

# The role of probation in supporting people who have experienced gambling and crime-related harms

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Prevalence rates of people who experience disordered gambling and commit crime are difficult to establish; people may not recognise the link between their crime and gambling behaviour; many people do not report gambling related offences to the police, such as those committed against family members; and many studies of crime and gambling rely on self-report (Adolphe et al., 2019; Perrone et al., 2013; Sakurai & Smith, 2003;) However, up to 65% of people assessed as experiencing severe problem gambling and 20% of people experiencing moderate problem gambling, reported gambling-related criminal behaviour (Turner et al., 2009). The most prevalent types of offences reported are acquisitive crimes, including fraud, burglary and theft (see, for example, Binde, 2016) but violent offences including intimate partner violence also feature (Page, 2021). Prison populations have consistently been found to include the highest prevalence of problem gambling amongst any population (Adolphe, et al., 2019; Williams, 2005;) with the prevalence of problem gambling in English prisons found to be 12.1% (May-Chahal et al., 2017). In a recent publication, 45% of participants reported gambling in prison, 28% were categorised as having experienced moderate or problem gambling prior to prison, and 30% reported that gambling was a normal part of prison life (Smith et al., 2022).

People who are sentenced to custodial or community sentences for gambling-related crime in England and Wales will come into contact with probation services. This could be through



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pre-sentence reporting, community sentences, post-release supervision, or a combination. This article provides a summary of key findings from a report published by The Howard League entitled "Surviving, not living": The lived experiences of crime and gambling' (Smith, 2022), with a focus on the lived experience reports of probation interactions. The research (undertaken in 2021) involved semi-structured interviews with 22 people, eighteen of whom were people who had committed crime as a result of gambling and four were family members of people directly impacted.

## Pre-Sentence Reporting

Several participants in the study reporting having had pre-sentence reports produced as part of their court proceedings. They highlighted that in order to do this effectively, probation staff need to have an awareness of the nature of disordered gambling and that awareness is currently inconsistent across the Service:

*I think that's really important for probation to understand gambling addiction in all its forms really; and I feel my probation officer did that...But I really feel that that is not across the board, and people I know have experienced different situations (Interview 4).*

In addition, even though some respondents felt their offence had been the direct result of disordered gambling, this was not considered in any detail within their discussion with the report writer or in the report:

*I don't remember if it was specifically mentioned, but it certainly wasn't a focus point of the presentence report at all (Interview 7).*

Given that sentencing may not happen the same day as the report interview, this could provide an opportunity for probation staff to discuss and refer to further support to address gambling-related harms. However, this was not reported to be the case for the majority of the people interviewed:

*I mean she [probation] talked about... how it all started, talked me through my home life and family life, employment... but there was no – 'We need to get you some help for gambling situation', no none at all (Interview 8).*

A final finding within the area of pre-sentence reporting was that, when gambling had featured in the reporting process, and despite positive reports and recommendations for non-custodial sentences by probation, custodial sentences were frequently given.

*The probation said I was a family man, never been in trouble with the police, I was a pillar of my community...it was his belief that prison would be absolutely no good for me, to my children, and that I was full of remorse with my crime, which I was, and it was driven solely by an addiction to gambling (Interview 9).*

The person quoted above received a 3 year prison sentence and we heard similar accounts, with one participant, for example, describing how his report writer had supported him to access and be accepted onto a rehabilitation placement but that he was subsequently unable to take up due to receiving a custodial sentence.

## Probation Supervision

There was a small number of people who had not yet been sentenced, who were hopeful that they would be given community sentences and gain support to address gambling-harms as part of their rehabilitation activities:

*I'm very much hoping that as part of my punishment, I'm assigned to work with probation for a period of time, because I feel I will definitely benefit and it will be another link in my armour to beating this thing (Interview 13).*

However, those people who had already experienced probation were much more critical, with many reporting a lack of awareness amongst probation staff and, as a result, a lack of support provision:

*She said we don't do anything with gambling here, we probably have one or two staff who said they might know a bit about it, but the reality is that we don't know nothing; it's an area where we have had no training, and we can't signpost you for anything. So the potential support you need, we can't offer you (Interview 2).*

The paucity of awareness and support reported by participants amongst probation staff seemed to be further exacerbated by a lack of screening and assessment, specifically in relation to gambling:

*She also sent me a self-assessment questionnaire; in there, was a section on drugs, a section on alcohol, nothing for gambling, loads of other tick boxes, so you have to take 'other' and then write gambling (Interview 2).*

Generally, the people who participated in the study reported that they were categorised as low risk and compliant with reporting requirements. However, for some, where gambling was not discussed or addressed in relation to offending, the gambling continued to escalate while under probation supervision, therefore increasing the potential risk of reoffending:

*I had one probation session. I went in and did all the whatever it is, and they told me that they would put me on a scheme where I would be called every month, and it was just a check in...The problem was over that two or three year period, I started to gamble more and more money. Now, I would need to go into the casino with £4000/£5000 (Interview 6).*

Furthermore, for some participants, the lack of assessment and attention to gambling as a factor in their crimes contributed to the fact they were continuing to gamble, after completing a prison sentence, licence period and post-sentence supervision.

Finally, where probation staff were aware of issues relating to gambling, there was concern that the onus for addressing and managing the gambling behaviour was being placed heavily on family members:

*Recently had the telephone call from probation, because [husband] is home soon, and [they asked] what are we going to put in place, in order to make sure that this doesn't happen again; I was a bit like – 'you are probation, and you put the onus on me to keep him in recovery'; that's not what my understanding of probation should be: they should be offering the help to him in order to help him rehabilitate him into a normal life again. The onus was all on me and us (Interview 19, family member).*

## Implications for Practice

It is important to note that while the findings outlined within this summary focus on probation, the original report highlighted that there was a lack of awareness, screening, assessment and support across all areas of the criminal justice system from police contact through the courts and prison (see Churcher, this issue). However, the findings do give rise to some implications for practice:

- A need for specific questions to be asked in relation to gambling during pre-sentence report interviews, with a signposting for support, where required.
- A need for the nature and impact of disordered gambling to be highlighted within pre-sentence reports, and thoroughly considered by the judiciary. This is supported by recent guidelines issued by the Association of Police and Crime Commissioners (APCC, 2022) which states that Police and Crime Commissioners, and criminal justice partners should “help ensure pre-sentence reports are prepared for and considered by the courts, as they are with drug and alcohol dependencies”.
- A need for improved probation staff training and awareness into the nature of disordered gambling and associated harms, as well as referral pathways for support. This is also supported by the APCC guidelines.
- A need for suitable screening and assessment for gambling amongst people on probation.
- An awareness of the impact of gambling harms, not just on the person directly involved, but also their family members.

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