identify to require active multi-agency risk management due to the risk of serious harm posed to the public. These individuals are small in numbers – the London MAPPA annual figures ranged

from 61 individuals in 2011/12 to a peak of 102 in 2012/13 but reducing to 74 in 2013/14.

Why study category 3 cases and how is it relevant now?

The rationale for this study in late 2013 was that MAPPA category 3 offenders subject to community sentences presented a tangible cohort from which to identify how probation officers respond to dynamic risk. In her 2002 paper,

"Deconstructing dangerousness for safer practice", Professor Boswell highlights that the assessment and management of 'dangerousness has become a challenging and high-profile task' for probation which 'should be approached with careful consideration of [the] significant ingredients, which often lie hidden' (p.164). This is a highly politicised and emotive area of practice which probation practitioners must navigate in every aspect of their professional life. Studying category 3 cases captured a somewhat hidden area of probation practice – *hidden* because the numbers involved are low and have a relatively low profile (especially when compared to the greater attention given to category 1 sex offenders).

Moreover, by late 2013 Transforming Rehabilitation reforms had determined that third sector providers would be responsible for low and medium risk non-MAPPA cases. Robust action to manage escalating risk of serious harm is critical within any model that fragments service delivery. Where there is an array of providers and systems, processes

are needed that facilitate swift and proficient identification of dynamic and acute risk factors. The need to take additional steps when responding to cases that include movement from one organisation to another creates a precarious situation that potentially undermine pivotal risk management strategies.

With the Community Rehabilitation Companies (CRC) and National Probation Service (NPS) 'transformation' in full force, Probation Instruction (PI) 08/2014 came into effect on 1st June 2014. This instruction set out the risk escalation process whereby the CRC must escalate all cases to the NPS if practitioners consider that risk of serious harm has increased to high. The NPS must assess these referred cases and make a decision on whether they have indeed become high risk, thus requiring statutory NPS management. PI 08/2014 directs CRC staff to "*be alert to the potential significance of changes in offenders' behaviour, thinking and attitudes; the vulnerability of potential victims and the controls available to restrict the ability or motivation of the offender to cause serious harm*

to others" (p. 4). The instruction also compels NPS staff to "*consider and action a MAPPA referral in appropriate cases that have been assessed as high RoSH*" [risk of serious harm] (p. 4).

The key messages from the examination of community sentenced MAPPA category 3 referrals and management continues to be relevant in this 'transformed' probation landscape. This cohort was a pre-existing sample that may well resemble those that are now identified through the CRC/NPS risk escalation process.

The study and research sample

The study used mixed methods drawing on existing secondary data and organisational records (MAPPA referrals, eOASys documents and Delius case records) to thematically analyse the decision-making processes, reasons for referrals and agreed risk management plans. Additionally, five practitioners completed questionnaires, another three officers participated in case

Figure 1: Definition of RoSH levels and risk factors (taken from NOMS (2009) NOMS Risk of serious harm guidance, p. 4).

Risk of serious harm definitions and levels

Serious Harm "An event which is life-threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible"

Risk of serious harm is the likelihood of this event happening

Very High: There is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious. (High levels of static, dynamic and acute risk factors present.)

High: There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious. (Static and dynamic risk factors present. Several acute factors may be present.)

discussions and MAPPA meetings for two cases were observed.

From an original list of 77 cases, 18 community sentenced offender case records were analysed. Community Orders predominated ($n = 14$) and included between one and four requirements, but every sentence included a supervision requirement. The predominant index offences were Public Order Act matters, assault and breach of protective (Non-Molestation and Restraining) orders. These were indeed cases that fell well outside the MAPPA category 1 and 2 eligibility in terms of seriousness of both the offences and sentencing. The picture from the actuarial (static) risk scores also indicated that these individuals did not have extensive previous convictions and so were not identified to have a high likelihood for reconviction.

Risk of serious harm assessments

The levels of risk of serious harm (RoSH) give the clearest indication of reasons for referral into category 3. Every case had an assessment of RoSH to the public and the majority were deemed to be high risk. Over two thirds had an assessment of RoSH to known adults, most commonly partners in domestic violence cases, and the majority were deemed to pose a high risk. Half of the cases included a RoSH assessment in relation to staff, which included criminal justice and partnership agencies, but the majority were considered to pose a medium risk. The fewest assessment of RoSH related to children and included medium, high and very high levels. Thus, the public protection remit was taken to include risk to the general public as well as to specific groups of potential and actual victims.

'Multiples of risk'

Thirteen cases had two or more risk factors as reasons for referral, leading to the conclusion that there were 'multiples of risk' in these cases. The predominant trigger for referral met the criteria for 'emotional instability' with the majority involving mental health concerns. This was often articulated in terms of "unpredictable" or disruptive behaviour linked to non-compliance or a lack of engagement with mental health services. Practitioners were concerned about deterioration in individuals' emotional and psychiatric state which required swift intervention to safeguard against their risk taking behaviours, including substance misuse directly linked with failure to take medication, instances of violence against strangers, and offending against (non-intimate) known adults, including harassment and threatening behaviour against staff.

Domestic violence was also a significant risk factor which was often linked to child protection concerns. Although this research did not consider reconviction data, there were indications that these individuals were frequently involved in further offences. These related to breaches of victim protection order and new offences against known victims, as well as allegations of violence against new victims. The index and new offences had been committed against intimate partners and family members, and had impacted on the safety of children (which included biological children, step-children and young relatives). Thus, the dynamics of familial abuse were complex amongst this sample.

Professional decision-making and securing multi-agency working

The overarching picture from this

sample signals that the breakdown in the community sentences prompted offender managers to refer cases into MAPPA. Namely, a realisation that existing measures were inadequate to manage escalating risk, since (unlike post-release licences) court orders do not allow for recall to custody in response to heightening risk.

Although no respondent made direct reference to the NOMS 2009 RoSH guidance, their questionnaire answers demonstrated clear familiarity with the principles set within that guide.

Officers referenced their attention to "heightened risk", being attentive to changing circumstances, taking an investigative approach and making use of information from different sources and perspectives to formulate their risk assessment.

In fact, the "live information sharing" that comes with MAPPA involvement was highly valued. Indeed, every practitioner recognised the value of comparable and transferable skills with other multi-agency settings and appreciated the collaborations and having an awareness of different processes to "contain" and "manage" risk and "dangerousness".

Although one officer talks about realising when cases are "an accident waiting to happen", this response does not go on to focus on a specific fear of serious further offences. Rather, the respondent highlights that professional judgement must be fluid so assessments feed into clear risk management strategies.

The practitioners identified a dynamic trio of static factors (offending behaviour patterns), "worrying features" (acute factors and situational contexts), and awareness of who is at risk of serious harm. Imminence featured as a crucial question in all three factors and may in fact be the determining feature to influence the risk level as well as the intensity

of intervention. This is the risk principle in action.

Practitioners were very concerned to secure access to resources and expressed the view that MAPPA improved and somehow fast tracked their cases' access to provisions. The 2011 thematic inspection of MAPPA references this aspect in relation to duty to cooperate agencies' involvement.

Practitioners spoke of their focus on gaining multi-agency solutions thanks to the collaborations that MAPPA activate. In fact, this was seen as the critical input that improved the probation service's ability to deal with the complexities in such cases.

Key messages in the 'transformed' probation landscape

1 The multiples of risks involved in such cases demands ongoing investigative approaches that

gather and act upon information from multiple sources. It can never be overstated that risk is dynamic and constantly changing. Therefore, assessment and management strategies must involve robust and responsive planning in order to be effective.

2 Emotional instability, incorporating aspects of mental health, substance misuse and non-compliance with treatment, was a recurring risk factor which points to the need for consistent input from and coordination with forensic psychology, psychiatry, community mental health and wider health agencies to access specialist provisions.

3 Domestic violence, child protection and familial abuse were the cases most frequently linked to further offences, new allegations and breaches of existing

protection orders. This therefore signals the need for active inter-agency working to respond to quite often rapid escalations of risk in domestic abuse cases.

4 The probation officers' professional and skilled attention identified behaviours and circumstances that signalled breakdown in the effectiveness of existing community sentences. Their skills focussed on wider qualitative aspects of risk and are examples of confident engagement with dynamic factors to identify acute signals that called for immediate action. It is no coincidence that every community sentence included a supervision requirement, which meant that an allocated offender manager took responsibility for and actively sought to manage risk and act with authority to secure multi-agency collaboration.

Sir Graham Smith: "Always proud to be a Probation Officer"



by *Adrian Smith*

It is a privilege to have been asked by the Probation Institute to write a short article about my father, Sir Graham Smith. It seems somehow appropriate that this is one of my final acts before I myself retire from the Probation Service.

It's quite instructive to think that this particular branch of the Smith family has put in a total of 71 years of graft for Probation. My father would have been very pleased about that; he was wholly committed to the Probation Service and was fond of saying

that he was 'proud of being a Probation Officer'. This was his mantra, even when he was serving in the relatively exalted position of Her Majesty's Chief Inspector of Probation.

He was clear about his roots and never lost his passion for practice, thus once in a position to lead and influence the Service at a national level, he was determined to use this to encourage innovation in our work with service users.

As is well known, Sir Graham was a great

proponent of 'what works'; embracing cognitive behavioural approaches with a significant focus on dynamic assessments. What is less well known is that he came from a strong psycho-dynamic background and tended to understand people mostly in these terms.

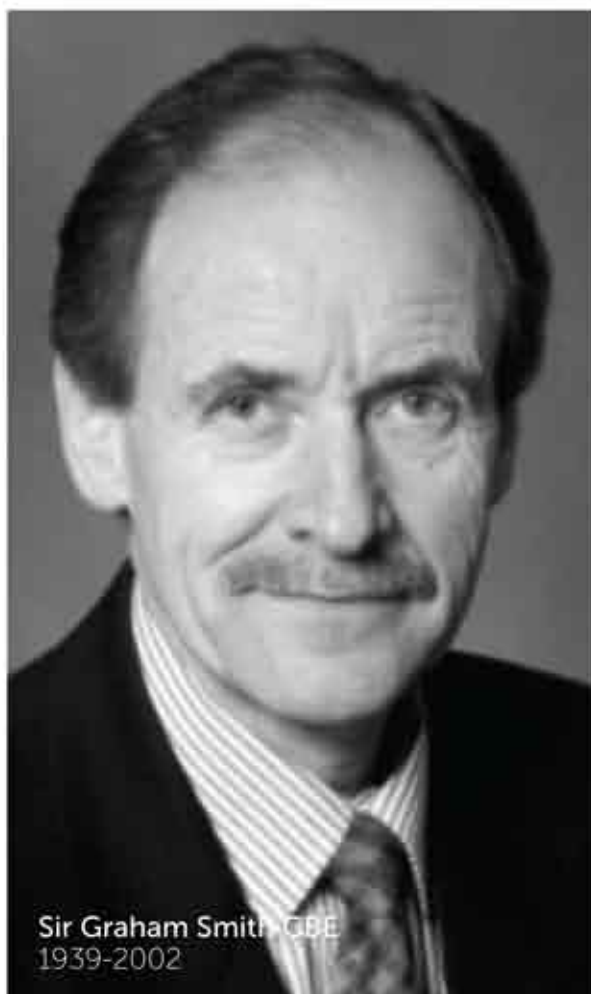
He was himself a skilled practitioner and kept his hand in, even in his senior management days at the drop-in 'Cellar Club' in Soho, keeping this up for many years. He didn't mind what method was used as long as it could be demonstrated to make a difference: 'eclectic' was one of his favoured words.

He would have embraced more recent criminological thinking on desistance and been excited by the SEEDS programme but would have been particularly pleased that the current research and approach confirms what he always believed about engagement....that 'relationship is king'.

My mother, Lady Smith, sadly passed away in 2012 but she was very proud of the probation world's continued support for the Sir Graham Smith Award, led by HMI Probation, NPD and then PCA. I can say that the whole family are touched and most grateful for the fact that the Probation Institute has decided to continue to support Sir Graham's legacy, through the provision of the annual award. It seems apt that the successful recipient receives a bursary to support research into criminal justice practice, helping to define what works in assisting offenders to change and achieve positive pro-social outcomes. He would have enjoyed that and been delighted to learn about the findings.

Sir Graham was educated at the University of Newcastle upon Tyne, reading social studies and obtaining a post-graduate social work qualification. He joined the Durham Probation Service as a Probation Officer in 1965, where he gained promotion as a Senior Probation Officer.

He moved south to work for Inner London Probation and After Care Service in 1971 commencing as Senior Probation Officer at the Resettlement Unit in Borough High Street. Sir Graham later worked as Assistant Principal Probation Officer for Chelsea



Sir Graham Smith CBE
1939-2002

and Westminster and then Deputy Chief Probation Officer before he became Chief Probation Officer for Inner London Probation Service in 1981. During this time, he played a key role for the national service as Chair of the Association of Chief officers of Probation (ACOP) which he held for 2 consecutive terms.

After 11 happy years, he was persuaded by the Home Office to take up the post of Her Majesty's Chief Inspector of Probation, where he had considerable success in representing the service to Government Ministers and ensuring that probation had a strong influence and impact at the time. He retired in May 2001 but soon developed ill health and sadly died 15 months later at the age of 62. This award is a valued legacy of his outstanding contribution to the probation world over a period of 4 decades.



EVIDENCE OF IMPACT

Accessing re-offending data in order for an organisation to evidence the impact of the services they provide has been, and continues to be, an obstacle for the majority of organisations working to rehabilitate offenders. The award-winning Justice Data Lab has been specifically set up by the Ministry of Justice in response to this obstacle. Statistician **Tille Paul** (right) explains more.



The Justice Data Lab was launched as a pilot in April 2013 as a service to support organisations working to rehabilitate offenders through easier access to high-quality re-offending data.

Since the launch of the service, over 120 reports have been published assessing the impact of a diverse range of services on re-offending behaviour, provided by voluntary, public, and private sector organisations.

The service makes use of a wide range of data available to the Ministry of Justice to help evidence what works in reducing re-offending.

The idea behind the service being that organisations that work with (ex) offenders provide the Justice Data Lab with basic information on these individuals, from which an impact analysis can be undertaken.

An organisation will then be provided with a tailored report which includes re-offending measures for both the group of individuals the organisation worked with, and those in a matched control group (i.e. a group of (ex) offenders that are deemed to be similar to those in the intervention group, taking into account various characteristics).

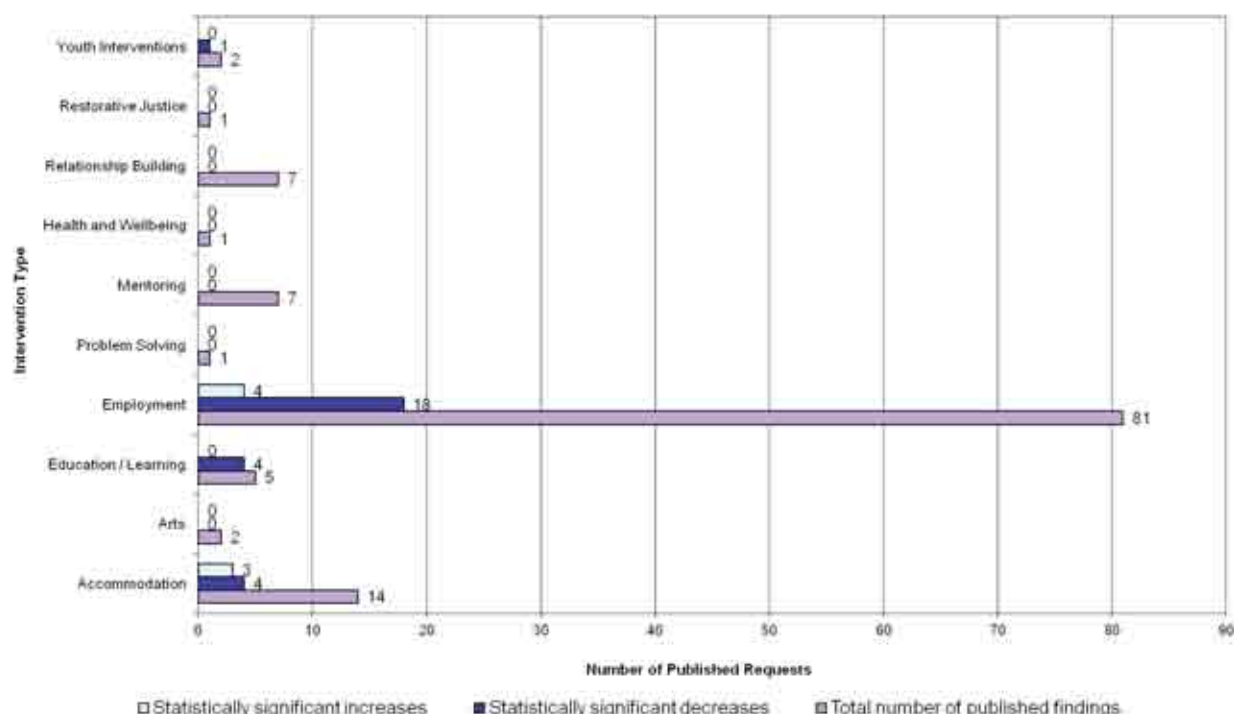
Alongside this will be information on the characteristics of those individuals included in the analysis.

The following reoffending measures are currently provided: the one year proven re-offending rate, the change in frequency of one year re-offending, and the average time to first re-offence within a year.

For all three measures it will be made clear if the difference in the rates for the two groups are statistically significant or not.

Once completed, each report will be published on the Justice Data Lab statistics website (www.gov.uk/government/collections/justice-data-lab-pilot-statistics).

Justice Data Lab results by intervention type, published to date (the effect on the one year proven re-offending rate)



Since launching, the team have engaged with users frequently to understand their needs, making changes to the service where appropriate, and will continually do so throughout the development of the service.

As such the design of this bespoke service reflects what potential users expressed they would favour during the initial set-up stages. It was indicated a tailored report containing key re-offending measures would be preferred over individual level information being returned to them.

Therefore, no individual level data is provided in a report-keeping to a secure and legal framework of presenting this high-quality information.

This complements existing arrangements that allow users to receive individual level data through the Ministry of Justice/National

Offender Management Service.

Of the organisations that have chosen to access the Justice Data Lab, there have been a variety of service types assessed. These have included programmes aimed at; employment, accommodation, education, relationship building, restorative justice awareness, and, mentoring for (ex) offenders.

These services have been provided to individuals whilst in prison, whilst on probation, or, an overlap of both.

Employment programmes are the service type with the largest number of analyses published to date, along with large amounts of interest from accommodation and education areas.

Education programmes currently have the highest proportion of statistically significant reductions in re-offending.

Amongst numerous others, the

Prisoners' Education Trust is a charity that accessed the service, after which the chief executive stated:

"our charity and our funders know that learning in prison works – but now we have the evidence to prove it with this robust, hard-edged report carried out by MoJ statisticians."

This recognises how helpful the service can be in evidencing the impact of rehabilitation work.

As with all new projects there have been a few challenges that the Justice Data Lab have contended with since launching.

One of these is the difficulty of being able to accommodate for the complexity of the programmes that many organisations deliver in an analysis. Not only are many programmes complex in their

operational delivery, but they are also complex in terms of the lives of the individuals they work with.

The blunt re-offending measures used in analyses do not necessarily capture how the programme has generally affected an individual's life. This poses a challenge to the team to find more nuanced measures in order to better reflect these effects in analyses.

However, the future holds high hopes for the Justice Data Lab. The team is committed to improving the service and are therefore currently working on several areas of development based on user feedback.

This involves looking at further uses of data available to the Ministry of Justice to include additional measures in the reports, as well as investigating the inclusion of more contextual information about individuals in an analysis. These improvements will help to

build a bigger picture of the impact of a service.

Going forward, as Transforming Rehabilitation (the newly implemented reform programme) offers us an opportunity to more deeply understand successful rehabilitation, and generate a step change in the way that we measure impact from all providers of offender services - the Justice Data Lab can help provide a gateway to uncovering this evidence.

The quality of the service provided by the Justice Data Lab has been widely recognised over the past year. The service won both the 2014 Royal Statistical Society award for Statistical Excellence in Official Statistics, and the 2014 Government Finance Insight Award. These are tremendous achievements for the team, of which they are very proud of. Being recognised in such a way shows that this innovative service is an asset

to all those working to rehabilitate offenders.

The Justice Data Lab is free of charge for all organisations to access, and the process for doing so is simple. The following link contains guidance on accessing the service, including a Data Upload Template, which is all that needs to be completed when sending a request to the Justice Data Lab: www.gov.uk/government/publications/justice-data-lab.

The team are always available to chat, whether it is just for those with a general interest in the service or for a potential user. Get in touch on justice.datalab@justice.gsi.gov.uk.



Award winning: The Justice Data Lab has won the Royal Statistical Society award for Official Statistics and the Government Finance Insight Award.



Fred W. Taylor, the father of scientific managerialism, and Vladimir Putin

TAYLORISM WITH A DASH OF PUTINISM

Andrew Thorne, founder of specialist recruitment agency Backstop and a qualified social worker with ten years of working with young offenders in the UK and the USA, shares his analysis of the theoretical underpinnings of the Transforming Rehabilitation agenda.

There have been many objections to TR from a practice perspective such as the putative judicial review by NAPO, and much discussion about how it is impacting on the Probation Service.

Rather than re-treading that existing discussion, this article will examine the theoretical premises of TR from the perspective of business and marketing discourse.

The methodological rationale for such an approach is that the main driver behind TR is the desire of the Ministry of Justice (MOJ) to make probation more cost efficient through using private sector/business "expertise".

As the theories that underpin the TR agenda also originate in the business discourse, it makes sense to interrogate them from that perspective. The article will analyse the *production-led* theory that underpins the TR agenda, ask what its origins are, as well as its relevance to Probation.

It will then contrast this approach to modern business theory which posits the *relationship* with the consumer at the heart of business strategy and ask whether such an approach could be transferred into the Probation Service.

To briefly contextualise this article, it is worth asking the question as to why theories from the private sector and business are currently operating in the public arena.

It is widely accepted that, until the Thatcher Government, there was a separation between business theory and public administration theory. Thatcherism broke down this wall with the introduction of business management techniques, a movement subsequently called *New Public Management* (NPM).

This came about because it was perceived in Government that the public sector was inefficient and wasteful. It was thought that, by importing private sector

management theory across, this would improve the performance of public services. This led most famously to the privatisation of public utilities.

Another offshoot of this introduction has been a very target-orientated approach to managing people and services in the public sector, called *managerialism*. Broadly, this has been the theoretical driver behind SMART goals and the cost control approach that now predominates and on which this article will focus.

Taylorism and managerialism

If we look at the purpose of TR, we find this on the first page of www.justice.gov.uk/transforming-rehabilitation which describes in terse language what the reforms "will" achieve;

"Our reforms will:

Open up the market to a diverse range of rehabilitation providers from the private, voluntary and social sectors (including potential mutuals);

Incentivise innovation, paying providers by results for delivering reductions in reoffending..."

The language is pure NPM and managerialism – so far no surprise.

However, in seeking to improve the performance of the Probation Service through using a managerialist methodology I would argue, the MOJ is using a model that is outdated, that has little supporting evidence (Greenwood 2014), has no relevance to a service centred around people, and will in the long term, as a consequence, be more inefficient.

An explanation can be found in the fact that this model has its roots in business theory, *Scientific Management Theory*, (SMT) that

is *production-led* – focuses on production costs and efficiency – and originates back to F.W. Taylor and his study of the Iron and Steel industry in 1900s USA (*Taylorism*).

SMT was formulated by Taylor to make the production of iron and steel more efficient, so its relevance to Probation is questionable, just as its attitude to the workforce who needed to be de-skilled to conform to its methods (Taylor 1911).

The relevance of Taylorism to Probation is questionable, just as its attitude to the workforce who needed to be de-skilled to conform to its methods.

However, the outcome of such an approach can be seen in the split of Probation into *Community Rehabilitation Companies* (CRCs) and the *National Probation Service* (NPS).

The premise of the split is *production based*, to force efficiency into the probation process by improving the production techniques – i.e. the more efficient processing of "offenders" (as opposed to pig iron in Taylor's day).

The problem with this model – to which many (former) British manufacturing businesses such as British Leyland, Dunlop, etc would testify – is that it can be highly inefficient and wasteful.

Under such circumstances, resources tend to be squandered because they are not allocated in **partnership** with an end user, but instead are allocated by someone further up the hierarchy who

has their own internally driven production targets, with only a theoretical acknowledgement of the end consumer. What is required at ground level may be markedly different to what senior managers may wish it to be.

In addition, by its nature, this approach deskills the workforce as they are forced to adopt rigid work guidelines in the name of efficiency.

The drawbacks of this approach were powerfully critiqued by Womack et al (1990) in *The Machine That Changed the World*. They contrasted the *production led* approach to the *lean* approach where production processes are focussed on the customer, in order to eliminate waste.

Command and Control

Entwined with the Taylorist approach is another form of production management, *Command and Control*, an approach which derived originally from military thinking and State-run economies (i.e. Soviet Union), and was adapted to the American business literature the 1950s.

Under this model, production targets are set at the top of the command chain and then passed down through layers of management, who exist only to scrutinise whether targets are being hit, down to the shop floor.

On one level, that such an authoritarian approach should be adopted is unsurprising as it would appear that there is nothing a politician likes more than to "command and control". One can scarcely blame them as in election manifestos they make promises that they then spend the following years trying to achieve.

This has manifested in criminal justice in "penal populism" (Pratt 2007) and the "penal arms race" (Hough 2008) between the political parties. In this paradigm,

the best method for keeping/ appearing to keep control is to set the objective (the command) and then set milestones (control) which demonstrate that commitments are being hit.

For these purposes the managerialist system is perfect as it allows the command to be monitored through target setting. As an example, *payment by result* is as close to a command and control methodology as can be conceived. The target is set by Government, and payment received only if these criteria are hit.

Modern business theory - The consumer focussed approach

If we return to business management theory, what then is the more modern alternative? There is a big contrast when modern business and marketing theory are examined. One where the consumer rather than a "commanding" manager is at the beginning and end of the production process.

Broadly this approach is called *Consumer-led* and means that the consumer is the focus of the business with production being trailed around them.

In suggesting this approach I am acutely aware that there is some resistance to seeing "offenders" as *consumers of justice* and that there are alternative non-business framed models, especially in *co-production theories*. Space precludes further analysis in this article; however it was dealt with in more detail in Thorne (2014).

In the last decade within the business and management discourse has emerged a theory called *Value co-creation* (Vargo and Lusch 2004). In this model production is focused around the end customer, not just in the planning of the product/service i.e. market testing, but throughout the life cycle of the product/service,

and the continuous engagement of the consumer is sought.

The *competencies* of the consumer are engaged in four ways: through dialogue with customers, mobilisation of communities, management of customer diversity and through the co-creation of personalised experiences with customers (Prahalad and Ramaswamy 2000). They write that "personalisation is about the customer becoming a co-creator of the content of their experiences".

If the MoJ were really interested in modern business theory...the relationship between Probation Officer and Probationer would be the cornerstone of the rehabilitative effort...

In summary, the key goal of this approach is to build an ongoing relationship with the customer to build loyalty and utilise their expertise/competencies in improving the product/service.

As examples, think of how Apple products are perceived by its adherents, and how Nike engages with its customers through its Nike+ tool <https://secure-nikeplus.nike.com/plus/> where consumers of its goods and services use the website to plan their own training schedules, discuss issues they are having, compete against others, etc. The content of this website is marketing gold for Nike.

By listening to their customers, in theory they can produce exactly what their customers want. Through engagement they also

build brand loyalty, such that the consumer who has been engaged in the production side feels allegiance to the brand.

It is worth noting that organisations/businesses do not engage consumers out of the kindness of their hearts. It is a practice to increase their profitability and is an approach that has been forced upon them by technological changes and the interactivity of the internet. By using actual and potential consumers who they can engage with in real time and test products on they can reduce their Research and Development costs.

Value co-creation and lean theory as models for Probation

If the MOJ really were interested in modern business theory/practice that put resource efficiency at its core, what would such an approach look like? **The relationship between Probation Officer and Probationer would be the cornerstone of the rehabilitative effort to ensure the targeted use of resources.**

In the current model resources are placed where the "command" dictates and as this comes from a political agenda it is unlikely to be where they can be used most efficiently. No more than a Nike/ Adidas/Reebok executive can routinely guess what the next trend is going to be in footwear. If their guess is wrong and ends in a mass of unsold stock the decision will cost the company lost profits. It is far more sensible and less risky for the executive to push the decision about production to what their consumer research is pointing towards – trends from Nike+, etc.

Likewise, in Probation, rather than a Minister and their acolytes dictating the minutiae of resource allocation, the individual

Probation Officer would engage the competencies of the probationer and agree with them how resources could best be spent with the objective of reducing offending/increasing desistance.

The key prerogative for the Probation Officer would be the development of a trusting therapeutic relationship with the probationer to help co-create value with them.

Creating value for the probationer would likely mean getting their immediate and long term needs met, such as housing, drug/alcohol, family, employment, etc. Sessions would centre around the meeting of these goals with support from other agencies being utilised.

To achieve this difficult balancing act, special qualities would be required. If we return to "Advise, assist and befriend" we get a good blueprint. This from 1907:

"The probation officer must be a picked man or woman, endowed not only with intelligence and zeal, but, in a high degree, with sympathy, tact and firmness. On his or her individuality the success or failure of the system depends. Probation is what the officer makes it"

Less radical would be the introduction of a lean methodology which is already happening in parts of the NHS. This, as a response to the previous Taylorisation of the NHS which had led to the disastrous policy of setting targets for care staff which were unrelated to Patients health, (See Francis report on Mid Staffordshire 2013.)

In order to put patient care at the top of Trusts' priorities, the NHS is, amongst other approaches, looking at lean theory as a way of getting patient welfare to the top of the priorities of NHS managers.

There would of course be issues to be dealt with that would come with value co-creation and lean

approaches, such as re-skilling some of the workforce to be able to therapeutically engage "offenders", managing non-compliance, building in time for relationship building, retraining managers to properly "manage" their workforce and the like. These I would suggest would be less troublesome to manage than the current disruptive split, and if the NHS, a much larger organisation, can tackle these issues it should not be beyond the scope of the MOJ to do so as well.

If the Government was really committed to a business approach...they would implement reforms designed to encourage the utilisation of lean and value co-creation approaches in Probation rather than outdated and out-of-place production processes that originated...in the 1900s

In conclusion

It is the contention of this article that if the Government was really committed to following a business approach in their reforms of the justice system, they would be to follow the example of the most successful businesses that constantly interact and engage with people as well as those of parts of the Health service that have moved to a lean approach.

They would implement reforms designed to encourage the utilisation of lean and value co-creation approaches in Probation, rather than an outdated and out of place production-led process driven model that originated in the iron and steel industry in the 1900s. The focus would be on developing the communication skills of Probation Officers such that they could more effectively engage with their probationers. I would suggest that the current approach being presented by the MOJ only satisfies their desire to appear to be in control "of the fight against re-offending" (MOJ: 2014) and shamefully, in view of the severe budgetary squeeze, at the cost of wasted resources and poor outcomes. In taking this approach the theoretical underpinnings to TR would appear more akin to those operating in Russia under Putin then to any current relevant management or business theory.

Selected further reading:

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