

The magazine of the Probation Institute

# PROBATION

Issue 4 | June 2015

## Quarterly

# THE NEW PROBATION LANDSCAPE

The evolving terrain is  
presenting challenges and  
opportunities for practitioners

## RESTORATIVE JUSTICE

A road map for full  
integration with  
probation practice

## COMPLEX AND MULTIPLE NEEDS

Approaches for services  
users who are caught in  
the "revolving door"

## EMOTIONAL NON- COMPLIANCE

How trauma from  
school years can affect  
engagement with orders

## AUTISM EXPLAINED

A psychologist shares  
her experiences and  
expertise

# PROBATION *Quarterly*

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# Welcome

Hello and welcome to the summer issue of **Probation Quarterly**, the magazine for those who work in probation or community justice. As this edition of **PQ** went to press we announced the launch of the Institute's Probation Register.

As an Institute member this will provide a way to have recognition for your level of experience as a practising professional, enabling you to maintain an electronic portfolio of qualifications, training and continuing professional development.

Through the Register we're striving to maintain and nurture a shared sense of professional identity for all probation workers across the broadening spectrum of employers.

We're simultaneously developing a qualifications framework, which will work alongside the Probation Register. You can find out more about our Register and accompanying framework through our new and improved website [www.probation-institute.org](http://www.probation-institute.org).

The Register is released against the rapidly changing probation landscape, which offers significant challenges for our work with partner organisations, and so this is the focus of this issue of **PQ**. We hear from a diverse range of organisations including Sentencing Council, Revolving Doors Agency and the Restorative Justice Council for our feature from p.7.

We're also taking this opportunity to introduce you to our newly elected Directors: Prof. Anthony Goodman, Prof. Paul Senior, Laura Martin, Nick Smart, Sue Hall and Doris Emerson-Afolabi. You can read about their experience and plans for the Institute on p.21.

To coincide with our summer programme of learning disability awareness training events, we also hear from Counselling and Forensic Psychologist Dr Sandra Stamos on the experience of those with autism in the criminal justice system on p.35.

We hope you enjoy this latest issue of **PQ**. This is, as ever, your magazine and we would love to hear from you – whether it's about an article you've read, or an article that you'd like to write, please don't hesitate to get in touch.



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The magazine of the Probation Institute

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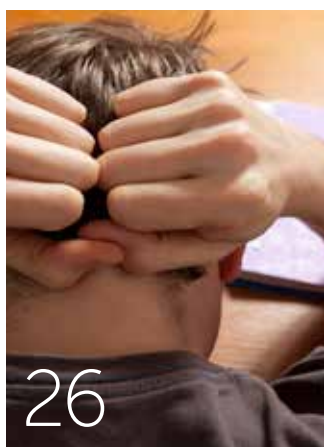
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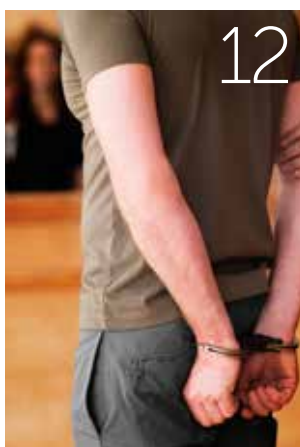
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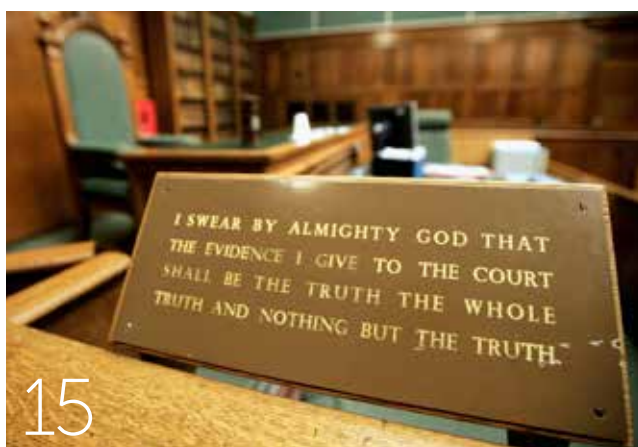
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## NEWS IN BRIEF

# Funding for ex-soldiers



The Forces in Mind Trust (FiMT), established to help ex-Service men and women make a successful transition back to civilian life, has awarded a grant of £93,400 to the Probation Institute to fund a project aimed at meeting the needs and providing effective services for ex-Service personnel serving criminal sentences in the community.

The project, which will be carried out in three stages over three years, will examine in detail the impact of the probation services provided to offending ex-Service personnel as well as establish a network between service deliverers in order to promote knowledge-sharing and improvements in service delivery. The project aims to:

- ➔ Build and disseminate an evidence base for the needs of those offending ex-Service personnel who are currently under probation supervision and the effectiveness of

probation services currently in place for them

- ➔ Facilitate the exchange of knowledge and best practise across different organisations that work with ex-Service personnel serving sentences
- ➔ Involve the ex-service personnel and practitioners in evaluating the effectiveness of community justice work with the veteran cohort, and encourage professional development and enhancement of services in this area

To find out more about the Institute's work with ex-service personnel, please contact the editor, Communications and PR Manager Catherine Sinclair-Jones at [catherine@probation-institute.org](mailto:catherine@probation-institute.org)

## Involving service users in delivery

User Voice and the Probation Institute are pleased to announce a new partnership, reflective of a common commitment to probation ethics and values, particularly regarding the importance of service user involvement and engagement with the design and delivery of probation services.

Our two organisations are committed to working together to:

- ➔ Promote purposeful and effective probation services
- ➔ Share a commitment to the professional development and training of probation workers, including volunteers
- ➔ Support the use of effective, evidence informed practice
- ➔ Achieve better outcomes for those in the criminal justice system, whether as service users or victims, supporting confidence in community justice and safer communities.

Our two organisations will work to support these shared objectives through research initiatives, events and other mutually beneficial arrangements as and when opportunities arise.

## New Council and Directors

The Probation Institute is delighted to announce the election of its first Representative Council, which will play an important role in the governance of the Institute.

The Institute held its inaugural Council meeting on March 31, where members of the Council appointed the following Board of Directors by ballot vote:

- ➔ Doris Emerson-Afolabi
- ➔ Professor Anthony Goodman
- ➔ Sue Hall
- ➔ Laura Martin
- ➔ Professor Paul Senior
- ➔ Nick Smart

For full profiles of each director turn to page 21.

# The Secrets of Corporate Services

*John Rico* provides a fascinating insight into the corporate services world by sharing tales from his research and business intelligence work.

I'm the Research Manager for the London CRC. This means that I evaluate intervention programmes, conduct surveys to solicit the perspectives of stakeholders, examine the effectiveness of new roles and policies, perform audits to ensure quality, and perform just about any other investigation you can imagine. The underlying purpose of all these investigations is to improve effectiveness and quality.

To assist me in performing these investigations, I conduct focus groups, collect and analyse data, examine processes, observe staff working, audit old case management notes, develop case studies identifying a success or failure, perform both randomized and controlled testing, and conduct surveys. (I do a lot of surveys!)

Of course, research's dirty secret – at least, within the probation service - is that the research

performed is often conducted in a harried, ramshackle, madcap frenzy of activity while still attempting to suggest a studied and academic aura of respectability. This is not to say that the reports produced by my department are not informative or accurate – they are – only that the scope is unfortunately limited by resources and time constraints.

Without a doubt, the most recurring problem with in-house research is the lack of proper planning. I generally tell people that you want to begin planning for an evaluation about six months before the project or programme that is to be evaluated starts. On more than one occasion I've been approached about developing and writing an evaluation for a new pilot initiative, only to be told that, "...the evaluation is due in two weeks!"

I recommend a six month lead because research is a time intensive affair. Considerable planning is required prior to a project to consider how data will be collected

and how it will be recorded and how it will be stored and managed. To obtain adequate samples, data often has to be collected for lengthy periods of time, usually a few months.

In an intervention evaluation, the results often have to be looked at many months, sometimes a year or two, ahead of the conclusion of the project. Of course, as anyone with a history working in probation knows, long periods of time are antithetical to cooperative project work involving any level of complexity. Probation offices have staff turnover. To maintain a consistent project supervision throughout a year is incredibly difficult. I am frequently forced to consider data sets that have missing months, or where the manner of data collection changed mid-way through, or where the method of data recording switches back and forth because different offices are involved and they were not all following the

ascribed rules. Sometimes staff interpret assessments differently; a component of a programme which might earn a “2” at one office might only earn a “3” at another. And from this hodgepodge of messy data, still results must be gleaned and conclusions derived. It’s possible. It’s not always easy, but it’s possible. (Usually, at least.)

Conducting research is like writing, everyone thinks they can do it. It’s rare that someone considers they might need to consult a research expert before designing their research project or survey. On an intervention evaluation I completed a few months ago, the project team wrote their own survey questions which they had already been consistently delivered to service-users six months before I was notified of the project. Unfortunately, the survey questions were largely useless. Small subtleties of syntax and framing matter. So does the organisation of the survey

questions; certain formats tend to increase the percentage of respondents that skip through without reading the questions, just randomly ticking away at responses to complete the survey without actually *completing the survey*. On the same project, the project managers had started analyzing and collecting data on a group of service-users to whom nothing happened to. They had developed a control group when one wasn’t needed for the type of project they had. They had effectively wasted dozens of hours because one of the project managers didn’t have a strong grasp of the difference between dependent and independent variables.

Another of the big problems when conducting research in probation is the difficulty in getting people to participate with research projects. Probation staff are busy. They’re inundated with projects and initiatives, and are over prescribed on the workforce tracker and the

## Business Intelligence: Finding efficiencies

Business Intelligence is the use of data to inculcate efficiency, improve productivity, and inform quality for an organisation or business. Practically speaking, it is about leveraging the power of information to transform the business environment. And controlling both data and information can be the difference between abject failure and sure success.

Enter Paul Scarborough, the ACO of Business Intelligence at London CRC. At the moment of writing he’s hunched over his computer screen, staring intently at the flashing columns of figures. To your average staff member, these would be meaningless random numbers of no practical use. But not to Paul Scarborough: he looks into these two columns of streaming numbers and sees relationships and patterns. He sees the past, present and (through predictive modelling) the future. Most of all, he sees potential. At this moment, that potential is realised in the form of increased efficiency by allowing the organisation

to be ahead of the vacancy curve, and being ahead of the vacancy curve means efficiency - which means money. Paul sees the potential for money everywhere. At this moment, Paul is looking at the headcount report and the predictive vacancy rates for the months ahead. Paul doesn’t have to wait for a person to leave a post to recruit to fill their vacancy: utilising past data trends he’s able to forecast with a considerable degree of accuracy. Paul knows you’re quitting your job before you do. Reading the tea leaves, as it were, requires a perspective that easily absorbs analytical models but which also has imagination. Always on the periphery of each of his thoughts is the teasing mirage of what the organisation could be if it was just a bit more efficient, more effective.

Of course, Paul doesn’t do all of this on his own. Like any good conductor, there’s an orchestra behind him. Roger Picard and his team of PQAs analyse performance data, providing

last thing most staff want to do is spend a morning participating in a focus group, or taking an on-line survey. Of course, staff could be considered exceedingly helpful when compared with service-users and their legendary reluctance to participate in focus groups. When first designing a research evaluation proposal, I frequently imagine robustly attended focus groups filled with attentive attendees having dynamic discussions with one another. Of course, the reality is more often two phone calls with distracted OMs and a quick conversation in the hallway with a service-user.

And looming over this entire process is the tower of expectation, standing as a silent menacing sentry waiting to destroy all that has preceded it. Programme managers have expectations. ACOs too. And also SPOs. In fact, almost everyone has expectations. Mainly, the expectation that the

evaluation will absolve their pilot initiate / intervention programme / work product of any problems, while simultaneously proclaiming the obvious magnificence of said project. Everyone wants their project to transform the lives of service-users, to improve efficiency, to fix problems. Whether it's a project manager's project or an ACO's portfolio, individuals don't want to go back to their supervisors and managers with an evaluation showing the project they worked on for the past six months had no positive results. Unfortunately, programmes, projects, roles – just about anything that can be evaluated – don't always have a positive outcome. A project I evaluated last year showed that this new pilot intervention had almost no positive effect on service-users. The ACO responsible for the project was not pleased. More often than not though, the outcome is neither good nor bad,

simply ambiguous. This seems to infuriate people all the more. They can understand good/bad, or that something works or doesn't work – it's a bit more difficult to learn: "the research shows mixed results and the follow-up conclusion is for further research to be conducted."

And this is how research stumbles along in the Probation Service. Well-meaning but ultimately often forced to include explanations identifying data collection difficulties and to include re-written methodology sections that explain only four staff members were willing to participate in the focus groups. Yet despite all of this, more often than not, the Research Department is able to produce reports that provide some definitive suggestions for improvement. And knowing that my work is useful and helpful allows me to enjoy my job. Despite all the obstacles, conducting research is still mostly fun...if it weren't for the focus groups.

metrics for the Probation LDUs to measure themselves by, so that they can set benchmarks and have some understanding of whether they are performing better or worse. Chris Stone and Nick Ellis are the data alchemists, trawling the information systems that serve as the life blood of the Probation Service; they provide the fuel for the various systems that Business Intelligence uses: Data Quality Reports, Workload Management Tool, Performance Bulletin, Segmentation Data. John Rico is the researcher, analysing intervention programmes for effectiveness. A fifth role, currently unfilled, analyses processes, seeking out efficiencies and more cost effective ways of performing routine actions. (Want to see Business Intelligence in action? Consider removing five minutes from a routine process performed 500 times a month across the organisation, where the average hourly rate for those performing the process is £25. At 42 pence a minute, a five minute savings results in £2.10 for each individual; performed 500 times a month results in a monthly savings of £1,050 and a yearly savings of £12,600. That's information, imagination, and Business

Intelligence in action: Squeezing 12k from simply changing the location of a shared folder, or quickly writing a script for Excel to automate some simple function.)

From his desk, Paul can identify the demographics of various London boroughs and cross-reference segmentation data against each other to find unexpected relationships. Paul can view the workloads of LDUs, teams, and individuals, observe the sickness rate for any role, examine the trends in caseloads types for an LDU, consider the criminogenic trends for different demographics of service-user, examine re-offending data in a dozen different ways with just a few clicks of a mouse. It creates an endless stream of potential revelation that lies within the relationships between these data sets just waiting to be revealed. And once this newly discovered relationship is revealed, it's Paul's job to leverage this information advantage into actual efficiency. I ask Paul if he can give me an interview, but he waves me away as he stares into the computer screen. He's too busy for interviews – he's busy transforming the world, one megabyte at a time.



# CUTTING REOFFENDING AND COSTS



A series of linked articles on the challenges and opportunities of the new probation landscape is opened by **Jon Collins**, CEO of the Restorative Justice Council, who puts the case

for integrating restorative justice into probation practice. He argues that effective partnerships will be crucial in ensuring the availability of services.

**T**here is now a widespread consensus among politicians, policy-makers and practitioners that restorative justice works. If done well, it can both improve victims' experience of the criminal justice system and reduce reoffending.

As a result, there has been significant progress made in recent years in embedding restorative justice into the justice system. In addition, national


standards have been developed to support the delivery of quality practice. This article explores the growing use of restorative justice and its place in the new probation landscape.

The history of restorative justice in England and Wales has seen it develop organically, primarily based around the efforts of individual practitioners. There has, however, in recent years been an effort to move it into the mainstream. *Breaking the Cycle*,

the 2010 document setting out the then Government's plans for the criminal justice system, highlighted their support for restorative justice, stating that the Government was "committed to increasing the range and availability of restorative justice approaches".

A Restorative Justice Action Plan was then published in 2012, setting out the Government's intention to embed restorative justice within the criminal justice





system by improving access and raising awareness.

2013 saw the publication of a new Code of Practice for Victims, which states that victims of young offenders have the right to access restorative justice under appropriate circumstances.

The rights of victims of adult offenders are weaker – the code includes only a right to learn about restorative justice and to learn whether they can access it. This reflected, in part, the still

inconsistent restorative justice provision available across England and Wales for victims of adult offenders.

To address this, the government also announced in 2013 funding of £29 million for restorative justice provision. The bulk of this money was devolved to Police and Crime Commissioners (PCCs) to enable them to provide victim-initiated restorative justice in their areas.

2013 also saw legislation

passed to enable courts to defer sentencing in order for restorative justice activity to take place ‘pre-sentence’.

While this could, in practice, have taken place previously, this legislation, the Crime and Courts Act 2013, was intended to send a message to the courts that this is a route that they should consider.

Pathfinders have been undertaken in three Magistrates’ Courts and are currently underway in ten Crown Courts

across the country. Managed by a partnership of Restorative Solutions and Victim Support, these Crown Court pathfinders are intended to demonstrate whether this approach can work in practice. The results of an evaluation of the pathfinders will be published later in 2015.

The NOMS Restorative Justice Capacity Building Programme was also established to train 1,000 prison and probation staff to run restorative justice conferences.

In addition to the training that was delivered, this has led to the publication of *Wait 'Til Eight*, a practical guide to help prison and probation managers build restorative justice programmes.

While the recent evaluation of the programme found that it had led to real benefits, it also found that there had been significant barriers to successful implementation at a time of considerable change within the criminal justice landscape.

Nonetheless, some prisons make restorative justice available and prior to recent changes to the delivery of probation services there had been an increase in the use of restorative justice as part of a community sentence.

As a result of the changes in recent years – and building on the provision already available in prisons, facilitated by probation services and embedded in the youth justice system – restorative justice is now, at least in theory, available for victims at any stage of the justice system.

At the same time the Restorative Justice Council (RJC) has, with the support of the Ministry of Justice, developed standards for the restorative justice field and mechanisms to enable individuals and organisations to demonstrate that they meet those standards. This is intended to ensure quality and improve confidence in the delivery of restorative justice.

While these changes constitute

significant progress, it is certainly not the case that all the challenges to making restorative justice fully accessible have been met.

Provision remains patchy across England and Wales, as a mapping exercise conducted by the RJC in 2014 demonstrated, and for many people finding ways to access services offering restorative justice remains a challenge.

Once the services commissioned by PCCs are fully operational this should be addressed for victims, at least to a degree. However, much will depend on the quality of provision, how victims are referred to the services, and the way in which victims are informed about and offered restorative justice.

*It is essential to consider how CRCs, with the responsibility for managing offenders, and new PCC-commissioned services, with responsibility for ensuring victims can access restorative justice, will work together.*

The issue of responsibility for ensuring that offenders are able to explore restorative justice is more problematic and, within the context of these widespread changes, the role of probation is crucial. Firstly, restorative justice can be delivered as part of a community sentence. This will only happen where it is made available.

Secondly, court-based probation staff should have an important role in identifying suitable cases for pre-sentence restorative justice.

However, as the readers of *Probation Quarterly* will know only too well, the Ministry of Justice has embarked on a major reform of probation provision, abolishing the existing probation trusts and dividing the provision of probation services between a new National Probation Service (NPS), which now provides pre-sentence reports and manages high-risk offenders, and new Community Rehabilitation Companies (CRCs), which supervise lower-risk offenders on community orders and leaving prison.

Amidst the broader uncertainty caused by these changes, there is also a lack of clarity around the delivery of restorative justice. Such significant reform will inevitably lead to a period of organisational upheaval which may see restorative justice becoming sidelined by delivery organisations.

In addition, existing organisational systems to support the delivery of restorative justice have been disrupted.

Most of the successful bidders for the contracts to run CRCs do not have a track record of delivering restorative justice and it remains to be seen whether they will develop (or, where it already exists, retain) in-house capacity or commission an external organisation to provide restorative justice services when they are needed. Budgets will also be tighter. This level of uncertainty will inevitably affect provision, at least in the short term.

Even more challenging is the issue of co-ordination between services. In addition to the relationships between the NPS and CRCs, it is essential to consider how CRCs, with the responsibility for managing offenders, and new PCC-commissioned services, with responsibility for ensuring that victims can access restorative justice, will work together.

Effective collaboration is crucial



given that both victim and offender need to be involved for restorative justice to take place.

Links will also need to be made between areas, as both victims and offenders may move around. Will services have the processes in place to deal with partners from different areas? And will information be shared in a way that enables referrals to take place? These practical challenges will need to be addressed if the current structures are going to operate effectively.

Despite this, however, the reforms to probation offer significant opportunities for restorative justice.

As part of the reforms, a

new Rehabilitation Activity Requirement has been introduced as one of the options that can be included as part of a community or suspended sentence. The Offender Rehabilitation Act 2014 explicitly states that these Rehabilitation Activity Requirements can include restorative justice.

While this actually replicated the status quo as restorative justice could already be used in a community sentence (normally through the use of a Specified Activity Requirement), it is a welcome step that removes any ambiguity.

Sentencers and CRCs should

therefore be in no doubt that this is an option, while NPS court staff should be fully cognisant of the availability of restorative justice locally. This will enable them to assist sentencers to identify cases suitable for a Rehabilitation Activity Requirement that could include restorative justice, although it will, of course, be the CRC that ultimately determines whether restorative justice forms a part of this requirement.

In addition, the focus in the new probation landscape on value for money and payment by results (based on reoffending rates) should benefit restorative justice as the



evidence in support of its use is clear.

A major, government-funded randomised control on the use of restorative justice conferencing found that it had a positive impact, reducing the frequency of reoffending by 14%. It also concluded that the use of restorative justice can lead to significant cost savings, with reductions in reoffending leading to £8 in savings to the criminal justice system for every £1 spent.

A systematic review of the evidence on restorative justice, published by the Campbell Collaboration, similarly concluded that restorative justice conferences “cause a modest but highly cost-effective reduction in repeat offending”.

CRCs should therefore be confident that the use of restorative justice will help them to effectively rehabilitate offenders and cut reoffending.

Evidence also demonstrates that restorative justice has significant benefits for victims, improving victim satisfaction and helping victims to put the crime behind them and move on with their lives.


Improving victims’ experiences should be a primary goal of the criminal justice system as a whole and the NPS and CRCs will recognise the importance of supporting victims and of improving their future quality of life. Restorative justice can help them to achieve this.

So, what’s next? The new CRC arrangements will clearly take some time to bed in. In the meantime, the status quo may well be maintained in many areas.

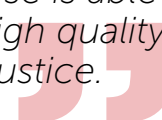
But once this transition period passes, every CRC should ensure that restorative justice is a core part of their rehabilitative work. The evidence in support of its use should ensure this happens, while the new owners of the CRCs are in

favour of restorative justice.

The NPS will also need to decide whether they retain capacity to deliver restorative justice themselves. If they do not, then they will need to ensure that mechanisms are in place to enable them to access delivery capacity when required in work with high risk offenders.



*Restorative justice should be at the heart of our response to offending, embedded across the criminal justice system so that it can be accessed at the time when it can have the greatest impact for both victim and offender. The NPS and CRCs... should ensure that every offender who they supervise is able to access high quality restorative justice.*



Local partnerships will also be important. Effective partnerships around restorative justice delivery between the NPS and CRCs will be essential, as will effective co-ordination between the NPS, CRCs and PCC-funded restorative justice services.

Broader partnerships may also be beneficial. Establishing multi-agency restorative justice hubs to coordinate the provision of restorative justice is one way to achieve this.

This approach brings together all the relevant providers in an area – for example the NPS, CRCs, PCCs,

YOTs and the local voluntary sector – to properly coordinate provision and ensure that duplicate referrals do not take place and that gaps in service provision are removed.

This is a cost effective way to boost provision, given anticipated future budget cuts, by using existing local capacity to maximum effect.

At the same time, it will be essential that restorative justice commissioned or delivered by the NPS or CRCs is delivered to a high standard.

To help to achieve this, the RJC has produced evidence-based standards for the restorative practice field and developed mechanisms to enable individuals and organisations to demonstrate that they meet these standards.

In our view, all those involved in the delivery of restorative justice should adhere to these standards and probation organisations that deliver restorative justice should seek to achieve the Restorative Service Quality Mark, which was developed with the Ministry of Justice and demonstrates that an organisation is delivering safe, quality restorative practice.

Restorative justice should be at the heart of our response to offending, embedded across the criminal justice system so that it can be accessed at the time when it can have the greatest impact for both victim and offender.

The NPS and CRCs will have an important role to play in this and should ensure that every offender who they supervise is able to access high quality restorative justice.

The Restorative Justice Council has published an information pack for CRCs and the NPS: [www.restorative-justice.org.uk/probation-pack](http://www.restorative-justice.org.uk/probation-pack)

# ENDING THE REVOLVING DOOR

Our series of features on the new probation terrain continues.

**Lucy Terry**, Research & Information Officer at Revolving Doors Agency, discusses effective approaches for short-sentenced prisoners.



**S**ince key parts of the Offender Rehabilitation Act 2014 came into force in February, staff in the National Probation Service and the new Community Rehabilitation Companies across England and Wales have needed to think about how they approach a new client group - prisoners on short sentences of less than 12 months.

As Transforming Rehabilitation rolls out, probation will have 45,000 new service users coming onto mandatory supervision, including anyone sentenced to more than a day in prison.<sup>1</sup> These short-sentenced prisoners have traditionally fallen through the gaps, released without probation supervision and often

facing repeated rejection from health and social care services. They often end up caught in a 'revolving door' situation, with the highest reoffending rates and responsible for a significant proportion of offending.

### Challenges for probation

What works for the 'traditional' probation cohort, likely to have spent a longer period in prison, will not always work for this group. Our research shows that short-sentenced prisoners are even more likely to face multiple and complex underlying needs linked to their offending behaviour<sup>2</sup> – including a combination of substance misuse, homelessness, mental ill-health, poor family connections, poverty and learning difficulties. They face frequent rejection from mainstream support services, which tend to focus on one problem at a time.

Without effective help, this group will become familiar faces to probation officers as they go back inside again and again. Serving multiple short prison sentences is damaging for recovery - research into this suggests it can build a kind of 'institutionalisation' as much as one very long sentence can.<sup>3</sup> This cements an identity of 'offender' and exclusion from mainstream social values.

Of course, most probation officers will have already encountered clients in a similar situation, and will be well aware of the challenges that this complex combination of needs presents. For frontline staff working with this group, helping to build long-term change needs to be balanced with managing crises, helping to understand and co-ordinating access to support required and, of course, complying with processes around risk assessment, recording and reporting.

### Developing an effective approach

While there are significant challenges in the current changes to probation services, they also provide an opportunity to do things differently. Encouragingly, there is growing recognition of the breadth of support needs faced by this group, and a willingness to engage on this agenda among many of the new probation providers – indeed, one of my colleagues is currently providing expert advice to a CRC on mental health.

At Revolving Doors, we know that with the right support people can and do change their lives for the better, and evidence from our research, evaluation, and local development work as well as the work of our National Service User Forum is helping to identify key characteristics of an effective approach.

### What service users say

In establishing what makes an effective approach, it is always helpful to start by asking people with direct experience of the problem what they want and need.

Our recent research for 'A Good life: exploring what matters to people facing multiple and complex needs' did just that with a group of people with a history of offending and facing complex needs. What we found has strong relevance to probation as it continues to change over the coming months, with insights for frontline and strategic staff.

This includes:

**1 Stability is key.** For participants in our research, a stable and ordinary life was idealised. This was symbolised by things like a decent home and financial security, and overall meant a life "without struggle, without strife". As well as external aspects of stability, being internally content was a key goal. A long history of

offending and social exclusion was associated with stress and fear:

*"Sleeping easy at night... security, not worrying, just to be able to feel safe in my own house, not having the door banging in or, yeah bailiffs. No police, no dealers, no owing money, just ... happy place."*

This shows the importance of addressing basic needs, but also the need for support in coping with anxiety and low-level mental health conditions.

**2 Quality of relationship matters.** In all aspects of the 'good life', participants noted the importance of quality outcomes – particularly in their relationship with staff. Being treated with respect was a key theme, and participants felt that some services failed to give them common courtesy or viewed them through stereotypes and negative associations. They also felt that services could focus exclusively on the negative, instead of helping to build on their strengths, and this could make people pessimistic about their own capabilities.

We frequently find in our service evaluation work that service users value good quality, respectful relationships where their strengths are valued and they are treated as individuals. This is a seemingly small thing, but one in the power of frontline staff to demonstrate.

**3 Effective service user involvement is important.** Actively involving service users in the design, delivery and evaluation of services is another way to make them feel valued, and we found it had key benefits for our participants. They saw service user involvement work as an opportunity to try and make the world a better place, giving them a positive role in society and a sense of hope - all



associated with desistance from crime. For CRCs moving towards their new strategies and operational plans, the expertise of experience of service users will be invaluable.

**4 The 'good life' is a journey.** As desistance research emphasises, moving away from offending is a journey away from crime and towards a positive alternative identity. As our participants emphasised in their discussion of a 'good life', this journey involves setbacks and relapses, and progress can be gradual but should always be celebrated:

*"I don't take heroin off the street anymore so I've dealt with that...I stopped smoking hash, I stopped taking pills...but the only thing that makes me weak is crack and that I've got down to once a day."*

CRCs are paid for reducing proven reoffending on both frequency (reduced number of crimes across a cohort) and binary measures (those who do/don't reoffend). Focusing on the former over time is important, as achieving a crime- and drug-free life for people facing complex needs rarely happens with a sudden 'wake-up call'.

### What the evidence says

There is also a growing evidence-base on 'what works' for this group, which fits well with what service users identify as important. In our recent report *Comprehensive Service for Complex Needs: A Summary of the Evidence*, Revolving Doors and the Centre for Mental Health reviewed the

evidence for three service models targeted at multiple and complex needs which show promising outcomes in reducing re-offending.

Key features of the support provided include:

**1 Targeted support for complex needs.** Too often people facing more complex needs are failed by mainstream services, which are set up to deal with single problems in isolation. Services that are targeted and co-ordinate different types of support around the 'whole person' show promising outcomes in reducing reoffending, reducing homelessness and improving mental health - one evaluation of 'link worker' service showed noted an increase in permanent accommodation from 10% to 25%, and reduced costs incurred through criminal justice contact.

**2 A personalised, strengths-based and co-produced approach.** A common feature of successful models was a personalised approach to working with clients, delivering support which involves the individual in deciding what works for them rather than a 'one size fits all' approach. These services also aim to build on strengths that already exist and can be used as a catalyst for positive change.

**3 Consistent, assertive and persistent services.** The complex journey to change means consistent support in the face of crises and disengagement is key. Often people with multiple needs and a history of offending have experience of trauma and rejection that create difficulties in forming

positive relationships. In response, persistent and assertive support is important in showing someone they are valued.

### Putting these lessons in practice

Both frontline professionals and the new strategic players in probation have an important role in putting these lessons into practice as a new wave of clients, many facing complex needs, come onto probation supervision over the coming year.

At a strategic level, CRCs could help to pull in targeted, holistic support for clients facing complex needs via their supply chain, commissioning dedicated services such as 'linkworkers' and models discussed above. However, there are also clear lessons for frontline probation staff in the approach that they take and the relationships they build with clients that are facing more complex needs.

Putting the service user at the heart of all of this will be key. Investing in meaningful service user involvement in the design and delivery cannot be overestimated in importance, and it will pay dividends. In a context where outcomes and real change is the focus of every CRC, accessing the expertise of experience of people with direct experience of the problem will be a key asset.

Revolving Doors is a charity and social enterprise, working with partners to change systems and improve services for people facing multiple and complex needs in repeat contact with the criminal justice system. For more information about their work email [lucy.terry@revolving-doors.org.uk](mailto:lucy.terry@revolving-doors.org.uk) or visit [www.revolving-doors.org.uk/partnerships-development/spark/resources/](http://www.revolving-doors.org.uk/partnerships-development/spark/resources/)

<sup>1</sup> Clinks, "Introduction to Transforming Rehabilitation", [www.clinks.org/criminal-justice-transforming-rehabilitation/introduction-transforming-rehabilitation#ORB](http://www.clinks.org/criminal-justice-transforming-rehabilitation/introduction-transforming-rehabilitation#ORB)

<sup>2</sup> Anderson, S. and C. Cairns (2011). *The Social Care Needs of Short-Sentence Prisoners*. London: Revolving Doors Agency.

<sup>3</sup> Sarah Armstrong and Beth Weaver (2010), *What Do the Punished Think of Punishment? The comparative experience of short prison sentences and community-based punishments*. Scottish Centre for Crime and Justice Research.

# MAKING SENSE OF SENTENCING



**John Crawford** is a Member of the Sentencing Council and a Former Chief Executive of Greater Manchester Probation

Trust. In the third of our feature articles on the new landscape, John writes on the impact and work of the Sentencing Council in shaping sentencing guidelines.

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**B**y its very nature most probation work originates in the courts. So, understanding how sentencers reach their decisions and what factors they take into account has to be essential working knowledge for probation practitioners. Of course, this is true for those in the National Probation Service whose assessments and advice will continue to be a vital ingredient in the courts' decision-making. It's equally so for their colleagues in Community Rehabilitation

Companies charged with the responsibility of implementing sentences passed on medium and lower risk offenders.

Courts no longer operate in the way they used to. Nowadays, when making their submissions, you will hear both prosecution and defence lawyers referring to sentencing guidelines on a daily basis. This wasn't always so. Before the early 1980s there were no guideline judgements laid down by the Court of Appeal. Judges had to comb through volumes of case law in search of

guidance. For many probation staff, especially those who didn't work in courts on a regular basis, the process could seem complex and mystifying.

The Crime and Disorder Act 1988 created the Sentencing Advisory Panel (SAP) to draft and consult on proposals for guidelines and to refer them back to the Court of Appeal. Then, the Criminal Justice Act 2003, established the Sentencing Guidelines Council, advised by the SAP, to prepare guidelines which courts would need to

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Created by the Coroners and Justice Act 2009, the Sentencing Council brought together the functions of the former Sentencing Guidelines Council and Advisory Panel, hopefully in a more streamlined way. It made another significant change: guidelines became mandatory. From then on (section 125) "courts must follow any sentencing guideline relevant to the offender's case...unless the court is satisfied that it would be contrary to the interests of justice to do so."

The Sentencing Council has been up and running for five years. What does it do, how does it go about doing it and why is all this relevant to probation?

The first thing to say is that it exists to promote greater consistency and transparency in sentencing. As a non-departmental body of the Ministry of Justice the Council is independent of the Government and the judiciary. It has 14 members, a mix of judicial ones from the Court of Appeal, Crown Court and magistrates' courts and non-judicial ones, including the Director of Public Prosecutions, a chief constable, defence lawyer, professor of criminology, representative of victims' organisations and someone chosen for their expertise in offender rehabilitation.<sup>1</sup>

Sentencing attracts a huge amount of public interest and concern. But it's easily misunderstood and even misrepresented in the media when headline-grabbing facts are highlighted at the expense of the fuller picture. We've all heard of offenders 'walking free' from court when a challenging community order has been imposed or they've received a heavy fine. Another media favourite is that the offender has served 'just half' of their

sentence in custody when that's the norm and set in legislation.

There's no running away from the fact that many members of the public aren't as confident in sentencing as they might be. The Crime Survey has shown that typically only around a quarter of people believe that the courts are effective in giving punishments which fit the crime. Often this is because they simply don't

*Sentencing guidelines try to achieve consistency of approach...They provide a clear framework for decision-making but one which allows courts to show flexibility reflecting the facts of the case.*

understand the complex process from the commission of the offence through arrest, charge, trial, conviction and then sentence. In other cases they struggle to grasp how sentences actually take effect (release on licence is one of the issues most commonly misunderstood).

But there are encouraging signs, too. We know from those who visit the Ministry of Justice website "You be the Judge" <http://ybtj.justice.gov.uk> that once people are presented with the full facts of the case and asked to decide what an appropriate sentence would be, they tend to suggest sentences which are no more severe – and in

some cases – less severe than those handed down by the courts.

So how can sentencing guidelines help? Well, they try to achieve consistency of outcome through consistency of approach. In practice this means that for the same offence committed in similar circumstances, say, in Bournemouth, Birmingham or Bolton you can expect a comparable sentence. They provide a clear framework for decision-making but one which allows courts to show proper flexibility, reflecting the facts of a particular case – they are 'guidelines not tramlines'.

The Sentencing Council can't change the law. It has to work within the legislation Parliament has enacted, including the statutory maximum length of sentences. But we set down clear steps to guide courts on how they should determine the seriousness of any particular offence. The two key elements here are the harm caused to the victim and the offender's level of blameworthiness, or culpability. Our guidelines set out starting points for the offence and a range of possible sentences based on this assessment of seriousness. The court goes on to decide whether it should move up or down from the starting point in the light of any aggravating or mitigating factors.

It then considers whether there should be any allowance given for assistance by the offender to the prosecution or during investigation and separately, where it's relevant, any reduction that should apply because of a guilty plea, saving expensive court time and the trauma for witnesses of having to attend court and be subject to cross-examination. Next, the court rules on whether the dangerousness provisions of the CJA 2003 apply which would lead to an indeterminate sentence and how any consecutive or concurrent

1 Currently the writer though Martin Graham has been appointed from 1 June 2015 when my term comes to an end.

sentences should be dealt with. Finally, the court has to take account of any time spent on remand, give reasons for its sentence and explain how it will take effect – often crucially important in helping victims and witnesses understand why a particular decision has been arrived at.

So, how do these sentencing guidelines come into being? Certainly not overnight – each one takes on average 18 months to 2 years to develop. We have a rolling three year work programme which you can find on our website. The Council has the support of an excellent office team which, for each guideline, starts by looking at current practice - what's working and what's not. We talk to interested parties and carry out initial research, for example, with our sexual offences guideline, we looked carefully at the views of victims and their families with the help of Rape Crisis.

After careful discussions in Council we agree our approach and detailed proposals then go out to consultation, usually for 12 weeks. We pride ourselves on being an open and genuinely consultative body. We seek views from sentencers and across the criminal justice system, from a wide range of individuals and organisations and from the general public. Anyone is welcome to get involved. We take a 'you said, we did' approach, publishing the range of responses we receive and saying how we've modified our proposals in the light of these – or where we didn't, why not. At the end of all this we publish a definitive guideline, allowing time for awareness raising and training before it comes into force.

Since the Council came into being in 2010 the pace and volume of work has been demanding. By April

2015 we had published our twelfth consultation – assault, drugs, burglary, overarching principles, dangerous dogs, sexual offences, environmental offences, fraud, theft, robbery, health and safety – and now dangerous dogs again, due to legislation creating new offences and a huge uplift in the

*Well-focused offender assessment and relevant sentencing advice is, I believe, the bedrock of good probation practice...Having a clear understanding of the way courts make their decisions and the role guidelines play can only help probation practitioners make credible, well-argued proposals – and increase the likelihood that they may be accepted.*

statutory maxima for others. We've issued eight definitive guidelines, now in force in all courts in England and Wales.

After some initial scepticism about what the Council could achieve, it's now well-established as an expert and credible body. We've seen excellent response rates to our consultations and demonstrated a willingness to make changes in the light of them. We've raised the

profile of victims' issues and the enduring impact of many crimes – now an integral part of our guidelines approach. We've worked hard to engage with a wide range of expert bodies and with members of the public, promoting their awareness and confidence in the sentencing process.

But there's much more work still to do and a busy schedule ahead. This includes the need to finalise our definitive guideline on theft, undertake a major review of the principles governing how courts sentence youths and to develop a number of offence-specific guidelines for the youth courts, for example, on sexual offences, robbery and possessing knives. We also plan to consult this year on guidelines covering breach of court orders and on guilty pleas.

So, to return to my starting point, why does all this matter to probation staff? It matters because well-focused offender assessment and relevant sentencing advice is, I believe, the bedrock of good probation practice. Sentencing guidelines are here to stay. Having a clear understanding of the way courts make their decisions and the role guidelines play can only help probation practitioners make credible, well-argued proposals – and increase the likelihood that they may be accepted. In turn this gives a realistic basis for sentence planning and for the important rehabilitative work which is done to prevent re-offending.

It's not a one way street. There are real opportunities, too, for probation and rehabilitation staff to contribute to the way guidelines are developed. The Council has greatly appreciated and considered very carefully the helpful probation responses received to its consultations so far. We look forward to continuing to draw on your invaluable expertise in our future work.

2 [www.sentencingcouncil.org.uk](http://www.sentencingcouncil.org.uk)

# Engaging Success

When Nigel Hosking started working on developing the Engagement Worker programme in the London Probation Trust in the spring of 2013, he was attempting something that had rarely been tried. **John Rico** provides our final feature article on how organisations are rising to the challenges of the new probation landscape.

Acting on an initial proposal from the service user councils, run by an ex-offender led charity, the Trust was attempting something that was highly controversial among some staff, and which some peer managers were suggesting was fraught with risks.

While the organisation had some experience of working with volunteers who were ex-offenders, a new role was being created which would involve the recruitment of former Probation service users and a smaller number of current service users to work for the organisation.

So service users, a small number of whom still had their sentence plans and court orders and OASys reviews, would have desks side by side with Probation Officers, be given Probation badges, fobs to access the office, and would become paid staff within the organisation.

To many within the organisation, it was considered a misguided concept – there was something inherently improper about dissolving the wall between offender and manager; it simply wasn't done. This was putting the proverbial inmates in charge of the proverbial prison.

But Nigel and his colleagues in the Equalities and Community Engagement team disagreed. They were supported by the CEO at that time, Heather Munro, who had a

strong commitment to service user involvement.

Understanding the importance of empathy and non-judgment in the offender engagement relationship, Nigel was convinced that the people who would be ideally placed to talk to service users and promote change were people who had been service users themselves - those who had lived and shared the same experiences.

He was relying on a lifetime of experience working with offenders and believing in the ability of individuals to change, as well as witnessing the success of London's service user councils, advisory bodies made-up of current service users, where he had witnessed first-hand that empowered service users could rise to the level of responsibility bestowed upon them. Nigel was also aware that offenders are frequently defined in relation to their past misdemeanours and future risks rather than their current skills and strengths – here was an opportunity to focus on the potential of service users to assist the rehabilitation of others while contributing to their own desistance journey.

Applicants interested in the engagement worker posts were required to evidence a minimum of twelve months crime free lifestyle in the community. A further eligibility criterion was that they had worked

as a volunteer for either User Voice or St.Mungo's, two of the Trust's partnership organisations. Following appointment, the successful applicants attended a two week induction period which included training sessions on HR issues, boundaries, time management etc. These sessions were developed in collaboration with User Voice and London Probation Trust's Professional Learning and Development department. Senior Probation Officers responsible for line managing the new recruits to the organisation were asked to allocate a 'buddy' to each engagement worker to support them during their initial weeks in the post.

In September of 2013, the programme went live, with the first Engagement Workers being allocated to probation offices across London. There was an uneasiness among some staff as the newly hired Engagement Workers attempted to adapt to a new working reality, each attempting to navigate the new dynamic. From the outset there was a mixed reaction and not surprisingly where engagement workers were received well and viewed as an ordinary member of the team, things went well. Where this did not happen however, some problems emerged and Engagement Workers – this being (for some) their first time working in a formal office environment – struggled to find their footing.

Nearly a year later, in the early summer of 2014, the London CRC Research Department was asked to evaluate the programme. The evaluation used interviews, focus groups, and surveys to seek the views of staff, service users, and Engagement Workers; the



evaluation was rounded out by an audit of referral forms and the development of case studies.

The results were in and the facts were decidedly firm: The Engagement Worker programme was a success. Despite some initial personnel issues, the programme had stabilised with a solid group of strongly performing service users, most of whom had made themselves indispensable within their respective LDUs, earning the respect of their Probation colleagues. Less than a year into the programme's existence, only 20% of staff still felt the programme was a bad idea, and 82% of staff had become convinced through their own observations that Engagement Workers were effective at connecting with service users.

Most importantly, Nigel's belief that Engagement Workers would be able to engage effectively with service users became an incontrovertible fact, as 84% of service users enthusiastically affirmed that having someone who had lived their experience mattered. And it mattered in a big way. This didn't negate the need for professional Probation Officers, and service users also recognised this, but having someone who could relate to them on a personal level and who had lived their experiences offered validity to messages regarding the need to change. As one service user stated:

The main thing for me is the fact that I can relate with my Engagement Worker. I feel like he understands me because we're both coming from the same background. It really eases the mind to know that I'm not being judged.

Engagement Workers were also found to be strong organisational assets in a number of other ways; ways which had not been anticipated. Case studies revealed that Engagement Workers – having



**Service user involvement:** Nigel Hosking leads a session with the London Service User Council at a Probation Institute workshop last year

the time to spend entire days with service users sorting out their practical problems such as housing and benefits – had repeatedly managed to stabilise service-users whom otherwise might have breached and been sent back to prison.

Engagement Workers were also found to assist Offender Managers with risk assessments, being aware of subtle suggestions of behaviour and appearance that not all Offender Managers would notice.

And, perhaps most importantly, it was discovered that Engagement Workers weren't simply having informal chats with service users, but were often engaging in motivational interviewing, pro-social modelling, reflective listening, and other evidenced best practice techniques.

Of course, as with any new programme, there were suggestions for improvement. There were some issues with documenting performance in a role as diverse as

that of Engagement Worker and – as with all staff – there were areas in which, more training was needed. But these were minor issues of programme adjustment.

The important question, the one for which this programme had been the proof of concept, the question that Nigel had initially encountered so much hesitation about, was whether or not service users could be recruited by the Probation Service and used to productively engage other service users in a meaningful way.

The answer was a resounding yes.

There are currently 12 Engagement Workers in post and each Engagement Worker typically covers two London boroughs. Following the success of the initial pilot and the growing perception across the organisation that Engagement Workers are contributing to reducing the risk of offending, the London CRC is currently planning on recruiting additional workers.

# MEET THE DIRECTORS

The six Directors of the Board of the Probation Institute were appointed by ballot vote at our first Council meeting in March. On the following pages they introduce themselves and outline their vision for the Institute.



## Professor Anthony Goodman

### Personal profile

Anthony became a probation officer at a time when the treatment model was in full flow and enjoyed 15 years in the service.

He worked in a number of different settings, including field offices, Holloway prison, a homeless resettlement unit and training. He left in 1990 to train probation officers at Middlesex University and did so for seven years until the link with social work was broken. He moved into criminology where Anthony set up a Master's degree in applied criminology, which included a probation component. He also developed an undergraduate youth justice degree and He have nurtured my connections with the voluntary and statutory sectors in criminal justice. Anthony developed, jointly with the London Probation Trust, a Master's programme in Public Protection and we had a number of experienced staff obtain qualifications from the PGCert to the full Master's. Staff wanted the opportunity to discuss their work with colleagues and learn more about their practice.

Anthony worked with the Community Justice National Training Organisation to develop modern apprenticeships for young

staff. He has conducted research for the statutory and voluntary sectors which has covered a diversity of subjects, with offenders as a consistent theme. Anthony is committed to evidence based practice. He has been a trustee of a charity that works with young people in my local area. It also has a leaving care house. Anthony feels it is important for him to keep up links with service users.

He has written books on rehabilitating offenders, good practice in working with drug and alcohol problems, 'youth on religion' and 'children as victims'. His journal articles and chapters in books have covered effective practice and what works, as well as diversity, mental health and studies in alcohol abuse.

### My vision for the Institute

I put my name forward to become a Director of the Probation Institute as I wanted to play my part in keeping the work of resettling offenders and protecting the public professional. Staff have to balance a number of different priorities in achieving this and at various times I would say that the work and the service lost its direction. Very few other organisations have had the level of political interference that

probation has experienced with little time to stabilise before the next round of change. Our level of imprisonment is far too high and it is possible to reduce this if we have coherent service delivery in the community.

The Probation Institute has an important role to play in highlighting good practice and ensuring that the public has confidence in how offenders are supervised, but this supervision must also be constructive and not just restrictive. Benevolence and enthusiasm are not sufficient qualities on their own to turn ex-offenders lives around. We need to ensure that whatever the level of perceived risk offenders present, staff have confidence in their abilities to transform the lives of their service users.

I would like to see a register of qualified probation practitioners and the integration of this across the NPS and the CRCs. They are equally of importance to me and the Probation Institute must fulfil a key role across the sector. Staff should sign up to a code of ethics and have both confidence and pride in what they do. Training is not a one-off activity and there is an obligation to keeping knowledge and skills up to date. The Institute has a major role to play here.

I am very committed to the

continuing professional development of probation staff and I have a long experience of encouraging and working with voluntary sector organisations. All have their

part to play in the rehabilitation process and the Institute should be seen as available to the different sectors. I welcome the challenge of helping to make the Probation

Institute a valuable resource for future generations of probation practitioners.



FOLLOW ANTHONY:  
@anthonygoodman13

## Nick Smart

### Personal profile

Nick joined the Probation Service in 1979, straight out of university. He was a main grade Probation Officer for 11 years including three years at the Inner London Day Training Centre in Camberwell and three years in Croydon. Nick is a former NAPO Branch Chair and NEC member. In 2008 he was appointed Director of Operations for Surrey and Sussex Probation, and became Chief Executive in 2011. Nick was appointed CEO of London CRC in 2014. He was Director and Vice-Chair of the Probation Chiefs Association, and was a member of the Steering Group that founded the Probation Institute.

Nick has been Involved with the Institute since its launch in March 2014, having been a member of the Steering Group that founded the organisation. He has extensive governance experience.

### My vision for the Institute

#### *Growing a large and diverse membership:*

To achieve this, the Institute requires accessible, transparent structures and processes. We must spell out and promote the benefits of membership and registration for all roles within Probation across the UK.

#### *Leading the debate about the future of Probation training:*

As the independent voice of the profession with a firm ethical basis, the PI is well-placed to seize the current opportunity to lead. We should promote a qualification framework with a clear value base, grounded on evidence and academically independent. The framework should be flexible and accessible. The Institute should aspire to become the accrediting body.

#### *Increasing our influence and profile:*

We should develop our stakeholder engagement to identify and engage our key partners. These include statutory, private and voluntary providers of Probation services across the UK; academia; other professional bodies in criminal justice and related professions; and policy makers.



FOLLOW NICK: @CEOLondonCRC





## Personal profile

Laura has worked in probation for the last 16 years - 13 within practice. She is not sure what



good practice, advocates for the continuing professional development of all staff and a defensible organisation that holds all members to account through our code of ethics.

## Laura Martin

it was about university holidays spent typing contacts, sentence plans and risk assessments that got her hooked, but as soon as she graduated, she applied for a job as a Probation Service Officer in Greater Manchester.

Since 2002 Laura has worked as a programmes tutor and treatment manager and, after her training, a field-based Probation Officer. She spent five years in the Performance and Quality Team, culminating in the role of Greater Manchester PQF co-ordinator. Laura recently started a new role as an SPO with the Merseyside Student Unit, supporting the development of Learner Practitioners as they train to become POs. Since having her two sons (aged six and four) she has been working part-time for probation and has joined Manchester Metropolitan University as an Associate Lecturer, teaching on the university element of the PQF. Laura also works with Salford University, supporting their undergraduate and CPD courses on Criminal Justice Process. In September 2014 she began doctoral studies with Salford University, where her research focusses on the professional development of probation staff.

## My vision for the Institute

I see my appointment as an excellent opportunity to bring together all the aspects of my career, as a manager, lecturer and student, to support the development of a profession that values and enhances the skills of its workforce. The work of all those in

probation seems to remain in the shadows and the focus lies on imprisonment and, unfortunately, any organisational failings. I believe the Institute can not only shine a light on the excellent work undertaken by criminal justice agencies but also recognise the worth of this work through its role as a professional association. In this time of significant fragmentation of probation services, the Institute has a key part to play in uniting all the organisations and individuals involved; recognising our common aims and implementing a shared code of ethics. With economics encroaching ever further into the operation of justice, the Probation Institute can help defend the value of staff, their professionalism and expertise. Highlighting the successes of the community based aspects of our work and integrating the world of academia to identify how we can continue to progress and improve.

There is significant investment in the training of those individuals wanting to become Probation Officers and recognition of the value of combining research and practice. However, at the point of qualification this approach ends and training tends to concentrate more on systems and processes. Whilst this work is fundamental to maintaining standards with Probation, it is equally important to continue to focus on the more theoretical aspects of practice and I look forward to working with the Institute to meet this unfulfilled need. We will be champions of

## Doris Emerson Afolabi



## Personal profile

Doris joined the service in 2005 as a Probation Service Officer, and has been a qualified Probation Officer since 2010. Doris worked across various teams and offices in the former London Probation Trust, including Courts, Prolific offenders unit, Substance Misuse unit, and the Public Protection Unit. She currently works full time as a Probation Officer in CRC. She has been involved in various pilot schemes, projects, trainings and seminars.

Doris has worked with diverse ethnicities and has great understanding of how to influence positive change in people and organisations. Doris is currently the SPOC

*Cont. on p.24*

for Adult and Children Safeguarding in her office, and chairs a voluntary organisation that offers mentoring to young offenders in South East London.

### My vision for the Institute

I currently work as a qualified Probation Officer. Given my vast experience in the field, my vision is to translate some of my experiences into the work within PI.

I have passion in ensuring that the Probation Qualification is fully protected, like other professional qualifications. This, in my view, is adequate and appropriate as many officers across the country work hard in rehabilitating offenders, and reducing reoffending. However,

for the majority of the time, the work officers carry out on a day-to-day basis is not applauded - rather it's the opposite.

My vision for joining PI is to ensure that front line staff/officers receive protection and recognition for their work. I also hope to minimise the impact of the Transforming Rehabilitation through PI on officers, particular in this climate where there are so many changes being introduced on regular basis.

In addition, one of my goals is to ensure that officers have access to Continuous Programme Development as this would offer support and motivation in my view to myself and my colleagues. I am glad I have been given the opportunity make my goals and vision happen.

I also love reading and meeting new people



FOLLOW DORIS: @adeeyellow



## Professor Paul Senior

### Personal profile

Professor Paul Senior, Director of Hallam Centre for Community Justice, Sheffield Hallam University, has been involved in professional education and research for over 30 years. His professional background is in the Probation Service where he worked heavily in the youth offending field, with courts, with the legal professions and prison resettlement and with the voluntary and community sector.

Between 1995 and 2001 he also worked as a freelance consultant working on many projects with the Home Office, Community Justice National Training Organization, CCETSW, Skills for Justice, and other national organisations. Professor Senior is in a unique position of being both policy developer

and involved in implementation of policy. Paul played a key role with the Youth Justice Board in developing youth justice training.

Paul has published widely on the Probation Service, resettlement, training and staff development, the Voluntary and Community Sector and on criminal justice policy making. He co-edits an international journal launched in 2002 - the British Journal of Community Justice and runs the information exchange website - the Community Justice Portal ([www.cjp.org.uk](http://www.cjp.org.uk)) as well as being an active contract researcher specialising in resettlement, community and restorative justice, reducing re-offending strategies, offender management, the role of the voluntary and community sector and community re-entry of offenders.

### My vision for the Institute

Having shaped the Diploma in Probation Studies in 1998, preserving much of the previous training, I have a particular interest in qualifications and staff development. I feel it is vital that, in these times, leadership matters in shaping the professional core of probation. I would interpret probation widely to include any working directly with those in trouble with the law and I draw on an interest in the work of the voluntary sector too. It is a difficult time for the future of probation and it is important that we work together, listening and supporting each other to maintain the world of probation.



Follow Paul: @yorkhull

## Personal profile

Sue spent 33 years with the Probation Service, beginning as a probation officer in Grimsby. She was appointed Deputy Chief Officer in West



## Sue Hall

Yorkshire in 2000 and Chief Officer in South Wales in 2004. She returned to West Yorkshire Probation as Chief Executive for nine years from 2005-2014.

Throughout her career Sue has been committed to strengthening the profile of probation as a profession. She was a founder member of the Probation Chiefs Association, which she chaired for 5 years from 2009-14.

Since leaving the Probation Service Sue has continued to be involved with the Probation Institute as a transitional director. She has led on the development of the Code of Ethics and Probation Register.

Sue also has an interest in international probation and is Vice-President of the Confederation of European Probation (CEP). She is also a trustee of the charity Prisoners Abroad.

## My vision for the Institute

My vision for Probation Institute is that it will become established as an independent and influential centre of excellence for those working in probation. Our aim is to promote the value of probation and to support professional development. In an environment where probation services will be provided by

a range of organisations, the Institute will have a unifying role, safeguarding professional standards and strengthening professional identity.

What will we look like in five years' time? We will be running a full programme of conferences and workshops across the country to identify and disseminate best practice. Professional networks, where workers, policy makers, academics and partners can come together to pursue key professional themes will have been established. A well-used knowledge hub will be available to members. We will be able to commission research and disseminate research findings. We will be well-supported by academics who will be able to use our communication channels to share research findings. Policy makers will value the independent professional advice we provide.

The majority of probation workers will have joined the Probation Register and will be maintaining their registration through a commitment to continuing further development. Employers will support the development of an integrated framework of probation qualifications and accredited training.



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# CAN EDUCATIONAL EXPERIENCE AFFECT COMPLIANCE?



In this new age of private rehabilitation companies and payment by results, the question of increased compliance has never been so crucial. Research by **Samantha Cooper** supports the theory that negative educational experiences can affect decision-making and compliance with orders.

**A**ccording to Ministry of Justice official statistics, between 2011 and 2012, 34 per cent of probationers failed to successfully complete their community orders and this is being interpreted by ministers and policy makers as an act of wilful disobedience and a failure to be punished (Canton, 2008; Robinson and Ugwudike, 2012).

The research on which this article is based was conducted in pursuance of a Master's degree and was to explore

whether or not negative experiences of school influenced potential group members' attendance on accredited programmes.

## Compliance

Compliance is defined within this article as both attendance and engagement on an accredited programme, but scholars have different understandings of what constitutes compliance. Bottoms (2001) defined four main forms of compliant behaviour and concluded that normative compliance that developed through relationships and holding mainstream values (Shapland and Bottoms, 2011) had the most potential for supporting long term change (Bottoms 2001). Robinson and McNeill (2008) proposed two further types of compliance: *formal* compliance in terms only of attendance and *substantive* compliance necessary to induce engagement with the material in an attempt to gain skills to reduce the risk of offending in future. They felt meaningful engagement was necessary in order to encourage substantive compliance and eventual change in behaviour leading to desistance.

Shapland and Bottoms (2011) later identified that in the vast majority of cases offenders hold the same normative values as the remainder of the population; it is circumstances, lack of self-belief and support in maintaining those values that often differs from non-offending members of the population and impacts on their ability to engage with criminal justice services to change damaging behaviour.

## Fear and Anxiety Affecting Decision-Making

Research is slowly coming forward to suggest that emotions also play a substantial part in offenders failing

to engage with their probation orders (Canton 2008). Canton (2008) points to internal factors such as fear and despair, which may stop offender engagement, and found that these are often a product of negative school experiences (Canton et al., 2011).

*Harsher sanctions for failing to comply have become more common in a bid to encourage compliance. However, if emotional decisions are being made without conscious thought or the application of logic, it raises questions about the effectiveness of such sanctions and could explain why offenders regularly make choices not in their best interest.*

Research into behavioural economics was also explored, to consider whether those theories could provide a useful lens through which probationer's experiences could be understood.

Affect heuristics is the term given to emotional decision making (Epstein 1994) and governs the unconscious emotion-driven brain function as opposed to the conscious logic based decision making process. Emotional responses are most common when people perceive the outcome of a decision to be of limited value to them (Slovic et al 2007) so offenders who have negative

expectation of attending an education programme (Canton et al. 2011) may well experience this negative emotional response without being aware of the impact this has on their decision making process (Epstein 1994). Research also suggests that recall of negative experiences can develop the impression of happening more frequently when the memory is accessed often (Schwarz and Clore, 1983).

It is this unconscious cognitive process which challenges the generally accepted model of rational choice theory (Cornish and Clarke, 1987) which dictates that offenders will act to maximise their own gains and avoid any negative consequences. Rational choice theory (Cornish and Clarke, 1987) has driven penal policy toward stronger punishments in an attempt to present such negative potential consequences so that an offender will choose not to offend. Therefore, harsher sanctions for failing to comply with court orders have become more common in a bid to encourage compliance. However, if these emotional decisions are being made without conscious thought or the application of logic, it raises questions about the effectiveness of such sanctions and could explain why offenders regularly make choices which are not in their best interest.

## Research Method

Five white males between the age of twenty one and thirty-five were interviewed for approximately an hour each and the interviews were unstructured to allow the participant's narrative to develop freely without the interviewer's expectations dictating the direction. The only guidance for the discussions was the expectations of the participants when they were invited to an accredited programme

and an exploration of experiences of previous learning environments including school.

Scholars (Weaver and Weaver, 2013; Maruna, 2001) have begun to call for personal narrative to play a greater part in exploring individual offender experiences as a way of building knowledge in the area of desistance studies. This research was very much motivated by that drive to give offenders a voice and record their recalled experiences and so data was gathered through narrative interviews.

Two participants attended an accredited programme at first invitation, two did so only after two invitations and one participant was still maintaining non-attendance at time of interview.

## Results

The predominant themes which arose in all five narratives were considered to be quite negative.

### *Power and Control:*

Participants reported a sense of lack of power or control during their experiences of school. Often this involved the power and authority that teachers had over their behaviour and including their style of learning in the classroom, but for two participants this also included their experiences of family members and foster carers. The overall experience was of being marginalised leading to a negative change in behaviour. Interestingly this subsequent aggressive behaviour was often seen by the participants as a way of securing a sense of power again and made them feel more in control of their lives and their environment.

### *Lack of voice or value:*

Participants also reported feeling they had no voice, which reinforced a feeling of having no value. One participant reported being accused

of a crime that he could not have committed as he had been on holiday and yet his neighbours still blamed him. Another two reported bullying and isolation at school to their parents and this was not acted upon. All felt they were marginalised and de-valued.

*Whilst most practitioners may not be surprised to find that offenders with negative school experiences may be anxious about starting an educational course, they may not have considered how anxious offenders may be when faced with attending an accredited programme or any intervention which they expect to be similar to negative past experiences.*

Canton (2008) highlights the importance that listening and understanding a probationer's issues can have on their behaviour and engagement and their narratives suggest this had not happened when participants were speaking to teachers and parents, which had coloured their expectations as adults. McNeill (2006) also discussed the value of hopeful discourse as a way of improving behaviour but if participants were not given the ability to discuss their concerns and be listened to this may have impacted on their ability to foster such hope.

### *Illegitimate use of power and authority:*

All five participants questioned the exercise of authority over them by both teachers and parents. The participant who was given games to play in order to keep him quiet recognised his teacher had only been concerned with being able to teach the other children and was not concerned with his education.

Another participant studied in Wales where the teacher allowed the class to speak Welsh even though this participant was English and spoke no Welsh.

It is necessary to highlight that the Participant who maintained non-attendance was the only individual with a history of drug misuse and this could have impacted on attendance in line with previous studies on barriers to attendance (Briggs & Turner 2003; Briggs et al 2003; Chopourian 2003). It may also have impacted on the work carried out by his Offender Manager, but he did subsequently attend and complete the programme. When read in conjunction with Robinson and Ugwudike's (2012) work, it may be that his Offender Manager (OM) was working in a compliance-oriented way with a view to longer term success.

## Implications for practice

Whilst most practitioners may not be surprised to find that offenders with negative school experiences may be anxious about starting an educational course (Canton et al. 2011) they may not have considered how anxious offenders may be when faced with attending an accredited programme or any intervention which they expect to be similar to negative past experiences.

Practitioners may also not be aware that emotionally charged decision making can be unconscious and so not susceptible to the logic



(Epstein, 1994; Goel et al. 2000) which allows them to consider the sanctions carefully if they do not engage. Therefore, for some practitioners, striving for what Bottoms (2001) terms instrumental compliance by way of threats of breach proceedings may simply be setting the offender up to fail.

Practitioners may find it beneficial to identify negative educational experiences as a signpost for considering one to one work aimed at raising self-esteem and exploding myths around such interventions as accredited programmes. Helping offenders to understand that the majority of their fears may be ill informed could reduce the emotional response to the requirement. This is particularly important because offenders who fail to attend programmes are often still attending probation appointments where work can be done. If necessary, it may help to arrange some form of induction tour of the facilities and an increased use of peer mentors

would be particularly helpful at this early stage to allay fears; this is something being considered by South Yorkshire Community Rehabilitation Company (SYCRC) at the moment.

As King (2013) highlights, practitioners who are willing to allow an offender to openly discuss their experiences have been shown to have the greatest chance of encouraging change. The findings of this research suggest that being allowed to voice their concerns and feel they have value is very much linked to past experience and emotional responses to that.

## Conclusion

This research, whilst small scale, supports previous studies which have highlighted the emotional effects that negative educational experiences can have (Canton et al. 2011) on offender compliance whilst providing tentative explanations for decision making which lacks logic by considering

theories in Behavioural Economics.

The findings also echo the importance of relationships between offenders and practitioners and the value of listening and allowing concerns to be aired (King, 2013). This may allow for work to be conducted by practitioners to encourage logical decision making and challenge misconceptions. Following this research and the opportunity to discuss his fears openly, the persistent non-attender did finally attend and completed his accredited programme, stating in his words "it was nowt like I thought".

Further research into the narratives of offenders is vital if we are to understand how they perceive the desistance process (Weaver and Weaver 2013) and future research into the effect that emotions have on decision making within this process will help to develop the knowledge base further and potentially help improve practice with resistant offenders.

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## Coaching Behind Bars: Book review



Continuing our theme of inspiring trust and understanding is **Ella Rabaiotti**, Assistant Chief Executive and Head of Dyfed Powys local delivery unit at Wales CRC, with lead responsibility for mentoring and service user engagement. Ella reviews Clare McGregor's book which details the experience of coaching women prisoners in HMP Styal.



Coaching and mentoring skills are used by Probation Officers to assist offenders or service users to support positive change, but given their enforcement role, being a coach in the truest sense is difficult. Probation providers use an array of interventions to help individuals reach their goals and

increasingly the use of peer mentoring provides the support and direction from someone who has experienced the system. However applying 'executive-style coaching' with offenders is a radical approach and Clare McGregor's new book **Coaching Behind Bars**, shows how coaches have applied a fresh perspective to working with women

offenders.

Charting the work of her charity, Coaching Inside and Out, Clare enters HMP Styal to work with female prisoners, understanding that after years of working with management teams and professionals, there was a gap for coaching for those who could benefit from it the most. Clare could

see potential, both in broadening the application of coaching and in the individuals themselves who had been overlooked by others.

*“Prison may appear to be the end of the line for the criminal justice system, but it is actually an opportunity for a new start. If you work from what some see as the bottom up then you are working where there is the most potential in our society: potential we cannot afford to waste.” (p. 7)*

For practitioners new to coaching or those who want to see coaching at its toughest, the book explains the journey of the coaches and their clients within HMP Styal, detailing the techniques they used and the challenges they encountered. Through a whole person approach, the coaches are keen to encourage the women to find the answers themselves and take responsibility for making changes happen. As Clare describes, the coaches “listen, watch, question, challenge and support”.

Case studies within the book truly underline the potential effectiveness of coaching. For example, one female, Alex, describes how coaching had helped her unlock hope. For her and many others, that hope is a powerful first step to change. And in just six hourly sessions with Rebecca, Clare’s first client, she had transformed her behaviour in prison and helped her to secure her Home Detention Curfew.

What was different about the quality time Clare spent with Rebecca compared with other professionals? Perhaps the key is that the sessions were led by the individuals themselves and the change was driven by the client rather than prescriptive structured interventions.

Explaining the referral route, and the practicalities and mechanics of

how it works, it turns out 40% of women at Styal are coachable. They must be willing and ready to engage, be non-violent and pose no current risk to staff. Interestingly the coaches are told very little about the women they work with. I was surprised that they do not even know what crimes they had committed, although some do choose to share it.

Whilst Coaching Inside and Out (also known as CIAO) is working in a prison setting, its aims are separate from the Criminal Justice System. It’s not about offending or reducing reoffending - which is interesting given the current Transforming Rehabilitation agenda - but for CIAO it’s about the much broader change for life.

Useful models and methods are described in the book, including how Clare adapts the use of the Outcomes Star, excluding the reoffending point, to assess where clients are at the start of their coaching journey and chart progress. The star helps with the realisation of goals which should be sufficiently motivational yet realistic so that individuals can improve their lives whilst they are still inside the prison walls. Using coaching models such as GROW, there are three key areas for the coaches and clients to work through: to explore the clients’ aims, what matters to them and what is holding them back.

The book shows how coaching can increase self-esteem and help the release of pain, which is replaced by hope. Challenges and goals often presented are beyond corporate coaching drivers, which may be about getting a promotion or delivering a project.

The circumstances and experiences of Styal’s women are heart-achingly difficult to read. One client, Akshata, was moving on from the death of her sister due to female circumcision and the death

of her mother who was helping Akshata avoid the same fate. Clare describes how coaching can overcome even the most overwhelming goals, using basic rocket science i.e. having the fuel or energy, and the will to succeed and propel the women to reach their goals.

The reality of emotional and mental health, and the descriptions of self-harm in the book will make even the most anaesthetised Probation Officer balk but we know it’s the reality for many we work with in the community and that it is even more acute in custody.

Clare shares how coaching can have a positive impact on those with mental health issues and as 9 in 10 in Styal have a mental health problem, this was something she couldn’t avoid. Many of the goals were linked to the women’s emotional health and often about finding inner strength. Favourite probation approaches of Motivational Interviewing and Cognitive Behavioural Therapy by coaches were common at Styal, yet utilised within the coaching framework.

As you would expect, the book covers the impact of women’s imprisonment on children and families. It explores the particular challenges of women prisoners, the constant churn in the prison due to shorter sentences, and the impact that can have on all sorts of relationships on the outside and the inside, with bullying a common theme. Even so, Clare recalls being told “the best family some of them have got is in Styal.”

It is not just on the outside that we have trouble tracking down our service users and ensuring appointments are kept. Clare compared finding her clients and getting agreed times to playing ‘battleships’. And not everyone will be successful; Em who had suffered awful abuse by her uncle, and made



great process through coaching was later returned to prison. Clare reflected that her intervention was not lost. "It was a probation officer who reminded me I did not know what long-term impact our time together would have."

I liked Clare's idea of coaching as a 'mirror' - reflecting on words or the impact of their actions, which can be hard to do when life is ugly. Clare explores some of the common problems discussed within coaching (and Probation): substance misuse, health, debt, accommodation, access to training. But there was always hope to be found, and some women were keen to learn coaching themselves and become coaching champions within the prison.

Coaching Behind Bars will be of great interest to practitioners and managers in probation and custodial settings but also anyone with an interest in coaching or being a catalyst to change. Clare's book reminds us why we give our time to those who need it most; despite all the changes following Transforming Rehabilitation, the service users are still there needing our help, still wanting to hope.

For coaches, it will confirm their view that coaching can be a powerful intervention and introduce them to a new arena to practice. This book will be enlightening about an audience for coaching that they might never have considered but who probably need it more than

anyone. For community based probation, it will confirm the view that women need specialist interventions and coaching could be the solution.

What else can practitioners learn from this book? Well apart from being just a really enjoyable read, they can start to think more about the use of coaching for their cases, either through their own sessions or through a third party. What would be most powerful, however, would be the encouragement for Probation Officers to think about the broad and resonant goal of life long change, rather than concentrating purely on reducing risk or reducing reoffending.

**'Coaching Behind Bars – Facing challenges and creating hope in a women's prison'** was published in May 2015 by Open University Press, as part of the Coaching in Practice Series.

Author Clare McGregor is the founder of Coaching Inside and Out, a charity which offers coaching to offenders on both sides of the prison gate. Clare is a creative coach and consultant with over 20 years' experience of developing services for people in crisis.

Copies of 'Coaching Behind Bars' are now available at a 20% discount for hard copies and 30% for EBook purchases via the MHEducation website: <http://www.mheducation.co.uk/9780335264421-emea-coaching-behind-bars-facing-challenges-and-creating-hope-in-a-womens-prison>

For more information on the Outcomes Star, see [www.outcomesstar.org.uk](http://www.outcomesstar.org.uk)

## Missing Link: Community support for families



*In the third of our articles about inspiring and building trust, **Neera Sharma**, Assistant Director, Strategy Unit, Barnardo's, writes*

*about the learning derived from the success of seconded offender managers to Barnardo's community support for offenders' families service.*

**W**e know that from the moment that a parent is arrested, their children's lives are turned upside down. When a parent goes to prison, families can face poverty, isolation and stigma.

Yet there is no system in place to make sure that these children are identified so that they can access

the support they need. No one is responsible for informing the child's school, health professionals or social workers what's happened, so too often they are left to cope alone.

The recent restructure of the National Probation Service, and the simultaneous establishment of Community Rehabilitation Companies, offers a unique

opportunity for key institutions to work together to improve life chances for prisoners' children. Ultimately this will help break the cycle of intergenerational offending and help reduce re-offending rates. Barnardo's is developing work under the Transforming Rehabilitation agenda based on what works with families and the positive impact on

recidivism. This article looks at the crucial role that Offender Managers play in this process. In particular, it draws on Barnardo's experience of working in partnership with probation across three of its 'Community Support for Offenders Families Services' (CSOF) in Gwent South Wales, Bristol and the Isle of Wight.

Research has found that sixty five per cent of boys with a parent imprisoned before they were ten went on to offend themselves.

Given this, it is not surprising that children with a parent in prison also face other difficulties. They are twice as likely as other children to experience mental health problems<sup>1</sup> and three times as likely to go on to experience substance misuse and poor accommodation.<sup>2</sup>

The effect of family separation is felt, of course, by parents who are in prison too – with potentially a profound impact on their behaviour. The likelihood of re-offending is reduced by 39% when family ties are maintained in prison.<sup>3</sup> As a recent report by the Criminal Justice Joint Inspection stated, "overwhelmingly... an offender's family are the most effective resettlement agency".<sup>4</sup>

Barnardo's purpose is to help the UK's most vulnerable children and young people transform their lives and fulfil their potential – some of these children are found in the families of offenders. It is estimated that there are 200,000 children a year that experience the imprisonment of a parent in England and Wales.

Since 2012, Barnardo's and the National Offender Management Service (NOMS) have run the pioneering CSOF scheme that works directly with families of

prisoners in the local community, bringing local services together to co-ordinate better support for families. The evaluation of these services published earlier this year<sup>5</sup> found that families often benefitted intensely from the joint support of both a child-focused project worker and an Offender Manager working together.



**Partnership working:** Barnardo's Laura Tranter and Lindsey Pudge

In Gwent, probation officer Lindsey Pudge has been seconded from the Wales Community Rehabilitation Company to work within Barnardo's CSOF project for two years. The first year was funded by NOMS as part of the CSOF project and the second year by what was the Wales Probation Trust.<sup>6</sup> During her secondment, Lindsey has helped train 700 local practitioners from police and probation services, on providing families with direct tailored support. This can include counselling and advice, such as on how to improve visits to fathers in prison. Based in Neath, her work has taken in nine of South East Wales' most deprived local authorities including Gwent, Merthyr Tydfil, RCT, Neath and Port Talbot and Bridgend.

Beyond training, the CSOF project has also dealt with more

than 60 families who have significantly benefitted from the link between Offender Managers and family services.

This can be anything from signposting families to crucial counselling services, to picking up serious safeguarding issues.

Lindsey explains: "A project worker went to visit a family where the father had been recalled to prison and the mum wasn't coping. On arrival she met a man, who was introduced to the project worker as a friend of the family. With my experience in criminal justice offender management, I was able to run a check on the man's background, which revealed he was a registered sex offender, known to prey on vulnerable women with children. As a result the information was fed to the Multi Agency Public Protection Arrangements (MAPPA). Without the family support worker this would not have happened."

The secondment ended on April 1 and Lindsey, who qualified as a probation officer 32 years ago, returned to her role within Wales Community Rehabilitation Company.

Laura Tranter, Barnardo's Cymru's Project Manager explains how important Lindsey's involvement has been: "Lindsey has literally provided the missing link between family services and offender management. NOMS and Wales Probation Trust maintained her role for two years; an indication of just how important she has been."

Lindsey's legacy will remain though; she has created a new family section on Delius,<sup>7</sup> where managers can record situations that can impact on children and families.

1 Social Care Institute for Excellence (2008) Children's and families resource guide 11: Children of prisoners – maintaining family ties. SCIE, London.

2 Ibid

3 Ministry of Justice, Department for Children Schools and Families (2007) Children of Offenders Review.

4 Criminal Justice Joint Inspection (2014) A joint thematic review by HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted.

Resettlement provision for adult offenders: Accommodation and education, training and employment

5 [http://www.barnardos.org.uk/what\\_we\\_do/policy\\_research\\_unit/research\\_and\\_publications/working-with-offenders-families/publication-view.jsp?pid=PUB-2400](http://www.barnardos.org.uk/what_we_do/policy_research_unit/research_and_publications/working-with-offenders-families/publication-view.jsp?pid=PUB-2400)

6 The article on Lindsey's role first appeared in the Wales CRC Weekly Newsletter on 29th January 2015

Across the border, the Bristol CSOF service also seconded offender manager, Alex Pace for six months (to October 2013).

In this project, NOMS, through Alex, took leadership in helping to identify offenders with families, enabling the service to reach out to them directly. This was a crucial step, as offenders often don't disclose that they have dependent families due to fear of social care involvement.

During the secondment, it became apparent that Offender Managers felt they had insufficient skills and knowledge to support offenders' families and their children. Alex was able to promote Barnardo's service to her colleagues to generate more referrals. Meanwhile, she also promoted Bristol's 'Hidden Sentence' training amongst probation and criminal justice services, giving practitioners a day's intensive training on the issue.

Although her secondment has now ended, Alex has remained an active participant in Bristol's Multi Agency steering Group. Crucially, she has remained a 'champion' within the probation service for children with a parent in prison. She remains on hand to give the team advice or information.

Bristol Service Manager Pat Wiltshire comments: 'Alex has provided an invaluable link between the Barnardo's CSOF Team and criminal justice agencies. Both agencies still benefit as we are now working together strategically too, through a Bristol-wide multi-agency Steering Group.'

On the Isle of Wight (IOW), the 'champion' role was fulfilled on a voluntary basis, by Dani French who was driven by a passionate commitment to improving the wellbeing of prisoner's children and their families.



Dani raises awareness, circulates information, and is the main point of contact in her team for any queries concerning children or families of prisoners. Having attended both children's service's Common Assessment Framework (CAF) and also 'Train the Trainer' training, she is now instrumental in delivering the 'Hidden Sentence' programme on the Island. She has been able to explain the role of the Offender Manager and bring a useful knowledge base to the training.

One of the biggest barriers facing the CSOF programme has been the upheaval resulting from the Transforming Rehabilitation programme. With staff losses giving remaining staff less time to focus on prisoners' families, there have been fewer referrals from the probation service to Barnardo's.

As a first step Mary D'Arcy, the Chief Executive of Hampshire and IOW Probation, has signed the service up to Barnardo's Charter for families of offenders. This commits signatories to sending staff on training, and to allocating a families of prisoners' mentor within services.

Summarising their experience Project Coordinator Susie comments: "On the Isle of Wight, Probation has recognised the

importance of partnership working and providing holistic support to the offender and family. Their provision of an experienced Offender Manager to work with CSOF has been mutually beneficial in increasing our understanding of the probation system and its role and highlighting the importance of support to children."

It will be important for the new Community Rehabilitation Companies (CRCs) and the National Probation Service to understand how the learning from CSOF can inform development of services within the new Transforming Rehabilitation operating model.

Going forward, Barnardo's will be looking to extend this successful model of community based services for offenders' families across the UK. CSOF will further build its work with schools and children's centres to ensure a more positive response there. Barnardo's is a partner in iHoP, which provides information on how criminal justice professionals can improve their practice, including on arrest.<sup>8</sup>

Barnardo's is also calling for the new probation services in England to include support to family relationships in their service offer. Drawing on the findings of our evaluation of the CSOF service, we are calling on Government to identify and support these children by appointing a lead Minister in England with responsibility for this group and creating a National Action Plan for England. In Wales we are calling for national awareness raising training.

It's vital that all agencies start working together to give these isolated and overlooked children the support they so desperately need. From both a social and purely human basis, we can't afford not to.

7 The National Probation Service Case Management System that was rolled out across England and Wales during 2013

8 iHoP - Supporting all professionals to work with offenders'

children and their families [www.i-hop.org.uk/app/answers/detail/a\\_id/490/kw/new](http://www.i-hop.org.uk/app/answers/detail/a_id/490/kw/new) There are also materials for parents themselves.





# UNDERSTANDING AUTISM



**Sandra Stamos**, CPsychol, is a Counselling and Forensic Psychologist with Brookdale Care, an award winning provider of services for those living with Autism, enabling individuals to break the circle of reoffending and live fulfilling lives in their communities. She writes for **PQ** on autism and offending behaviour.

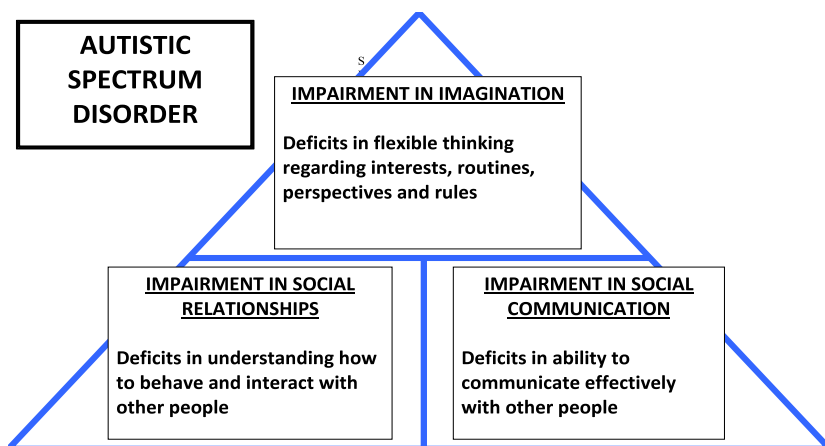
The pioneering work of Leo Kanner and Hans Asperger in the 1940's established early understanding into Autism. Kanner, an Austrian-American psychiatrist, published a paper in 1943 entitled 'Autistic disturbances of affective contact', in which he listed several features of what was then termed early infantile autism. In 1944, Asperger, a Viennese pediatrician/psychologist, coined the term 'autistic psychopathy' in which he described the behaviour of four boys in his study who were quite unusual in their social, linguistic and cognitive abilities (Attwood, 1998).

In 1978 Lorna Wing and Judy Gould undertook a UK based study following which their findings identified that children with Kanner's autism and Asperger's syndrome had in common a triad of impairments affecting social

interaction, communication and imagination, accompanied by a narrow, rigid, repetitive pattern of activities.

## Autism Spectrum Disorder (ASD) & Diagnosis

Nowadays, Autism is understood to be pervasive developmental disorder (i.e. it is lifelong) and that it is a spectrum condition, in that it runs from clear-cut autism through to subtle variants that shade into



**Additional difficulties:** For example sensory processing difficulties, learning disability, mental health difficulties, physical disabilities.

traits found within the normal (neurotypical) population. It is now believed that autistic traits are widely distributed in the normal population and many normal people show isolated autistic traits (Thambirajah, 2007).

The new Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5) released in May 2013 has changed from the Triad to a Dyad, i.e. Two Domains with a Severity Index. Presently, for a diagnosis of ASD, one must show persistent deficits in the two domains (as below) and then have a rating applied according to the Severity Index (as below):

**1. Social Communication and Social Interaction**, i.e. deficits in social-emotional reciprocity, non-verbal communicative behaviours used for interaction, developing, maintaining and understanding relationships

plus

**2. Restricted and Repetitive patterns of behaviour**, i.e. at least 2 types of repetitive patterns of behaviour such as: stereotyped or repetitive motor movements, insistence or inflexible adherence to routines, restricted interests, hyper-reactivity and hypo-reactivity to sensory input, or special interest in sensory aspects.

The Severity index is then used to rate deficits based on level of support required, i.e. levels 1, 2 or 3, referring to low, moderate or severe level of support.

**How do ASD difficulties present?**

Individuals with Autism present with difficulties in initiating, maintaining and understanding social relationships, so social mores that others take for granted can present significant challenges for



people on the spectrum.

When we consider that social interaction and relationships impact on a variety of areas of daily life (e.g. occupational, recreational, scholastic) this then begins to have a greater meaning. Individuals with Autism can experience great difficulties in understanding their own emotions, recognising others' emotions and perspectives and then conveying these to others in a way that they can be understood; this can have bearing on meeting or finding relevant partners or forming relationships, or then accepting and managing rejection of the end of a relationship. Often this leads to further isolation or exclusion.

However, some people with an Autism diagnosis show a lack of interest in others and appear to prefer solitary existence. They might be preoccupied with rituals or rigid routines that reflect an inability to manage change or uncertainty in their environment which then leads them to retreat to their routines for security or anxiety reducing reasons. They might display conversational limitations by adhering to discussing topics or areas of interest of particular importance to them and thereby, unintentionally,

alienate themselves socially or render themselves socially vulnerable. Often individuals with Autism display difficulties in perspective taking and being able to generalise learning across different experiences, thus they are more likely to not learn from the consequences of their actions or can lack empathy. Often such difficulties manifest early, are lifelong and are associated with delay and deviation in the development of language and social relationships.

Given the nature of the potential difficulties, it has often been said that an Autism diagnosis is as individual as individuals are. However, they generally share key symptoms.

**ASD or Something Else?**

Given the nature of some of the interpersonal and interactional difficulties, often Autism has been confused with schizophrenia features or personality disorders due to overlapping features. For example, aloneness or social withdrawal can be considered features for both these diagnoses, however whereas in the former individuals withdraw from social



relationships due to positive symptoms, in autism they struggle to develop them or the presentation is a function of their interactional deficits associated with Autism.

Similarly, problems with empathy are central to both Psychopathy and ASD (Baron-Cohen & Wheelwright, 2004). Abnormal affective empathy is one of the key hallmarks of psychopathy. Psychopaths inflict or recognise distress in others and ignore it, whereas in ASD, individuals fail to recognise distress in others or do not know how to due to their deficits in perspective taking, thus may react in a seemingly cold/uncaring manner. Their egocentric behaviour (interpreted as antisocial) is not malicious, as in the case with psychopathic individuals, but rather aimed at eliciting clear emotional reaction in others by the ASD individual who finds the social world difficult to interpret.

Research has shown that if information is presented in a way that enables the ASD individual to identify other points of view, they show as much concern and compassion as typically developing individuals (Jones, Happe, Gilbert, Burnett & Viding, 2010). Indeed, some studies have found that ASD individuals find distress in others aversive whereas in Psychopathy this is not so (Blair, 1999; Sigman, Dissanayake, Corona & Espinosa, 2003).

ASD individuals may display egocentric justification of offences (e.g. they made me angry), or dangerous behaviours associated with obsessional interests such as fire setting, breaking imperfect surfaces, interference with electrical appliances, flooding /blocking toilets etc. They may be impulsive in their actions or show a disregard for personal safety and the safety of others. Whilst these characteristics can appear psychopathic in nature



they have a different origin in individuals with an ASD diagnosis.

### ASD & Offending Behaviour

It has been suggested that ASD individuals are more likely to commit sexual, violent or arson related offences (Barry-Walsh and Mullen, 2004), although this is not consistently supported by research to date. ASD individuals can present with a range of forensic behaviours, including odd or inappropriate behaviours, behaviour congruent with much younger children, transient Psychosis or Pseudo-psychotic presentations due to high levels of anxiety, intense and

/ or abnormal interests, sensory processing difficulties. Howlin (1997) identified four key reasons for forensic behaviours in ASD, namely restricted interests, need for routine, social skills deficits and misinterpreting of social cues and social naivety.

### Prevalence Rates

There are limited studies examining the prevalence of autistic spectrum disorders in the offender population, with varying results, and many tend to be on case reports or mostly restricted to forensic psychiatry settings. However, given the hidden nature



of these disorders, it can be difficult for criminal justice professionals to identify, especially as features of ASD can be misconstrued as offending behaviour while the use of screening tools varies. A 1999 study estimated the prevalence of ASD in specialist hospitals to be 2.4-5.3% (Hare et al, 1999). Other research based on figure of 2,609 under 18 year olds in prison estimated the prevalence of ASD in this group as approximately 24 individuals (Commons Written reply 2002). In a 2004 study where a population of 216 individuals (with ASD and LD

diagnoses) in secure, forensic and other specialist services in Scotland were examined, the rate reported was 2.7% Myers (2004). However, another study screening 336 Milton Keynes probation individuals, reported the rate as 4.5% (Bates, Booker et al (2014),

A recent study on youth populations suggested a higher incidence rate of 15% (as shown in table below), which is contrasted with reported rates of between 0.6 and 1.2% in the general population [Source: Hughes, Williams, Chitsabesan, Davies, & Mounce, (2012)]. Challenges to forensic professionals

The manifestations of the diagnostic criteria vary widely, as noted earlier, and this is further complicated by the range of co-morbid conditions that may present with ASD. In differential diagnosis, the task is to decide whether the triad of impairments is present, and whether or not there is some other condition as well. The possibility of a misdiagnosis of Personality Disorder or Psychopathy should not be under-estimated when considering forensic populations.

Consequently, joint agency / services working is essential. Areas to consider closely include: at the point of police contact, having an identified role of specialist appropriate adult who can be involved and relevant training to increase awareness of the diagnosis; assisting individuals with an ASD diagnosis to prepare for Court and have the opportunity to practice Court room scenarios through the use of specific tools designed to help ASD individuals (e.g. Kar2ouche); Dealing with outcomes and explaining rights to the client, which would then help in gaining client compliance with treatment plans/ risk management plans.

Other considerations that would assist in this area of work are: the development of a screening tool for use on all young offenders who are remanded in custody; an ASD differential diagnosis and screening to be completed in all cases where Personality Disorder, Schizophrenia and Psychopathy are being considered; consideration be given to the development of specialist ASD units in forensic settings of Medium and High Security; the development of Offending Behaviour Programmes that utilise augmented communication systems which would allow for ASD specific needs and deficits to be better incorporated in such work, and the development of specialist follow-up and supervision services for ASD offenders.

## THE PREVALENCE OF NEURODEVELOPMENTAL DISORDERS \*

Neurodevelopmental disorder	Reported prevalence rates amongst young people in the general population	Reported prevalence rates amongst young people in custody
Learning disabilities	2-4%	23-32%
Dyslexia	10%	43-57%
Communication disorders	5-7%	60-90%
Attention deficit hyperactive disorder	1.7-9%	12%
Autistic spectrum disorder	0.6-1.2%	15%
Traumatic brain injury	24-31.6%	65.1-72.1%
Epilepsy	0.45-1%	0.7-0.8%
Foetal alcohol syndrome	0.1-5%	10.9-11.7%

\* For ages up to 18

If you have any questions for Dr Sandra Stamos, or the clinical and therapeutic team at Brookdale Care, please call 01707 387868 or email [info@brookdalecare.co.uk](mailto:info@brookdalecare.co.uk). For more information [www.brookdalecare.co.uk](http://www.brookdalecare.co.uk)

# ROYAL HONOUR FOR JAMES



The Butler Trust's 30th Annual Award Ceremony, hosted by HRH The Princess Royal, took place on 1 April 2015, in the State Rooms at St James's Palace.

Presided over by the Trust's Royal Patron, HRH The Princess presented 10 Awards and 20 Commendations to a total of 40 staff members and volunteers from prison and community justice settings across the UK, and the event was attended by over 200 people from across the criminal justice sector.

This year's Princess Royal's Prize for Outstanding Achievement (the highest Award) went to James Bamford for all-round excellence in his work as a probation officer in Wiltshire. Now a Senior Probation Officer at BGSW Community Rehabilitation Company (CRC), James was nominated in particular for helping to transform, and secure the long term future of, a hostel threatened with closure. According to his nomination, his achievements "go well above and beyond what could be expected of any individual in the context of their normal working day".

Simon Shepherd, Director of the Trust, said: "We received well over 350 nominations this year from across the UK. Whether they've



**Top honour:** James Bamford receives his award from HRH The Princess Royal

done something innovative or 'just' been doing their ordinary job extraordinarily well, our Award Winners and Commendees have all done something truly outstanding. The Award Ceremony is always the highlight of our year and a fitting opportunity to give credit where it's due to all the inspirational people recognised through our Award Scheme."

*"The Award Ceremony was a wonderful experience. I was able to meet some really inspiring and amazing professionals working within the Criminal Justice system. I was so pleased and proud to have been given an opportunity to talk about some of the great work that happens in probation everyday by dedicated probation staff and also some of the key challenges that probation practitioners face at present. It was particularly exciting to discuss current probation issues with HRH Princess Anne. I am also really looking forward to engaging in the Butler Trust Development Programme. This developmental course will provide focused time to share practice ideas, learn from other skilled professionals and cultivate further innovative, good practice ideas to take back to our areas of work. The Butler Trust undertake brilliant work in helping practitioners to really identify new learning and promote improvements in practice."*

**James Bamford**





# BUTLER TRUST AWARD WINNERS 2015



**David Miners** – MAPPA Co-ordinator, National Probation Service South West & South Central



**Priscilla Samuel** – National Probation Service London



**Louise Crowsley** – Kent, Surrey & Sussex CRC



**Amber Bletchley** – Kent, Surrey & Sussex CRC



**Julie Greenslade** – National Probation Service South West & South Central



**Sharon Thompson** – National Probation Service London

## Award Winners 2014-15

James Bamford (Bristol, Gloucestershire, Somerset and Wiltshire CRC)  
 Joanne Benson (Darlington Youth Offending Service)  
 Paul Conley & Rita Conley (HMP Wymott)  
 Clare Cowell (HMP Grendon)  
 Kath Davies, Paul Goodridge, David Griffiths & John Watts (HMP/YOI Parc)  
 Trevor Lewis (HMP Exeter)  
 David Miners (National Probation Service, South West & South Central)  
 Priscilla Samuel (National Probation Service, London)  
 Elizabeth Shapland (HMP Bullingdon)  
 Johanne Tomlinson (HMP Stafford)

## Award Commendees 2014-15

Steve Baxter (HMP Littlehey)  
 Victoria Beck, Rachel Callander, Pete Mills & Helen O'Connor (HMP Whatton)  
 Amber Betchley (Kent, Surrey & Sussex CRC)  
 Philippa Breffitt (HMP Thameside)  
 Kath Brown & Toni Hillier (HMP/YOI Ashfield)  
 Sarah Chambers, Lisa Rafferty & Shae Wright (HMP Thameside)  
 Louisa Crowsley (Kent, Surrey & Sussex CRC)  
 Amy Dixon (HMP Holloway)  
 Andy Fletcher (HMP Thorn Cross)



**Michael Winnington** – Probation Board for Northern Ireland

Thomas Gallagher (HMP Lancaster Farms)  
 Julie Greenslade (National Probation Service, South West & South Central)  
 Mark Haddow (HMP Bristol)  
 Stuart Hall (HMP Lowdham Grange)  
 Ali Joubert (HMP Huntercombe)  
 Victoria Kurrein (HMP Grendon / Spring Hill)  
 Paul Murray (HMP Liverpool)  
 Bob Paterson (HMP Addiewell)  
 Sharon Thompson (National Probation Service, London)  
 Jody Trask (HMP New Hall)  
 Michael Winnington (Probation Board for Northern Ireland)





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