

Howard League for **Penal Reform**

Early Career Academics Network Bulletin
Themed Issue

Reuniting Probation

March 2022 – Issue 50

Contents

	Page
Introduction	
Lol Burke, Liverpool John Moores University	2

Features

Professional legitimacy and the probation service: Opportunities and challenges after re-unification	6
Matt Tidmarsh	
Trapped in a cycle: The Offender Rehabilitation Act 2014 and the rise in recall to custody	13
Matt Cracknell, Middlesex University	
Learning lessons from and for Building Better Relationships: appreciating and imagining the possibilities	20
Nicole Renahan, Durham University	
Reunified probation: An opportunity to finally progress a desistance paradigm of practice?	28
Sam Ainslie, Sheffield Hallam University	
The community hub model of service delivery: An example of a ‘positive innovation’?	35
Andrew Fowler, Jake Phillips, and Katherine Albertson, Sheffield Hallam University	

Announcements

Call for papers: Crime, Justice and the Human Condition	44
Become a Howard League Fellow	45
Guidelines for submission	46

ECAN Facebook Group

The Howard League for Penal Reform is active on [Facebook](#) and [Twitter](#). There is a special page dedicated to the Early Careers Academic Network that you can reach either by searching for us on Facebook or by clicking on the button above. We hope to use the Facebook site to generate discussions about current issues in the criminal justice system. If there are any topics that you would like to discuss, please start a discussion.

Introduction

Lol Burke

After a disastrous flirtation with privatisation, the unification of probation services was seen as a welcome development by many. However, unification has been challenging. The reorganisation involving bringing together staff from the National Probation Service and the 21 Community Rehabilitation Companies, has been marked by chronic staff shortages and high caseloads. These are of course long-standing issues, and it would be unduly optimistic or perhaps naïve to expect that they would be resolved by structural reform alone. As the Chief Inspector of Probation has forewarned, the ‘amalgamation of inherited structures and the implementation of a new operating model will take time ... and there will be inherent risks’ (HM Inspectorate of Probation 2022: 16). A decade of underinvestment in the Probation Service and the broader social and treatment systems in which it operates has left services ‘threadbare and struggling’ (HM Inspectorate of Probation 2022: 6). A recent post-unification survey of probation practitioners by HM Inspectorate of Probation (2021) found that only 12 per cent of those interviewed believed that service delivery had improved since unification. Around half claimed that their caseloads were difficult to manage because of the volume of cases and a similar number felt that insufficient services were available for the people they worked with. A report by Clinks (2022) tracking the voluntary sector’s experience of the probation reform programme concluded that the Ministry of Justice had made limited progress in facilitating partnerships and that its commissioning process was ‘complex, cumbersome and bureaucratic ...



favouring larger, well-resourced organisations and disadvantaged smaller, local and specialist ones’ (Clinks, 2022).

Although six in ten practitioners said that they felt positive about working for the Probation Service (HM Inspectorate of Probation 2021: 15) such positive responses tended to be expressed by recently employed staff. Attempts to provide more balanced caseloads involving cases at a higher and lower risk of serious harm have been thwarted by on-going IT issues as systems attempt to play catch up with significant organisational changes. Plans are in place to recruit and train around 2,500 additional probation officers to address the shortfall in qualified staff. However, given that the Professional Qualification in Probation (PQiP) takes a minimum of 15 months (and that those undertaking the training have reduced caseloads and require increased mentoring and oversight) it is unlikely that services will receive any respite from the current on-going pressures before 2024 at the earliest. Worryingly, anecdotal evidence suggests that a considerable number of learners are leaving the programme because of the relentless pressures of balancing their workplace and academic commitments.

Ensuring that appropriate resources and sustained investment are available to enable probation to meet its statutory responsibilities and provide meaningful support for those under its supervision is

of course vital. But the current problems facing the newly unified Probation Service run much deeper. Several studies undertaken during the implementation of the Transforming Rehabilitation reforms (Deering and Feilzer, 2015; Robinson et al., 2016; Tidmarsh 2021) have highlighted the detrimental impact upon the working cultures within probation, creating a 'two-tier' system that in some cases fractured long-standing professional relationships. These underlying tensions appear to have been carried forward into the unified structure with those practitioners formerly employed by the Community Rehabilitation Companies believing that their skills and experience were underappreciated.

As **Matt Tidmarsh** discusses in the opening contribution to this edition, there is clearly a major challenge for the newly unified Probation Service in establishing its legitimacy to a range of external stakeholders as well as those who work within the organisation. In exploring the opportunities and challenges presented through unification, Tidmarsh argues for the promotion of a 'workplace professionalisation agenda' that forefronts probation practitioners as key mediators between the service and a range of what are sometimes conflicting constituents. As the author acknowledges, these tensions will have to be navigated by probation practitioners within a managerialist and punitive performance culture that will mitigate the potential for building purposeful and productive relationships.

The tensions between the rehabilitative and risk-focussed credentials of probation work were brought into sharp focus by the extension of post-release supervision following implementation of The Offender Rehabilitation Act 2014. As **Matt Cracknell** notes in his exploration of resettlement provision following the

Transforming Rehabilitation reforms, rather than providing additional help and support, it created an environment that normalised the use of recall. Whilst welcoming proposals within the Target Operating Model (HMPPS, 2021) that seek to improve outcomes for those individuals serving short prison sentences, the author argues that probation practitioners will need 'time, space and resources' if they are to establish and maintain more trusting supervisory relationships with the potential to alleviate the damage caused by the revolving door of re-offending.

Time, space and resources are at a premium in contemporary probation practice, as noted by **Nicole Renehan** in her discussion of practitioners' experiences of delivering the Building Better Relationships programme to people convicted of domestic abuse related offences. Nicole argues that the emotionally challenging nature of this work necessitates enhanced training and time made available for practitioners to practice their skills within a supportive working environment. She notes that promoting wellbeing is a stated objective of the *Probation Workforce Strategy* but fears that this could be used as yet another performance mechanism to single out overworked and stressed workers rather than instilling within them a sense that their work is valued and has a purpose.

These 'practice pains' are also central to the piece by **Sam Ainslie** that presents the findings from a qualitative study undertaken in a National Probation Service division prior to unification. These pains included the impact of solely managing high-risk and complex cases, a culture based on targets and accountability, fragmented approaches to intervention, and insufficient training and development. As the author notes, unification will potentially reduce the

fragmented nature of service delivery (a hallmark of the Transforming Rehabilitation reforms) and produce more balanced caseloads. But, as noted earlier, we are still some way off these aspirations.

The final contribution to this special edition by **Andrew Fowler, Katherine Albertson** and **Jake Phillips** provides something of a counterbalance to the previous pieces in that it highlights the use of community hubs as one of the positive innovations that emerged from Transforming Rehabilitation. Although not uniformly implemented, these alternative models of service delivery in which a range of services are co-located in community settings provide a more localised approach that challenges the centralised nature of contemporary probation.

As the various contributors to this special edition demonstrate, unification represents the start of a new journey for the Probation Service, rather than its final destination. The next few years will therefore be crucial in terms of stabilising the organisation after a succession of destabilising and at times unnecessary changes and there will undoubtedly be further 'bumps along the road'. This collection of papers is informed by empirical evidence that attempts to capture the voices of practitioners and people on probation. The contributions to this ECAN special edition are therefore not only timely but they also provide insights into how this journey could be made easier if those travelling are provided with the necessary equipment to undertake the journey, and if we learn from past 'wrong turns' in navigating what will be a hard and uncertain terrain.

Acknowledgements

Thanks to Helen Churcher and Anita Dockley for their assistance in the production of this themed issue.

References

- Clinks (2022), Tracking the voluntary sector's experience of the probation reform programme: The commissioning of day one services.
https://www.clinks.org/sites/default/files/2022-03/The%20voluntary%20sector%27s%20experience%20of%20the%20probation%20reform%20programme%20-%20the%20commissioning%20of%20day%20one%20services_0.pdf
(Accessed 13 March 2022).
- Deering, J. and Feilzer, M. (2015), *Privatising Probation: Is Transforming Rehabilitation the end of the probation ideal?* Bristol: Policy Press.
- HM Inspectorate of Probation (2021), The views of frontline probation staff about unification: a survey by HM Inspectorate of Probation.
<https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/02/Probation-Staff-Survey-2021-report-v1.0.pdf>
(Accessed 13 March 2022)
- HM Inspectorate of Probation (2022), 2021 Annual Report: inspections of probation services.
<https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/03/FINAL-Probation-Annual-Report-2021.pdf>
(accessed 13 March 2022).
- HMPPS (2021), *The Target Operating Model for probation services in England and Wales: Probation Reform Programme*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959745/HMPPS_-_The_Target_Operating_Model_for_the_Future_of_Probation_Services_in_England_Wales_-_English_-_09-02-2021.pdf
(Accessed 13 March 2022).

Robinson, G., Burke, L. and Millings, M. (2016) Criminal justice identities in transition: The case of devolved probation services in England and Wales. *British Journal of Criminology*. 56(1): 191-173.

Tidmarsh, M. (2021) Professional legitimacy, identity and practice: Towards a sociology of professionalism in probation. *British Journal of Criminology*. 62: 165-183.

About the editor:

Lol Burke is Professor in Criminal Justice at Liverpool John Moores University and specialises in the areas of probation research, policy and practice. He has a particular interest in the impact of marketisation upon service delivery and the way that occupational culture acts out in probation settings, as well resettlement provision for released prisoners. As a former probation practitioner, he has experience working in both community and custodial settings. He has written extensively on probation related issues and rehabilitation in general and is co-author of *Redemption, Rehabilitation and Risk Management* (Routledge, 2012); *Delivering Rehabilitation: The politics, governance and control of Probation* (Routledge, 2015); and *Reimagining Rehabilitation: Beyond the Individual* (Routledge, 2019). He was Editor of the *Probation Journal* between 2007 – 2016.

Please note

Views expressed are those of the author and do not reflect Howard League for Penal Reform policy unless explicitly stated.

Features

Professional legitimacy and the probation service: Opportunities and challenges after re-unification

Matt Tidmarsh

Introduction

The *Transforming Rehabilitation (TR)* reforms to probation in England and Wales fundamentally transformed service delivery. In 2014, *TR* split services between a publicly owned National Probation Service (NPS) that supervised people who posed a high risk of harm to the public, and 21 privately-owned Community Rehabilitation Companies (CRCs), which were responsible for low-to-medium risk offenders (Ministry of Justice [MoJ], 2013). And yet, services were re-unified in June 2021 (HM Prison and Probation Service [HMPPS], 2021), a decision influenced in part by how a transactional model of probation had ‘downgraded’ and ‘diminished’ the profession (HMI Probation, 2019a).

Scholars have drawn attention to CRCs’ failure to establish their legitimacy as organisations capable of delivering efficient and effective services as a factor in the demise of *TR* (Robinson, 2021; Deering and Feilzer, 2017). This article, therefore, explores how probation can re-capture its legitimacy following re-unification. It does this through the concept of *professional legitimacy* (see Tidmarsh, 2021a), which highlights probation practitioners’ crucial role in demonstrating the worth of the service to multiple stakeholders. The first part briefly reviews how professional legitimacy in probation has been



reshaped in recent decades by socio-economic, political, cultural, and organisational changes. The second part focuses on how professional legitimacy can be enhanced after re-unification through a renewed emphasis on training and recruitment, along with the cultivation of ‘thicker’ (Dominey, 2019) relationships with partner agencies in the community. The article argues that while a ‘workplace professionalisation agenda’ (HMI Probation, 2021: 13) presents opportunities for the service, it continues to operate within an environment characterised by (competing) punitive and managerial pressures that can undermine attempts towards desistance and rehabilitation. Against this backdrop, probation professionals’ ability to navigate these pressures is integral to the service’s legitimacy.

Professional legitimacy and the probation service

In a climate that has been ‘heated’ (Loader and Sparks, 2010) by socio-economic, political, and cultural changes in recent decades, the ways in which criminal justice institutions establish and maintain their legitimacy has been called into question (e.g., Crawford and Hucklesby, 2013). The probation service is no exception. Scholarly efforts, notably by Gwen Robinson and colleagues, have highlighted the links between the service’s legitimacy and its ability to be ‘tough’ on non-compliance (Robinson and Ugwudike, 2012), to meet performance targets (Robinson *et al*, 2012), and to rehabilitate people through accredited interventions (Robinson, 2008). Probation thus operates in a ‘polyarchic context’ (Robinson *et al*, 2017: 140), one that reflects the shifting

expectations of numerous constituents. Building on this work, Tidmarsh (2021a) notes that the actions of probation professionals are crucial to the service's legitimacy; they mediate the relationship between government and its representatives, the public, and people on probation. Here, *professional legitimacy* provides a lens through which to explore how socio-economic, political, and cultural shifts 'have impacted staff attempts to demonstrate the service's legitimacy to multiple stakeholders' (Tidmarsh, 2021a: 166).

'Profession' is a contested concept, but there is consistency across competing theoretical traditions within the sociology of the professions as to the ideal-typical traits in which an occupation's legitimacy as a profession is grounded. This literature typically highlights a profession's ability to exercise state-approved *jurisdiction* over a particular area of work (Abbott, 1988); a mastery of *abstract knowledge* learned through a prolonged period of *education and training*, usually within a university setting; *autonomy* over the socio-economic and technical organisation of work (Freidson, 1970); and an *ideology of service* that puts clients first (Carr-Saunders and Wilson, 1933). Probation acquired such ideal-typical traits in the first half of the twentieth century: McWilliams (1985), for example, demonstrated how it became established as the *only* service authorised to provide supervision in the community, as the religious influences of the Church of England were gradually superseded by social work *education and training*. This *knowledge* served as the basis for practitioners to diagnose people's problems and *work autonomously* towards solutions and was underpinned by a client-centred *ideology of service* captured in the words 'advise, assist and befriend' (McWilliams, 1985).

In recent decades, however, the ideal-typical traits on which probation's professional legitimacy was predicated have been reshaped. Tidmarsh (2021a) contends that competing 'publics' have been mobilised as key resources that have compelled practitioners to adapt their practices to the demands of late-modern society. On the one hand, the public were constructed as a 'law-abiding majority' (Faulkner, 2008: 76) to be protected from people who commit crime, who became an 'enemy' to be overcome. The *punitive* discourses that were largely absent from public debate in the post-war years featured prominently in the 'tough on crime' agendas of successive governments, contributing to a sharp increase in the prison population (Mair and Burke, 2012). Social work training requirements for practice were abolished in 1995, part of an attempt to eradicate the subjectivities of social scientific knowledge (Raynor and Vanstone, 2007). On the other hand, the public were presented in *managerial* terms, as taxpayers entitled to 'value for money'. Greater central control over probation was justified through assertions as to the efficiencies that would result from curtailing the autonomy of practitioners, chief officers, and locally administered services (Mair and Burke, 2012) – such that professionals have had to internalise market-led dynamics of performance targets and audit to 'justify the service's existence' (Phillips, 2011: 111).

For probation professionals, these competing pressures have resulted in the entrenchment of risk management principles and practices. Whether risk management represents an unwelcome assault on traditional modes of working (Fitzgibbon, 2007) or a necessary step in the reinvigoration of rehabilitation (Robinson, 2008), it has reshaped how probation staff demonstrate their legitimacy. In this context, practitioners'

ability to meet performance targets *and* be 'tough' on offenders (Robinson and Ugwudike, 2012) became arguably just as important - if not more so - to professional legitimacy as the abovementioned ideal-typical traits (Tidmarsh, 2021a). And yet, the *relationship* has remained the key site in which the service has fostered its legitimacy with people on probation (McNeill and Robinson, 2013), a point evidenced by studies on the persistence of a client-centred ideology of service that guides probation work (Deering, 2010; Mawby and Worrall, 2013; Tidmarsh, 2021a). Accordingly, for Robinson *et al* (2012), *rehabilitative* interventions must occur within or alongside other *punitive* and/or *managerial* ends.

The *TR* reforms were presented as a means to traverse these divergent aims - 'to ensure that all those who break the law are not only punished, but also receive... rehabilitation support' (MoJ, 2013: 3). The creation of markets for low-to-medium risk offenders would deliver value for money while putting 'trust in frontline professionals... and free them from bureaucracy' (MoJ, 2013: 13). And yet, the state's 'authority is stamped upon... outsourcing arrangements' (Fitzgibbon and Lea, 2018: 550): as I have argued elsewhere, the reforms expanded the network of actors to whom staff had to demonstrate their legitimacy to incorporate additional *market* criteria (Tidmarsh, 2021a; 2021b). Efforts towards enhancing efficiency and effectiveness through competition, profit, and a Payment by Results mechanism further embedded a culture of performance in which the CRCs were dependent upon the state, for clients *and* funding. Such was the damage to service that (former Chief Inspector of HMI Probation) Dame Glenys Stacey concluded that the reforms had degraded professional practice (HMI Probation,

2019a). This is supported by similarly damning reports by the National Audit Office (2019) questioning the value for money provided by *TR* and HMI Probation (2020) on the impact of supervisor-client relationships, which produced increasingly 'thin' practices in the CRCs (Dominey, 2019).

Since *TR*, then, private providers' legitimacy deficit has received much scrutiny. Robinson (2021) differentiates between *external* and *internal* legitimacy. The former refers to 'confidence' in probation from extraneous stakeholders; the latter concerns self-perceptions of the service and its staff. Ethnographic research has shown that the language of 'probation' survived the reforms in some CRCs where staff job titles and organisational names were changed, as a way to sustain *external* trust with partner agencies (Robinson *et al*, 2016; Tidmarsh, 2021a). However, the extent to which confidence in the private sector impacted relationships with the courts and the NPS (HMI Probation, 2019a) in many regions in England and Wales undermined the *internal* legitimacy of probation staff. Many CRC staff commented on being part of a 'second class' (Deering and Feilzer, 2017) or 'two-tier' (HMI Probation, 2017) service. The *TR* reforms can thus be situated along a continuum in which professional legitimacy in probation has been reshaped. Attempts to put clients first have had to be balanced with the competing needs of other stakeholders, including the state, the 'public', and, additionally, the market. The next section discusses the opportunities and challenges for professionals, and for probation's legitimacy, after the re-unification of services.

Re-unification: Opportunities and challenges

Despite initial plans to retain a mixed market for probation services after *TR*, the Conservative government decided to return all rehabilitative interventions to the public sector in June 2021 (HMPPS, 2021). In addition to structural dissociation from the private sector, Robinson (2021) identifies two further strategies for the re-legitimation of probation. First, probation's *organisational field* is comprised of local, regional, and national contexts (Robinson, 2021). Everyday interactions are the foundations on which practice becomes 'real and tangible to... other agencies' (Robinson, 2021: 161). This suggests that, after the reputational damage caused by *TR*, probation's efforts to rebuild its legitimacy depend in part upon practitioners' capacity to (re)establish relationships with partners in the public and voluntary sector. Second, a 'workplace professionalisation agenda' (HMI Probation, 2021: 13) is key to recapturing professional legitimacy. The provision of training and support has been increased to better facilitate probation service officer progression to probation officer grade and, from March 2022, qualified officers will be certified on a 'professional register', the purpose of which is 'to increase the standing and desirability of the role of probation officer' (HMI Probation, 2021: 28). Over 1,500 trainee probation officers have already been recruited to replace the staff lost to redundancies and resignations after *TR* (HMI Probation, 2021). More staff and training should strengthen the traditional signifiers of professional legitimacy in probation – jurisdiction; knowledge, education, and training; autonomy; and an ideology of service – thereby enhancing external confidence in the service and its staff.

Canton's (2019) analysis of the European Probation Rules (EPR)

provides a framework within which to develop the professional register. Re-unification operates within an environment characterised by competing mentalities, which simultaneously promise 'tougher' sentencing and more 'time, support and tools [for practitioners] to develop productive relationships with those they supervise' (MoJ, 2020a: 8). If the service is unable to influence the former, not least because the Civil Service Code restricts NPS leaders from having 'an independent professional voice with which to represent probation' (Robinson, 2021: 163), then the EPR can influence the latter. Articulating values grounded in human rights and the minimisation of harms, Canton (2019) contends, is at the core of the EPR. Making such values explicit through the professional register can serve to (re)instil a common identity among probation staff that was fractured by *TR*. As the 'ethical foundation for all probation work' (Canton, 2019: 4), then, the EPR offers a blueprint for professional legitimacy by helping to re-establish relationships, *with* clients and *between* staff.

And yet, such is the nature of late-modern public service delivery that probation must conform to rationalities of *managerialism* and *punitiveness*. While the culture of audit that has permeated probation practice and has been much criticised, its inclusion within the EPR suggests that regular inspection (Canton, 2019) is integral to any attempts to remake professional practice. As such, managerial logic still influences assumptions around service governance, for the probation regions are housed within the Civil Service and have adopted a new performance management framework (HMPPS, 2021). This centralisation, for Carr (2020: 195), raises questions about 'the scope of professional autonomy of probation staff as civil servants.' Staff may also struggle

to (re)articulate a distinct ideology of service from within the Civil Service, especially if such values conflict with government policy (Carr, 2020). A recent white paper entitled *A Smarter Approach to Sentencing* (MoJ, 2020a) mostly contained 'tough' measures, including longer sentences for people who had committed sexual and violent offences, and 'second' and 'third' strike minimum custodial sentences. Accordingly, recent Ministry of Justice (2020b) projections that the prison population could rise to 98,700 over the next six years have the potential to undermine any gains in terms of staffing and re-professionalisation.

The challenges posed by the political and organisational fields in which probation operates suggest that professionals' ability to navigate competing pressures will be crucial to the service's legitimacy. Here, re-unification provides an opportunity not only to re-centre probation as a public sector profession underpinned by training and expertise, but also to build networks in the community. This is vital, given that 'services are part of an ecosystem which is... suffering from declining investment' (HMI Probation, 2020: 6). 'Probation agencies', Rule 12 of the EPR states, 'shall work in partnership with other public or private organisations and local communities to promote the social inclusion of offenders' (c.f. Canton, 2019: 7). Probation professionals can deploy their legitimacy, as agents of the state, to bring together scarce resources and reinforce a sense of belonging in clients through a collaborative, bottom-up focus on *relationships*. To this end, Tidmarsh and Marder (2021) have drawn attention to several promising initiatives, like the use of community hubs in which services are co-located to support multi-agency working with external organisations (Albertson *et al*, 2020) and greater service user involvement in service design (HMI Probation, 2019b). Attempts

to rebuild *professional legitimacy* in probation, to increase *internal* and *external* (Robinson, 2021) confidence in the service and its staff, can thus be put to cultivating 'thicker' (Dominey, 2019) relationships – within and between organisations.

Conclusion

Years of institutional chaos suggests that most probation staff will likely have welcomed re-unification while remaining anxious about further restructuring. Re-unification 'is not a magic bullet for improving performance' (HMI Probation, 2020: 8), but structural reform can provide some semblance of stability from which to rebuild. A renewed focus on 'professionalism' is welcome, given that it is rooted in a recognition of the need to re-professionalise staff through knowledge, education, and training, and to engage them in an evidence-base. Challenges around professional autonomy and punitive discourses remain (Carr, 2020), and represent a barrier to a client-centred ideology of service, but reintegrating services, alongside resources like the professional register, can help to re-emphasise shared values and create a positive service identity. Professionalism in probation is thus at a crossroads: it is required to be 'all things to all people' (Robinson *et al*, 2012: 332), forging a path between punitivism and managerialism on the one hand and more traditional forms of professional legitimacy on the other. With sufficient institutional support, probation staff can pursue 'thick' (Dominey, 2019) relationships that temper the worst excesses of a 'heated' (Loader and Sparks, 2010) political climate and help the new service to recapture its legitimacy.

References

- Abbott, A. (1988) *The System of Professions: An Essay on the Division of Expert Labor*. Chicago, IL: University of Chicago.
- Albertson, K., Phillips, J., Fowler, A. and Collinson, B. (2020) Who owns desistance? A triad of agency enabling social structures in the desistance process. *Theoretical Criminology*, 0(0): 1-20. DOI: 10.1177/1362480620968084
- Canton, R. (2019) *European Probation Rules*. Manchester: HMI Probation.
- Carr, N. (2020) Probation renationalised: Another twist in the tale for the national service of second chances. *Probation Journal*, 67(3): 193-197.
- Carr-Saunders, A.M. and Wilson, P.A. (1933) *The Professions*. Oxford: Oxford University.
- Crawford, A. and Hucklesby, A. ed. (2013) *Legitimacy and Compliance in Criminal Justice*. London: Routledge.
- Deering, J. (2010) Attitudes and beliefs of trainee probation officers: A 'new breed'? *Probation Journal*, 57(1): 9-26.
- Deering, J. and Feilzer, M. (2017). Questions of legitimacy in probation practice after Transforming Rehabilitation. *The Howard Journal of Crime and Justice*, 56(2): 158-175.
- Dominey, J. (2019) Probation supervision as a network of relationships: Aiming to be thick, not thin. *Probation Journal*, 66(3): 283-302.
- Faulkner, D. (2008) The new shape of probation in England and Wales: Values and opportunities in a changing context. *Probation Journal*, 55(1): 71-83.
- Fitzgibbon, D.W.M. (2007) Risk analysis and the new practitioner: Myth or reality? *Punishment & Society*, 9(1): 87-97.
- Fitzgibbon, W. and Lea, J. (2018) Privatization and coercion: The question of legitimacy. In: *Theoretical Criminology*, 22(4): 545-562.
- Freidson, E. (1970) *Profession of Medicine: A Study of the Sociology of Applied Knowledge*. New York, NY: Dodd, Mead & Company.
- HM Prison and Probation Service (2021) *The Target Operating Model for Probation Services in England and Wales: Probation Reform Programme*. London: HMSO.
- HMI Probation (2017), *2017 Annual Report*. Manchester: HMI Probation.
- HMI Probation (2019a) *Report of the Chief Inspector*. Manchester: HMI Probation.
- HMI Probation (2019b) *Service User Involvement in the Review and Improvement of Probation Services*. Manchester: HMI Probation.
- HMI Probation (2020) *2019/2020 Annual Report: Inspections of Probation Services*. Manchester: HMI Probation.
- HMI Probation (2021) *A Thematic Review of Work to Prepare for the Unification of Probation Services*. Manchester: HMI Probation.
- Loader, I. and Sparks, R. (2010) *Public Criminology*. London: Routledge.
- Mair, G. and Burke, L. (2012) *Redemption, Rehabilitation and Risk Management: A History of Probation*. London: Routledge.
- Mawby, R. C. and Worrall, A. (2013) *Doing Probation Work: Identity in a Criminal Justice Occupation*. Abingdon: Routledge.
- McNeill, F. and Robinson, G. (2013) Liquid legitimacy and community sanctions. In: Crawford, A. and Hucklesby, A. (eds.) *Legitimacy and Compliance in Criminal Justice*. London: Routledge.
- McWilliams, W. (1985) The Mission transformed: Professionalisation of probation between the Wars. *The Howard Journal*, 24(4): 257-274.

Ministry of Justice (2013) *Transforming Rehabilitation: A Strategy for Reform*. London: HMSO.

Ministry of Justice (2020a) *A Smarter Approach to Sentencing*. London: Ministry of Justice.

Ministry of Justice (2020b) *Prison Population Projections 2020 to 2026, England and Wales*. London: Ministry of Justice.

National Audit Office (2019) *Transforming Rehabilitation: Progress Review*. London: Home Office.

Phillips, J. (2011) Target, audit and risk assessment cultures in the probation service. *European Journal of Probation*, 3(3): 108-122.

Raynor, P. and Vanstone, M. (2007) Towards a correctional service. In: Gelsthorpe, L. and Morgan, R. ed. *Handbook of Probation*. Cullompton: Willan.

Robinson, G. (2008), 'Late-modern rehabilitation: The evolution of penal strategy', *Punishment & Society*, 10/4: 429-445.

Robinson, G. (2021) Rehabilitating probation: Strategies for re-legitimation after policy failure. *The Howard Journal of Crime and Justice*, 60(2): 151-166.

Robinson, G. and Ugwudike, P. (2012) Investing in 'toughness': Probation, enforcement and legitimacy. *The Howard Journal of Crime and Justice*, 51(3): 300-316.

Robinson, G., Burke, L. and Millings, M. (2016) Criminal justice identities in transition: The case of devolved probation services in England and Wales. *British Journal of Criminology*, 56(1): 191-173.

Robinson, G., Burke, L. and Millings, M. (2017) Probation, privatisation and legitimacy. *The Howard Journal of Crime and Justice*, 56(2): 137-157.

Robinson, G., McNeill, F. and Maruna, S. (2012) *Punishment in society: The*

improbable persistence of probation and other community sanctions and measures. In: Simon, J. and Sparks, R. (eds.) *The SAGE Handbook of Punishment and Society*. London: SAGE.

Tidmarsh, M. (2021a) Professional legitimacy, identity, and practice: Towards a sociology of professionalism in probation. *British Journal of Criminology*, 62: 165-183.

Tidmarsh, M. (2021b) Professionalism, Payment by Results and the Probation Service: A Qualitative Study of the Impact of Marketisation on Professional Autonomy. *Work, Employment & Society*, 0(0): 1-21. DOI: 10.1177/09500170211003825

Tidmarsh, M. and Marder, I. (2021) Beyond marketisation: Towards a relational future of professionalism in probation after *Transforming Rehabilitation*. *British Journal of Community Justice*, 17(2): 22-45.

About the author:

Dr Matt Tidmarsh is a Lecturer in Criminal Justice at the University of Leeds. His research interests traverse criminology, sociology, and social policy, with a current interest in professional legitimacy, identity, and practice in the Probation Service. His first monograph, *Professionalism in Probation: Making Sense of Marketisation*, was published in August 2021 by Routledge Press.

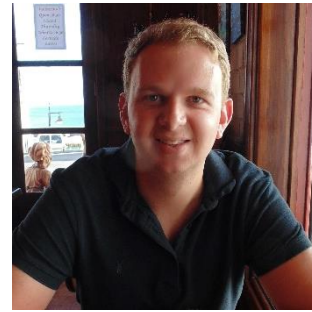
Trapped in a cycle: The Offender Rehabilitation Act 2014 and the rise in recall to custody

Matt Cracknell

Introduction

This article is based on findings from my doctoral thesis, which aimed to explore how resettlement is enacted and experienced by practitioners and people serving short sentences in relation to the Offender Rehabilitation Act (ORA) 2014. Introduced as one of the central elements of Transforming Rehabilitation (TR), the ORA 2014 introduced new legislation that meant an estimated 50,000 people in England and Wales who had served a period in custody of less than 12 months (commonly referred to as a short sentence), would now receive 12 months post-release supervision in the community (Ministry of Justice (MoJ), 2014). This would consist of a period spent on licence, followed by a 'top up' period called post-sentence supervision (PSS). A significant aspect of the ORA 2014 was the addition of the supervisory licence period (and the adjacent enforcement rules for PSS) which could result in a return to custody for non-compliance or further offending.¹

Apart from a few ad-hoc initiatives (see: Cracknell, 2021a), before the introduction of the ORA 2014, people serving a short sentence received no statutory support from the probation service after release from custody. This



is despite this cohort having the highest re-offending rate in the adult system, and often presenting with the most complex needs (Trebilcock, 2011). Often, these people would serve a 'revolving door' of repeat short sentences, termed as 'serving life by instalments' (Armstrong and Weaver, 2013: 302). The reforms aimed to tackle this cycle, promising that 'offenders will now get the support they need to turn their lives around and start contributing to society' (MoJ, 2014). Critics, however, outlined concerns of the 'net widening' aspects of the ORA 2014 (Cracknell, 2018; Padfield, 2016).

Research prior to the TR reforms indicated that the probation service had taken an 'enforcement turn' (Robinson and Ugwudike, 2012: 300) with an increased focus on compliance and increasingly inflexible rules, chiefly in order to enhance its legitimacy to its stakeholders. The subsequent introduction of the ORA 2014 has led to an exponential rise in people serving short sentences returning to custody (Prison Reform Trust, 2019).² A recent HM Inspectorate of Probation report (HMIP, 2018) outlined that the overall quality of case management and enforcement decision making for the short sentence cohort was poor, compounding the revolving door

¹ The licence period and PSS have differing enforcement procedures. The licence period allows an automatic return to custody through the standard recall procedures, while the PSS period requires a return to court via breach proceedings and a fixed period of recall (NOMS, 2014).

² In the year to December 2018 (the year fieldwork was undertaken for the thesis) 8,927 people serving a sentence of less than 12 months were recalled to prison, more than those serving sentences longer than 12 months, or those with indeterminate sentences (Prison Reform Trust, 2019).

experience of this service user group. Empirical research by Dominey and Gelsthorpe (2020) on women's experience of recall and short sentences, further set out a number of factors, including how the threat of recall could undermine the supervisory relationship. The authors further underlined how a combination of austerity and the privatised probation system stretched resources and undermined the ability to address complex needs. These factors ultimately contributed towards an acceleration of the cycle between community and custody.

This article draws on data gathered in one case study area, via 35 semi-structured interviews, which consisted of 18 interviews in a 'local' category B prison (ten prison practitioners and eight prisoners serving a short sentence) and 17 interviews in the corresponding community rehabilitation company (nine probation practitioners and eight service users serving the community elements of a short sentence). Findings from this article will feature experiences of custody recall from two perspectives; firstly, practitioners working in custody and community who outline some of the causes and consequences of custody recall, and secondly, people subject to the ORA 2014 legislation, who outline how they became further trapped in a revolving door between custody and the community. To protect anonymity, all service users have been given a pseudonym. A conclusion will briefly outline future prospects for the short sentence cohort, post-TR.

Findings

Practitioner experiences of recall to custody

Exploring practitioners' views on recall to custody provides an important understanding of why this rise has occurred. A probation officer provided

her perspective regarding this exponential rise, and noted a concern shared by several practitioners, related to the changes to staff personnel post-TR:

New staff are scared that your name might be linked to a serious further offence, and you better be safer than sorry. What I've seen is people getting recalled for things that shouldn't be. It depends on how confident the worker is (Probation officer).

The changes in staff turnover created inexperienced practitioners who were more restricted in their practice and exhibited less individual autonomy. New practitioners were perceived as less comfortable in showing leniency and less skilled in using professional judgement and the relational aspects of supervision in order to secure a more meaningful sense of compliance. In this sense, recall became relied upon more as a primary tool of enforcement.

In addition to newer practitioners, even more experienced officers indicated that recalls were commonplace for those serving short sentences because of concerns about their likelihood of re-offending. A PSO with over 14 years' experience outlined this attitude and his particular perspective regarding people he supervised on short sentences:

It feels like you can be constantly doing it. We're doing it so often because it's that type of service user. Their risk of re-offending is high, so it's just part and parcel of it (Probation service officer).

For the short sentence cohort in particular, the recall process had become a normalised aspect of practice. Practitioners also indicated that the multi-systemic needs of people subject to

short sentences had contributed towards the normalisation of recall amongst this group. Practitioners held a pragmatic view towards their cases and made clear distinctions between those who they saw as motivated and able to make changes and those that were not. This created a bifurcated system, between those deemed able to abide by their licence conditions and those that were not. This bifurcated system was made necessary by practitioners who faced restrictions on resources and time and in turn made judgements regarding who they were able to invest in, as revealed by one probation officer:

In terms of sussing that person out quick in supervision, it'll be 'that person is going back, he's going to re-offend, he's not going to re-offend, I can get something out of this person' (Probation officer).

The conditions that constructed this bifurcation were forged through the implementation of TR and the subsequent limitations placed on staff time, due to high caseloads. Although it could be construed as uncaring, staff faced challenges in allocating limited resources and emotional investment in those they perceived as likely to fail.

A group who were often consigned to this label were people with a substance misuse issue, who several practitioners viewed as unmotivated and uninterested in their own resettlement and were unlikely to avoid returning to custody. These people had previously been described as the most entrenched of the short sentence population (Armstrong and Weaver, 2013) and in part, the formulation of through-the-gate practices under TR and the ORA 2014 were designed to provide support with these types of cases (MoJ, 2013). A responsible officer outlined her

perspective of supervising people with substance misuse issues:

If they're on heroin and crack, I find those service users harder to engage. They turn up when they want... they always fall off and go back to drugs, it's just going backwards and forwards (Responsible officer).

The comments of the responsible officer suggested that for people with the most deeply entrenched needs, the implementation of TR had not served to alleviate their issues. Instead, the attendant licence conditions and supervisory framework introduced under TR had served as a 'landmine' (McNeill, 2018) and acted as an additional catalyst in their re-cycling around the revolving door, further deteriorating chances of successfully reintegrating back into the community.

Prison practitioners also faced particular challenges in managing the short fixed-term recalls in custody. As discussed elsewhere (Cracknell, 2021b), many practitioners based in the case study prison found that recalls held little value and provided insufficient time to make any meaningful difference, and only served to increase the sense of churn inside the prison:

We'll have people come in on a seven-day recall. By the time we get their notification of them being here, they've got five days left. That's not enough time for us to hand over or refer to the relevant people. Sentences like seven days are pointless. It's just harder for us, it's more work, but there's no outcome. Some of the prisoners refuse to engage, so even they see no point to it (Prison resettlement practitioner).

Short-term fixed recalls were so brief, that they severely constrained the ability

to conduct resettlement work. Instead, these sentences were viewed as unproductive, as the brevity of the sentence did not provide adequate time to foster a change of behaviour. A mental health practitioner outlined the particular frustrations that recalls could have for practitioners and was critical of the extension of supervision for the short sentence population, as this seemed to have increased the chance of people returning to custody, rather than lessened it:

People are set up to fail because the conditions of their release are so harsh and unrealistic, they're not being given proper chances to fully prove themselves. We've dealt with this chap on an ongoing basis for quite some time and we find it quite frustrating that every time we set something up for him in the community, probation recall him in the nearest possible chance. There are no second chances when it comes to the licence conditions, and I find it very frustrating. With probation, it's very straight and narrow rules and that's it (Prison mental health practitioner).

The belief that people are being 'set up to fail' by strict and inflexible licence conditions has also been articulated in wider research (Prison Reform Trust, 2018), and was a common theme amongst service users. These themes are explored further below.

Service user experiences of recall to custody

Although the ORA 2014 is ostensibly designed as a safety net of additional help and support, for service users interviewed in the case study area, the PSS period and its attendant licence conditions only served to further trap people deeper into the clasp of control and surveillance (Cracknell, 2021c).

And for people like David, once trapped in this system, it can be impossible to escape its grasp:

That licence they give you is stupid. If you serve even one day in prison, you get out to an automatic 12-month licence. For some people, that's a life sentence. Just a never-ending circle. You get recalled for two weeks at a time, but you haven't got enough time to sort yourself out and get anything in place for when you get out. What's two weeks in here, it's nothing. Then you get out and it starts all over again another 12 months. You're never going to be free of it unless you manage to do a whole 12 months outside. For some people, that's impossible (David, short sentence prisoner).

David's experiences suggest that the ORA 2014 has not only failed to resolve the 'revolving door' of repeat short sentences but has actually served to keep it in motion (Dominey and Gelsthorpe, 2020), and expanded the time people spend cycling between prison and the community. In particular, the short recall period doesn't provide enough time to achieve anything meaningful in custody, increasing the chance of failure in the community. And for many people like David, service users can end up feeling trapped in an endless cycle of short sentences.

Service users also felt that the frequent cycling between prison and community meant constantly changing to new probation workers and that this hindered the ability to build a sense of rapport and a trusting relationship. This is likened elsewhere to a 'pass-the-parcel' experience (Cracknell, 2020):

*They switch up your probation worker so often. You get a bit of trust and build up some rapport and then all of a sudden, you've got a new probation worker, they don't know anything about you, you got to build up that trust again. Some of these probation workers don't give a f**k, it's easier for them to recall you (Ben, service user in the community).*

Ben's experiences outline how recalls can erode the sense of legitimacy of probation supervision, and hinder trust in the probation worker, effectively undermining the rehabilitative ambitions of the ORA 2014 legislation. Similarly, Digard's (2010: 58) study on offender perceptions of the prison recall system, noted how recall can generate a sense of helplessness, and that reintegration can feel like an 'unobtainable goal'. Similarly, the endless cycles of short sentences and recalls can erode a sense of hope in service users, damaging prospects of reintegration.

Conclusion

This article has briefly set out how the wider conditions caused by TR has created an environment that normalises the use of recall. Practitioners expressed how a mixture of unconfident practitioners new to probation work, combined with relentless caseload pressures, and inadequate time and resources, led to practitioners adopting highly pragmatic attitudes towards the use of recall, normalising it as a standard aspect of supervising the short sentence cohort. For service users, this undermined the relational aspects of the supervisory relationship and served to further trap service users into a revolving door of short sentences, undermining the original intentions of the ORA 2014.

The demise of TR has provided an opportunity to reconfigure its approach to

the short sentence cohort. A new proposal introduced in the recent *Target Operating Model for Probation Services in England and Wales* (HMPPS, 2021) outlines a way forward to potentially improve outcomes for people serving short sentences. This involves the introduction of 'specialist short sentence teams', based in the community, who will work solely with people serving short sentences. The aim of developing these teams is that they will provide dedicated support to this cohort, in order to minimise the disruption that a short period in custody can cause and foster closer engagement between the practitioner and service user. This can hopefully improve the relational difficulties and build greater trust in the supervisory relationship. However, as noted elsewhere (Cracknell, 2020), for these teams to have any success in alleviating the revolving door that so many of the short sentence cohort face, probation workers need to be provided with the time, space and resources to work with these people. A more flexible approach will also be needed so that the use of recall is not used as the default tool to work with a group who often inhabit such complex needs, and whose journey to desistance will rarely be a straightforward path (Weaver and McNeill, 2010).

References

- Armstrong, S. and Weaver, B. (2013). Persistent Punishment: User views of short prison sentences, *The Howard League Journal of Criminal Justice*, 52(3), pp.285-305.
- Cracknell, M. (2018). Post-release reforms for short prison sentences: Re-legitimising and widening the net of punishment. *Probation Journal*, 65(3), pp.302-315.
- Cracknell, M. (2020). Post-sentence supervision: A case study of the extension of community resettlement support for short sentence prisoners. *Probation Journal*, 67(4), pp.340-357.
- Cracknell, M. (2021a). From the 'seamless sentence' to 'through the gate': Understanding the common threads of resettlement policy failures. *British Journal of Community Justice*, 17(2).
- Cracknell, M. (2021b). 'Trying to make it matter': The challenges of assimilating a resettlement culture into a 'local' prison. *Criminology & Criminal Justice*, 17488958211037469. pp.1-18.
- Cracknell, M. (2021c). The resettlement net: 'revolving door' imprisonment and carceral (re) circulation. *Punishment & Society*, 14624745211035837.
- Digard, L. (2010). When legitimacy is denied: Sex offenders' perceptions and experiences of prison recall. *Probation Journal*, 57(1), pp.43– 61.
- Dominey, J. and Gelsthorpe, L. (2020). Resettlement and the case for women. *Probation Journal*, 67(4), 393-409.
- HM Inspectorate of Probation (HMIP). (2018). *Thematic inspection: Enforcement and recall*. Manchester: Justice Inspectorate.
- HM Prisons and Probation Service (HMPPS). (2021). *A Target Operating Model for Probation Services in England and Wales, Probation Reform Programme*. London: HMPPS.
- McNeill, F. (2018). Pervasive punishment: *Making sense of mass supervision*. Bingley: Emerald Publishing.
- Ministry of Justice. (2013). *70 resettlement prisons announced for England and Wales*. London: Ministry of Justice. Available at: <https://www.gov.uk/government/news/70-resettlement-prisons-announced-for-england-and-wales> (accessed 15/02/2022).
- Ministry of Justice. (2014). *New law will see support extended to 50,000 more prisoners*. London: Ministry of Justice. Available at: <https://www.gov.uk/government/news/new-law-will-see-support-extended-to-50000-more-prisoners> (accessed 15/02/2022).
- National Offender Management Service (NOMS). (2014). *Post-sentence supervision requirements, PI-29-2014*, London: Ministry of Justice.
- Padfield, N. (2016). The magnitude of the offender rehabilitation and "Through the gate" resettlement revolution, *Criminal Law Review*, pp.99- 115.
- Prison Reform Trust. (2018). *Broken trust, the rising numbers of women recalled to prison*. London: Prison Reform Trust.
- Prison Reform Trust. (2019). *Prison the facts: Bromley briefings summer 2019*. London: Prison Reform Trust.
- Robinson, G., and Ugwu-dike, P. (2012). Investing in 'toughness': Probation, enforcement and legitimacy. *The Howard Journal of Criminal Justice*, 51(3), 300-316.
- The Offender Rehabilitation Act*. (2014). C.11. London: Stationary Office.
- Trebilcock, J. (2011). *No Winners: The reality of short term prison sentences*, London: The Howard League for Penal Reform.
- Weaver, B. and McNeill, F. (2010). Travelling hopefully: desistance research and probation practice in Brayford, F., Cowe,

I. and Deering, J. (Eds), *What Else Works? Creative Work with Offenders*, Cullompton: Willan: 504-519.

About the author:

Matt is a lecturer in Criminology at Middlesex University. He has recently completed a PhD about the resettlement of short sentence offenders under the *Transforming Rehabilitation* reforms. He has previously published work on the net-widening effects of short prison sentences, post sentence supervision and his experiences of training as a probation officer. Prior to working in academia, Matt has over seven years' experience of working in various practitioner roles in the criminal justice system, including prisons, probation and substance misuse.

Learning lessons from and for Building Better Relationships: appreciating and imagining the possibilities

Nicole Renehan

The criminal justice domestic violence perpetrator programme, Building Better Relationships (BBR), in England and Wales seeks to address male violence and abuse within intimate relationships. ESRC funded PhD research (Renehan, 2021a) explored the experiences of BBR facilitators who delivered this programme, highlighting how their wellbeing, professional identities, and practice were negatively impacted by the absence of adequate emotional and practical support (Renehan, 2021b). These experiences were exacerbated within the Transforming Rehabilitation (TR) period during which BBR was delivered within Community Rehabilitation Companies (CRCs). BBR has now come back under the remit of the Probation Service.

Given the issues identified above, it is encouraging that the Ministry of Justice has committed to investing in the development and wellbeing of all staff through the *Probation Workforce Strategy* (MoJ, 2020). There are, however, lessons to be learned about the specific needs of facilitators who work with domestically violent men. Drawing on appreciative inquiry and interviews with eight BBR facilitators, this article explores how the strategy's objectives can be tailored to develop their skills within supportive work environments.



Firstly, this article will provide a brief overview of the current policy landscape in England and Wales in relation to tackling domestic abuse via domestic violence perpetrator programmes (DVPPs) and the need to recruit, develop and retain a workforce that are supported in doing so.

The domestic abuse policy landscape in England and Wales

Criminal courts in England and Wales hold powers to mandate men to BBR who are convicted of a domestic abuse related offence. The long-awaited Domestic Abuse Act 2021 will extend similar powers within family and civil court proceedings. The Act will introduce Domestic Abuse Protection Orders (DAPOs) which will include an option for positive requirements, such as compelling people who perpetrate domestic abuse to attend a *behaviour change programme*. Programmes can be provided by criminal and non-criminal justice agencies but non-compliance with a DAPO will be a criminal offence. Combined with a backlog of referrals due to the COVID-19 pandemic, these new powers will likely create a tsunami demand for skilled practitioners to undertake this incredibly challenging but necessary work.

The current government has also committed to developing a national perpetrator strategy to reduce

reoffending (Home Office, 2021).³ It is yet to be established what (if any) funding will be provided to recruit and retain a national workforce who feel supported to undertake DVPP work. This is important given my own research with facilitators and the findings from a thematic inspection by Her Majesty's Inspectorate of Probation which highlighted variability in skills, confidence and support, issues that cannot alone be solved by the unification of probation services (HMIP, 2020; 2018). This is precisely why researchers and practitioners have called on the government to properly invest in the recruitment and retention of highly skilled and experienced facilitators within (and beyond) the criminal justice system.⁴

Within this policy and practice backdrop, this research with BBR facilitators explores how they conceived of and imagined working in supportive and adequately resourced work environments.

Methods: imagining possibilities from and for Building Better Relationships through appreciative inquiry

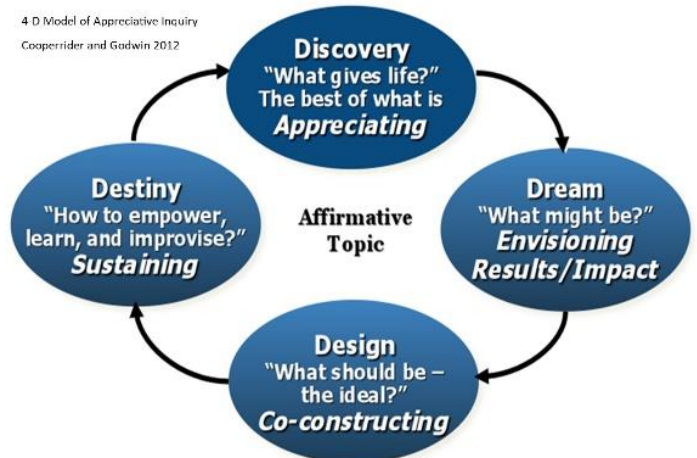
"I've just got this image of us walking up on stage and being given a certificate and somebody shaking our hand because we've put this like BBR programme on the map" (Imagining Building Better Relationships, BBR facilitator)

This research uses the appreciative inquiry (AI) method, originating from and designed for organisational development (Figure 1). It has subsequently been adapted for use in research into

relationships, diversity, and inequalities in prison and the probation practice (Lavis et al, 2017; Liebling, 2015; Grant and McNeill, 2014). AI is an applied methodology which involves four phases (Cowburn and Lavis, 2010):

1. Discovery – identifies best practice and peak performances.
2. Dreaming – invites the interviewee to imagine how things might be improved, with both imagined resources and those which have worked in the past.
3. Design – invites participants to plan their service drawing upon these relationships and resources identified in the previous stages.
4. Destiny – represents the phase in which these changes can be managed and sustained over time.

Figure 1: Cooperrider and Godwin, 2012



Previous research explores the difficulties of being appreciative in unappreciative environments (Renehan, 2021a; 2021 b). However, it is also possible to appreciate the possibilities for

³ Also see the <http://driveproject.org.uk/news/call-to-action-for-perpetrator-interventions-in-england-and-wales/> for the call for a Perpetrator Strategy

⁴ Discussion paper on Domestic Abuse Strategy <https://www.ryantunnardbrown.com/wp->

<content/uploads/2022/01/Discussion-paper-on-the-Domestic-Abuse-Strategy-November-2021-Jo-Tunnard-on-behalf-of-author-organisations1.pdf>

designing and sustaining more supportive and invigorating workplaces by drawing on facilitators' accounts.

This article draws specifically on appreciative questions where eight BBR facilitators were asked to *imagine* a work environment in which they felt confident and supported. Appreciative conversations seek to engage research participants in discussions that look for solutions, instead of pursuing negative spirals. This research involved reframing or 'flipping' negative responses such as asking facilitators to 'imagine the opposite is true', what resources were needed for this to become reality, and what it would 'look' and 'feel like' if this were so.

Although there were many overlaps, these imagined working conditions were coded against the *Probation Workforce Strategy* objectives which aim to: promote wellbeing for everyone; attract and retain talented staff; support and develop people; create a more diverse workforce; and foster confident leaders who inspire and empower others (MoJ, 2020). The facilitators' imaginings were most relevant regarding the first three aims. Reflections on the final two objectives are provided in the conclusion.

1. Supporting and developing our people

The *Probation Workforce Strategy* plans for a new learning and development model that will support employees throughout their career in the criminal justice system with training that can be accessed at the point of need. It includes opportunities for digital, flexible and face to face learning and reflection.

In respect of development, BBR facilitators talked about some of their specific needs when working with men who use violence in their intimate relationships. Some imagined more

extensive, topic specific training in relation to domestic abuse and facilitating group work. This was because male participants on BBR were viewed as some of the most challenging people on probation to work with, not least because of the defensive and hostile projections that facilitators had to manage. Facilitators also imagined having more time to practise and understand sessions before delivering them and reflect on their practice with colleagues after. This was viewed as central to working with male participants effectively but also to reduce any 'fear' and embarrassment they experienced in the delivery room themselves.

Another aspect that some facilitators found challenging was delivering motivational sessions and one-to-one work, particularly if they were new to the role. These pre and post module sessions are posited as the 'glue' that holds the programme together. Facilitator's calls for more training in this regard would therefore be worthwhile pursuing. When asked to imagine what this training might 'look like', one facilitator suggested:

*Erm, so what I think they should give us is like a profile and then what we should do is practice those one to ones. Now, whilst it's not genuine, it gives you a little bit more insight. So, for example, if I was someone who was manipulative but didn't accept any – "she's making it up, she's bulls*****g" or whatever it might be, and they've got to try and explore it with me, erm, that's lacking. The one to one stuff is the hardest part of this programme sometimes. Because it's just you and them. What you've got to get out of them is some acceptance for the abuse and what they're going to do.*

While such imagined practice examples were admittedly viewed as superficial, this account demonstrates that

facilitators wanted much more therapeutic and practice training than was currently on offer.

This was further evidenced in some facilitators' eagerness to gain more in-depth understanding about the theoretical premises of BBR and how this translates into practice. Some imagined developing a better understanding of underpinning theories, concepts and techniques used to support desistance amongst male participants. Suggestions ranged from having more time to practise these skills during initial training, to gaining a more in-depth understanding outside of probation. Gaining specialised knowledge was imagined as contributing to an improved professional identity, as well as the reputation of probation services more broadly:

I don't know whether that would be like – I don't know, much more training at university, or something like that, not just – not that I'm minimising in-house training, you know, but not just a day, you know, but training and something more kind of intense, that kind of really specialises your skills, kind of stands you out from the crowd as well.

Facilitators expressed that a supportive work environment was central to development. These imagined working conditions consisted of valuing new staff beyond that of just another 'body' to pick up the (ever increasing) workload, carving out the space to learn practise skills, and the time for more experienced staff to support new colleagues. Supportive work environments would therefore equally promote the aims and values of the wider probation service while affording facilitators opportunities to take pride in the work they do:

For me it would be putting my heart and soul into that one intervention and really

being able to concentrate on it and kind of celebrate it.

As will be shown in the next section, these professional values were also key to attracting and retaining staff.

2. Attracting and retaining talented staff

To attract and retain talented staff within probation, the *Probation Workforce Strategy* aims to create welcoming environments, to continue work on modernising its pay structure, and to enhance qualification routes. As has been outlined above, welcoming environments should also involve supportive work environments that encourage the time and space to develop the skills and confidence necessary to effectively deliver DVPP work.

Pay and sustainable funding for skilled and experienced facilitators in the domestic abuse sector, more broadly, has for too long been neglected (Renehan, 2021b; Morran, 2008). Fair pay was viewed as an important aspect of feeling valued amongst BBR facilitators, with remuneration that reflected differing levels of experience. When this was not forthcoming, it engendered feelings of professional worthlessness. When asked to consider how a fair pay structure would improve their lives, one facilitator imagined:

I'd be more motivated to come in, in the morning, you know. It kind of justifies the time I'm spending away from, from home a little bit. I mean, with childcare costs and stuff, it's kind of, you know, sometimes I feel like I'm just working to kind of get us all by. At least, I feel like I could be working for more of a purpose for my home life, if that makes sense?

The lack of promotion opportunities was also cited as a contributing factor to

contemplating leaving the service. When asked to imagine the opposite was true, participants were keen to stay and excited about their future as a facilitator. One interviewee provided several examples such as an accredited facilitator pathway which could lead to other professional development opportunities:

Then actually I could have that under my belt, maybe I could train people in BBR, because what you find sometimes with people training people in BBR, is actually, they've never delivered it in the community, which is a slightly different dynamic to custody.

Pay and promotional opportunities were not the sole factors contributing to job satisfaction or reasons for wanting to do (or stay in) this kind of work. All the facilitators interviewed were motivated to make a difference to people's lives. As outlined above, this meant being afforded the opportunity to become specialised in specific programmes and to work responsively in ways that were also commensurate with their own professional values.

There were, however, concerns that the quantity of referrals was prioritised over the quality of the work they did. This was cited as a key reason for feeling demotivated in their work and was often attributed to TR. Where spare time had previously been used to prepare and make sessions more responsive, this had been filled with additional one-to-one work purchased by the National Probation Service. It is not yet known if or to what extent facilitators will be expected to undertake this work within unified probation services. But it was evident that a core aspect of facilitators' commitment to the role involved being supported to work with people in meaningful ways and how this would benefit people on probation:

So rather than asking what it is that we're filling our time with, [ask] how it's productive, how it's valuable to the groups that we are running.

As highlighted below, BBR was, to varying degrees, also viewed by facilitators interviewed as the most emotionally challenging of the programmes they delivered. Therefore, promoting wellbeing involved practical and emotional support so that facilitators felt valued as individuals and professionals.

3. Promoting wellbeing for everyone

Promoting wellbeing is a core objective within the *Probation Workforce Strategy* which will include access to psychological services, and workforce planning to minimise the impact of increasing workload volume and complexity. Further research explores the emotional impact of undertaking domestic abuse work and the additional challenges faced by those with experiential traumas (Renehan, 2021b). While some facilitators preferred BBR to other accredited and non-accredited programmes, too much exposure to domestic abuse could also impact negatively on wellbeing. To counter burn out, one facilitator imagined:

Maybe giving staff the choice, maybe reviewing, or even having a rota, so you do six months where you're doing DV, and then come off it for a bit, and have a bit of a breather, do something different. Erm, so that it's never, so it doesn't become a chore, people aren't going, oh I'm on BBR again. Because I don't think that can translate well into the group room.

Notably, such accounts acknowledged how supportive work environments – that were tailored to their development needs and foregrounded wellbeing in practice –

benefited them *and* male participants who they were committed to working with. This was expressed clearly by another facilitator who was asked to imagine how such working conditions would feel:

I think it's definitely more motivating. I think my resilience to what the group members are kind of bringing in with them would be stronger because I'm not feeling as mentally and physically tired and trained and I can – I could put more time and effort into making sessions more interactive and putting more time and effort into really understanding the theory behind what it is that we're doing.

What was clear, however, was that supporting wellbeing was not about singling out stressed and/or traumatised workers for psychological services, but by acknowledging how unsupportive work environments (a matter of policy, not workforce) creates the very conditions in which wellbeing is negatively impacted. Ultimately, being valued, recognised, and knowing that their work had purpose was viewed as significant in promoting their wellbeing and worth:

It is, it's about kind of being recognised and, you know, being thanked for the hard work that you've put in because that, obviously, you know makes us feel good because – and it's not just about that, but it's just, you know, being confident in the knowledge that actually what we're doing is, is effective and it's – and it's working.

Conclusions

There are clearly important lessons to be learned from and for BBR as probation reforms begin to take shape. Facilitating change in the lives of those who perpetrate domestic abuse is a complex and challenging task. The rare accounts offered by facilitators here and elsewhere

(Renehan, 2021b; Hughes, 2017; Morran, 2008) should be taken seriously if we are to attract and retain a highly skilled workforce that can meet the growing demand for experienced practitioners.

Valuing the accounts of those who work most closely with people who perpetrate abuse, and supporting them to thrive themselves, is key to developing an enthusiastic and committed workforce who will continue to be motivated to take on this (sometimes) rewarding and (often) challenging work. Creating these work cultures might also attract a more diverse workforce who can inspire others and where their own aspirations to become inspiring leaders are more than just imaginings within a unified probation service.

References

- Cooperrider, D. and Godwin, L. (2011). Positive organization development: Innovation-inspired change in an economy and ecology of strengths. *The Oxford handbook of positive organizational scholarship*, pp.737-750.
- Cooperrider, D. and Srivastara, S. (1987). Appreciative Inquiry in an Organizational Life, [w:] Woodman R., Pasmore W.(eds.), *Research in Organizational Change and Development*. Greenwich: Emerald Group Publishing
- Cowburn, M. and Lavis, V. (2010). 'Appreciative Inquiry into the Diversity Strategy of HMP Wakefield' PILOT RESEARCH PROJECT REPORT. <https://www.brad.ac.uk/media/ssid/psychology/Diversity-Strategies.pdf>.
- Domestic Abuse Act 2021*. (c.17). London: The Stationery Office. Available at: <https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted> (accessed 25 February 2022).
- Grant, S. and McNeill, F. (2014). What matters in practice? Understanding 'quality' in the routine supervision of offenders in Scotland. *The British Journal of Social Work*, 45(7):1985-2002.
- Home Office (2021). Tackling Perpetrators. Available at: <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/tackling-perpetrators> (accessed 25 February 2022).
- HMIP (2018). Domestic abuse: the work undertaken by Community Rehabilitation Companies (CRCs). A thematic inspection by HM Inspectorate of Probation. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2018/09/Report-Domestic-Abuse-the-work-undertaken-by-CRCs.pdf> (accessed 25 February 2022).
- HMIP (2020). 2019/2020 Annual Report: inspection of probation services. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/12/2019-2020-Annual-Report-Inspection-of-probation-services-1.pdf> (accessed 25 February 2022).
- Hughes, W. (2017) Lessons from the integrated domestic abuse programme, for the implementation of building better relationships. *Probation Journal*, 64(2):129-145.
- Lavis, V. Elliott, C. and Cowburn, M. (2017) Exploring the Response to Diversity and Equality in English Prisons: An Appreciative Inquiry, in Brooks, J. and King, N. (eds). *Applied Qualitative Research in Psychology*. London: Palgrave.
- Liebling, A. (2015). Appreciative inquiry, generative theory, and the 'failed state prison'. *Qualitative Research in Criminology. Advances in Criminological Theory*. New Brunswick: Transaction Publishers, 251-269.
- Ministry of Justice (2020) Probation Workforce Strategy. Available at: <https://www.gov.uk/government/publications/probation-workforce-strategy> (accessed 25 February 2022).
- Morran, D. (2008) Firing up and burning out: The personal and professional impact of working in domestic violence offender programmes. *Probation Journal*, 55(2), pp.139-152.
- Rehnan, N. (2021a) Building Better Relationships? Interrogating the 'black box' of a statutory domestic violence perpetrator programme. Summary of thesis and key findings report. Available at: [https://www.research.manchester.ac.uk/portals/en/publications/building-better-relationships-interrogating-the-black-box-of-a-statutory-domestic-violence-perpetrator-programme\(55e4ffe1-d031-4728-95ad-bc2164750a00\).html](https://www.research.manchester.ac.uk/portals/en/publications/building-better-relationships-interrogating-the-black-box-of-a-statutory-domestic-violence-perpetrator-programme(55e4ffe1-d031-4728-95ad-bc2164750a00).html) (accessed 25 February 2022).
- Rehnan N. (2021b) Facilitators of probation-based domestic violence perpetrator programmes: 'Who's in the room?' *Probation Journal*, 68(3):310-329.

About the author:

Nicole Renehan is an ESRC Postdoctoral Research Fellow in the Department of Sociology, Durham University. Her research focusses on domestic abuse, perpetrators, interventions, neurodiversity, and workforce development.

Reunified probation: An opportunity to finally progress a desistance paradigm of practice?

Sam Ainslie

Introduction

Despite the fact that a desistance paradigm of probation practice has long been advocated (McNeill, 2006) and the main principles of such an approach operationalised (McNeill and Weaver, 2010), barriers continue to exist for probation practitioners in practicing in a desistance-focused manner consistently. This is despite the presence of an aligned and enduring value base (Ainslie, 2021). Debates continue in relation to potential ways of reconciling the perceived tensions between traditional (but prevailing) risk-based approaches to correctional rehabilitation with a desistance-informed approach (Maruna and Mann, 2019). In recognition of the argument that a desistance paradigm of practice is dependent on the legal and organisational context (McNeill and Whyte, 2007), consideration needs to be given to the opportunities presented by the reunification of probation services to enable a desistance paradigm of probation practice to flourish, and thereby benefit those people subject to probation intervention and the communities in which they live.

Drawing on findings from a qualitative study undertaken in one National Probation Service (NPS) division in 2018, this article explores the difficulties shared by NPS practitioners in their attempts to consistently apply a desistance-informed approach to practice. These difficulties are presented as 'practice pains' consisting of solely managing high risk and complex caseloads, target and accountability culture, fragmented approaches to

intervention and insufficient training and development.

Background and methodology

In an effort to understand the barriers to, and enablers for desistance-focused practice in the NPS an exploratory study using triangulation of three qualitative data collection methods (documentary analysis, observations of practice and practitioner focus groups) was undertaken within one NPS Division in 2018 (see Ainslie, 2021). For the purposes of data collection, desistance-focused practice was conceived as being in accordance with the eight desistance-principles outlined by McNeill and Weaver (2010). These principles emerged from an in-depth review of the desistance literature and were likely to be known by practitioners having previously been incorporated into training materials and policy documentation. This paper draws on the perspectives of 14 NPS practitioners (Probation Officers, Probation Service Officers and Trainee Probation Officers) provided across three focus groups, each lasting 90 minutes. Questions were framed using an appreciative approach to generate discussion about what aspects of a desistance-focused approach practitioners were achieving, as well as providing space for the organic presentation of perceived barriers (Robinson et al, 2012).

Whilst the study was undertaken in one NPS Division, focus groups were undertaken in three different delivery areas purposely selected in recognition of the fact they covered diverse demographic areas with inner city and rural offices. Despite the study taking place within the context of the NPS, inevitably practitioners offered their perspectives on the working arrangements with the CRCs operating in their local area. This paper draws on their views to consider what possible

lessons can be learnt from the failed part-privatisation agenda.⁵ It focuses in particular on how a desistance paradigm of practice might be progressed in the 'new' Probation Service.

Analysis highlighted a group of specific difficulties practitioners experienced in their attempts to practice in a desistance-focused manner. I present these here as 'practice pains' consisting of solely managing high risk and complex caseloads, target and accountability culture, fragmented approaches to intervention and insufficient training and development.

'Relentless' caseloads

Reflecting on the realities of working with high caseloads of people assessed as presenting a high risk of serious harm or with complex needs, practitioners' descriptions of their work aligned with Phillips et al's (2016) description of working in the post-TR context as 'relentless'. Practitioners were frustrated at not being able to work with people in the way they considered effective due to workload demands arising from caseloads where everything was perceived as urgent and risky and therefore difficult to prioritise.

There's no middle ground with the work anymore. You've got the older, more compliant sex offenders who you can have a proper conversation with, and they seem to tell you a lot. But then, you've got the other end of the scale with the youngsters who are here for violence and just don't want to engage. (Della, Probation Officer)

He's half a caseload on his own; I have two co-workers just to give me some respite from him. (Judy, Probation Officer)

In view of the high number of practitioner vacancies across the unified Probation Service, it remains to be seen whether caseloads will reduce in volume in the foreseeable future. Perhaps however, unification represents the opportunity to regain some of the 'middle ground' referred to by Della, with a more balanced caseload that permits some relief from the relentless nature of purely high-risk work. Alternatively, it could extend this particular practice challenge to all practitioners. This could therefore compromise their ability to work in a desistance-focused way that relies on practitioner ability to install hope, reflect on their practice, build links in the community and provide the practical support necessary to assist people in overcoming barriers to desistance.

Emotional labour is inherent to the work of probation practitioners and in the absence of sufficient support from the Probation Service they are at substantial risk of burnout (Phillips et al, 2021). This can take the form of emotional exhaustion perhaps seen here in the comments from Pippa:

I've got one to this day that when I see him in my diary I just (deep sigh). I've also got a few that fantasise about children, that's all they want to think about and they're like 'I'll do this work but I'm not going to change'. That's really hard. I've got three of those and I just find that really... where do you go with that? It's hard. (Pippa, Probation Officer)

Alternatively, burnout can manifest as desensitisation which arguably compromises a practitioner's ability to form the positive working relationships that are central to desistance-supportive approaches (McNeill and Weaver, 2010). Reflecting on her training experience, Sonja provides a worrying reflection on

⁵ Pseudonyms are used throughout the paper to protect the anonymity of participants

practitioner attitudes to service-users in her office:

In relation to desistance, based on my experience at the moment, the cultures in the office at the moment, how they talk about offenders, I'm shocked by how derogatory they are in my office. I do understand when you do the job day in and day out it gets frustrating but, yeah, it's bad. I heard someone say the other day it would be better off if this person was dead... I know the actions of the people we supervise can be frustrating and I'm sure I've said things that if I heard them back, I'd not say them again, but yeah, I'm finding it bad the way people are talking about offenders, and I think it goes against the desistance agenda. (Sonja, Trainee)

Unification presents the opportunity for the Probation Service to review (and take urgent action) in respect of the support available to protect practitioners from the emotional demands of their work. Without this, they will continue to be 'over extended, and exhausted' (Porporino, 2018: 78) seriously compromising practice and outcomes for the people they supervise.

Unified approaches to intervention?

Desistance research highlights the need for people to feel there is a sense of commitment from practitioners (Rex, 1999) and NPS participants bemoaned the fragmented nature of the delivery of interventions and services following TR. They were conscious of the potential for lack of continuity in the working relationship due to processes such as risk escalation and the contracting out of intervention delivery:

Now people can have three or four offender managers and that's not helpful because sometimes you're going over old ground, they've already been over and then it's 'why do I have to tell you all

again?' You've already built that relationship with them haven't you and they get moved on from the CRC due to risk escalation or over to the CRC for them to deliver an intervention. (Bruce, Probation services officer)

Practitioners were frustrated by the way in which their role had been reduced to that of assessor and enforcer in the NPS context and considered their ability to deliver meaningful interventions to be compromised. They were also mindful of the reality that the quality of the interventions being delivered by their local CRC was less than conducive to supporting desistance processes:

Basically, we've been told we can do the assessments, the report, in black and white, 'you focus on your computer stuff', we were told 'specialists' are there to do the one-to-one work and that's the message we've been given although we haven't really got the specialists here. CRC haven't got the range of things we probably want. (Anna, Probation Officer)

In theory, unification could reduce the fragmented nature of delivery of services, if only due to the removal of case allocation and risk escalation processes that resulted in convoluted bureaucratic processes. These processes positioned people as 'things' to be managed (Burke and Collett, 2010) as opposed to people needing support in transforming their lives. However, the ability to deliver individualised and meaningful desistance-supportive interventions that promote growth of human capital alongside provision of opportunities to build social capital is likely to remain compromised given the continuation of a model of probation delivery that does little to enable flexible and creative one-to-one work. The unified Probation Service has thus far signalled an intention to roll-out heavily prescribed approaches to the delivery of

Rehabilitation Activity Requirements (RAR) and post-sentence supervision periods (HMPPS, 2021) which does little to inspire hope that a desistance-paradigm of practice can flourish. Whilst initiatives such as the *Structured Intervention* digital toolkits are desistance informed (Morris et al, 2021) they remain focused on the development of human capital rather than acknowledging the role of probation (practitioners and the organisation as a whole) in engaging with local communities to reduce stigma and support growth in social capital.

Target and accountability culture

NPS practitioners identified target driven performance as a barrier to a desistance approach, particularly in respect of individualising practice approaches. They were frustrated by prescription and bureaucracy, particularly in respect of requirements to complete repeat risk assessments and administrative tasks which they saw as detrimental to the time available they had to work with service-users. They were also mindful that binary and deterministic performance targets failed to measure the important aspects of probation practice or recognise the complexity of desistance processes.

The targets are just so black and white. Did he re-offend or not? Well, yes, he did, but it was far less serious, and he went way longer than he ever has before so let's give some credit for that shall we. (John, Probation Officer)

They also spontaneously discussed their fears in terms of being held to account via formal accountability processes such as Serious Further Offence (SFO) reviews or inspection activity. Their comments suggested that such fear impacts on their decision making when working with people, particularly in respect of deciding to reduce restrictive conditions or encourage more

involvement in the local community. In this way, the pressure to be risk averse represents a barrier to building trust and reduction in restrictions that is required to support desistance in the long-term.

I guess what is frustrating is sometimes when they have been open and they disclose, you want to work with that, but my experience so far, and the attitude of those around me that I'm having to take feedback from is quite punitive in how they respond to that. And I feel like this person has opened and disclosed and then we slam some bricks down on that with 'this is what is going to happen now' and it's just like well, they're not going to open-up and disclose again are they when our response is, I think, too onerous at times and I do think it feels just so risk averse. (Leon, Trainee)

Arguably, both NPS and CRC practitioners will carry the legacy of accountability processes into the unified Probation Service and will face renewed scrutiny from stakeholders in the coming months. Further exploration in respect of the potential for accountability concerns to restrict a desistance paradigm of practice would be beneficial and could make a meaningful contribution to future policy development.

Training and development

HMPPS has committed to recruiting 1000 new probation officers by 2023, alongside an agenda for strengthening the training and development opportunities for all practitioners (HMPPS, 2020). It is concerning that the reflections of NPS trainee probation officers raised serious concerns about the quality of their training. They questioned whether the current HMPPS training provision enabled them to approach their one-to-one practice with confidence:

Everyone's the same, saying 'what do we actually do with them when we're in the room together? You're told, you've got all these workbooks but then I feel like I'm a teacher who is a fraud. It took me ages to figure out what I was actually going to do with each person and how I would approach different things. They just don't train you! (Toni, Trainee)

This lack of confidence in knowing how to adapt their approach to people compromised the trainees' ability to work in a way that supported desistance. This lack of confidence extended to the ability to deal with the emotional demands of practice:

They don't teach you how scary it is either to sit in front of somebody who you don't know, and it's horrible because you've got the conscious or maybe even unconscious bias in your mind that this person in front of me has done all these horrendous things, I was terrified in my first supervision session, I was so scared. (Kayleigh, Trainee)

I think people I've spoken to who have recently qualified or have been through the process, they all say the same thing, it is pretty much learning by your mistakes which, let's face it, outside of this room, if you went up to members of the public and said 'did you know that about 20 % of the probation service are brand new and learning by making mistakes' everyone would just look at you like you were mad! We are all learning by our mistakes really which is not ideal. (Leon, Trainee)

In the absence of sufficient training, trainees turned to colleagues as a means of developing and coping with the demands of the role. Whilst this was perceived favourably by some, others indicated that variations in office cultures and ongoing pressures post-TR impacted on the level of support and

advice that was offered to newer staff. This finding aligns with the work of Durnescu (2014) who argued that professional socialisation can be affected by major events such as significant changes in legislation, and that stress can impact on social learning processes. As such, it is worth considering what the Probation Service needs to do to improve the support available to a large number of inexperienced staff to avoid the development of practice approaches that take practitioners further away from a desistance paradigm.

Conclusion

The unification of probation services, whilst welcomed by many, represents yet another period of upheaval and uncertainty for probation practitioners and the people they supervise. This reflection from Della reminds us of the pain caused by TR:

Aside from forging the resentment in the probation staff and how people feel their anger, TR was like a mad chef with a chopper and just went through it and everything was scattered. And we also have austerity measures and all these resource issues at the fore. It's a monumental mess. (Della, Probation Officer)

Unification in and of itself is unlikely to resolve many of the systemic issues that have hindered the development of a desistance paradigm of practice, but it does present the opportunity to try and mitigate some of the pains experienced by practitioners in their efforts to support the people they work with.

You've got to keep trying. What's it called again 'rolling with resistance', remember that guys from the good old days? (Laughs) We're always rolling and rolling and rolling... (John, Probation Officer)

The quote here from John is testament to the tenacity of practitioners to keep trying to practice in ways that are aligned to their professional values, despite the barriers they encounter as a result of their working conditions and the organisational processes they need to navigate and endure on a daily basis. Ultimately, assisting people to achieve sustained desistance 'should be the holy grail for probation' (McNeill, 2014: 168) and as such, the Probation Service needs to take action to address the apparent practice pains that have been hindering practitioners in their efforts to practice in accordance with a desistance paradigm in recent years.

References

- Ainslie, S. (2021), Seeing and believing: Observing desistance-focused practice and enduring values in the National Probation Service, *Probation Journal*, 68(2):146-165. <https://journals.sagepub.com/doi/full/10.1177/02645505211005031>
- Burke, L. and Collett, S. (2010), People are not things: What New Labour has done to Probation, *Probation Journal*, 57(3):232-249. doi:10.1177/0264550510373957
- Durnescu, I. (2014,) Probation skills between education and professional socialization. *European Journal of Criminology*, 11(4):429-444. doi:10.1177/1477370813504162
- HMPPS (2020,) *Probation Workforce Strategy*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/905417/probation-workforce-strategy-report.pdf (accessed 25 February 2022).
- HMPPS (2021), *The Target Operating Model for Probation services in England and Wales*, available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959745/HMPPS - The Target Operating Model for the Future of Probation Services in England Wales - English - 09-02-2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959745/HMPPS_-_The_Target_Operating_Model_for_the_Future_of_Probation_Services_in_England_Wales_-_English_-_09-02-2021.pdf) (accessed 25 February 2022).
- Maruna, S. and Mann, R. (2019), *Reconciling 'desistance' and 'What Works'*, HM Inspectorate of Probation, available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/02/Academic-Insights-Maruna-and-Mann-Feb-19-final.pdf> (accessed 25 February 2022).
- McNeill, F. (2006), 'A desistance paradigm for offender management', *Criminology and Criminal Justice*, 6 (1): 39-62.
- McNeill, F. (2014), 'Changing lives, changing work' in I. Durnescu and F. McNeill (eds) *Understanding penal practice*, London: Routledge, pp. 167-178.

McNeill, F. and Weaver, B. (2010), *Changing lives? Desistance research and offender management*, SCCJR Project Report, No 03/2010.

McNeill, F. and Whyte, B. (2007), *Reducing reoffending: social work and community justice in Scotland*, Devon: Willan Publishing.

Morris, J., Raducu, A. A., Fuller, M., Wylie, S. and Watson, S. J. (2021), Towards a desistance-focused approach to probation supervision for people who have committed Intimate Partner Violence: A digital toolkit pilot study, *Probation Journal*, 68(2): 261-281. doi:10.1177/02645505211002257

Phillips, J., Westaby, C. and Fowler, A. (2016), 'It's relentless: the impact of working primarily with high-risk offenders', *Probation Journal*, 63 (2): 182-190.

Phillips, J., Ainslie, S., Fowler, A. and Westaby, C. (2021), *Burnout and Emotional Labour amongst Probation Practitioner*, University of Cambridge Institute of Criminology webinar 17/03/2021: <https://youtu.be/eKjPZ476oDk>

Porporino, F.J. (2018), 'Development and challenges in probation practice: is there a way forward for establishing effective and sustainable probation systems?', *European Journal of Probation*, 10 (1): 76-95.

Rex, S. (1999), 'Desistance from offending: experiences of probation', *The Howard Journal*, 38 (4): 366-383.

Robinson, G., Priede, C., Farrall, S., Shapland, J. and McNeill, F. (2012), 'Doing 'strengths-based' research: appreciative inquiry in a probation setting', *Criminology and Criminal Justice*, 13 (1): 3-20.

About the author

Sam Ainslie is a Senior Lecturer in Criminal Justice at Sheffield Hallam University where she teaches undergraduate criminology and on the Professional Qualification in Probation. She identifies strongly with the 'pracademic' label having previously worked as a probation practitioner and manager for 17 years. Sam's research interests relate to desistance, probation practice and probation training. She is currently involved in research

relating to emotional labour and burnout within probation practice. Sam is also a doctoral student working towards the Professional Doctorate in Education (EdD). Her research relates to pedagogical approaches to enhancing critically reflective practice in probation practitioners.

Publications: <https://orcid.org/0000-0003-2908-9910>

The community hub model of service delivery: An example of a ‘positive innovation?’

Andrew Fowler, Jake Phillips and Katherine Albertson

Introduction

This article revisits a research study which was conducted into the use of community hubs to deliver probation practice. In particular, it focuses on the themes of outsourcing, devolving and a re-configuration of a mixed market in probation to reflect on what this means for the Probation Service post-unification. Our original research – conducted in 2019 – explored the use of community hubs to deliver probation by Community Rehabilitation Companies (CRC), in England and Wales and was commissioned by Her Majesty’s Inspectorate of Probation (HMI Probation). In June 2021, the unification saw the National Probation Service combine with CRCs to become the Probation Service. This reform occurred after, amongst other things, a scathing HMI Probation report which found the Transforming Rehabilitation (TR) model to be ‘irredeemably flawed’ (2019). Although TR was undoubtedly a failure, care needs to be taken not to lose some of the good initiatives which CRCs introduced. As the Chief Inspector of Probation Justin Russell has suggested:

The quality of probation supervision will not improve merely by lifting and shifting large volumes of cases from the private sector into the public sector. Vacancies for probation officers must be filled and staff properly trained for their new responsibilities. The positive innovations that the private companies have brought with them must not be lost.



Although Russell is ambiguous as to what these positive innovations were, we would argue that one potentially positive development was the greater use of community hubs which some CRCs made use of. Community hubs are spaces in which a range of agencies are co-located to provide support services (Dominey, 2018). Hubs do not exclusively serve those under statutory supervision – some of the hubs that we visited were also available to the whole community, whilst others were only available to those people under probation supervision. This is a holistic approach to criminal justice interventions at a localised level (Phillips et al, 2020a). After briefly revisiting the rhetoric around ‘innovation’ in probation and introducing community hubs, this article seeks to explore whether community hubs can indeed be seen as a ‘positive innovation’ that the Probation Service should try to hold on to. In doing so, this article will consider longstanding issues of localisation, risk management and the sustainability of hubs in the new Probation Service landscape. This aims to prompt reflection on what should be brought forward from the TR model.

Contextualizing Innovation in probation

Robinson et al (2016, p. 171) suggest that at the ‘heart of the government’s TR rhetoric was *innovation*.’ In 2013, The Lord Chancellor and Secretary of State for Justice Chris Grayling announced:

I intend to open up the market for probation services, so that we can combine the expertise that exists in the public sector probation service with the

innovation and dynamism of private and voluntary providers.

It could be argued that this represents a laissez-fair model to innovation (Lundvall and Borrás, 2005) where the government see their role as creating the conditions for innovation to flourish. In this instance, innovation is associated with ‘dynamism of the private and voluntary sector.’ As Firth (1957, p. 11) puts it, “you shall know a word by the company it keeps.” Perren and Sapsed’s (2013) analysis of the use of ‘innovation’ in Hansard from 1960-2005, reveals innovation needs to be understood in the context of the words with which it is collocated, for example, ‘dynamism.’ Their analysis suggests an increasingly performative usage of innovation, in the 2000s, signifying a desirable goal. In the case of TR, this was the opening of probation services to the market. Dynamism represented an opportunity for the latest ideas, knowledge, and competitiveness.

To some extent, community hubs reflect the spirit of this innovation. Though it should be noted that Fox and Marsh (2016) saw TR as a narrowing of the pledges between the original ‘rehabilitation revolution’ (HM Government 2010) and the white paper *A strategy for Reform: Transforming Rehabilitation* (2013) which laid out the reforms in more detail. The latter strategy included innovation for frontline professionals, new payment mechanisms, new technology and a focus on outcomes to drive innovation with no mention of local communities or social entrepreneurs. Fox and Albertson (2020) summarise key drivers for innovation such as high reoffending rates, changing client groups, opportunities to use new technology and a governmental (or ideological?) drive to do ‘more for less.’ In their conclusion, they point to five factors to promote innovation including: developing

innovative ecosystems; shared values; co-created, personalised; localised; and greater investment in a broader understanding of evidence. Again, to some extent the community hubs represented innovation foretold in the TR white paper, the drivers for innovation described by Fox and Albertson (2020) and factors to promote innovation. It is thus helpful to consider community hubs as innovation. The next section explains our methodology.

Background and methodology

This article draws upon data from fieldwork at six community hubs. The research forms part of a wider appreciation of the role of community hubs by HMI Probation. The research received ethical approval from the National Research Committee and Sheffield Hallam University’s Faculty Ethics Committee. HMI Probation facilitated our access to sites, and approval was negotiated with each gatekeeper within the CRCs. The research was conducted and completed between June and November 2019.

To understand how the community hubs support desistance, the research design was informed by McNeill et al’s (2012, p. 2) eight principles of desistance focused practice. The six research hubs represented each of Gardner’s (2016) hub governance sub-types (see figure 1, replicated in Phillips et al., 2020a) and a variation in characteristics from rural locations, city centres, large towns to women only hubs.

Figure 1: Community hub sub-types

Community Hub	<ul style="list-style-type: none"> • Premises provided by a third party, as part of a wider community offer, for a wide range of probation service users.
Hybrid hub	<ul style="list-style-type: none"> • Premises provided by a third party, as part of a wider community offer, where a small sub office to house probation staff is also provided on site.
Specialist hub	<ul style="list-style-type: none"> • Premises provided by a third party, as part of a wider community offer, for a particular group of probation service users, for example Women, ethnic minorities, or a particular need for example, drug and alcohol use or ETE.
Pop-up community hub	<ul style="list-style-type: none"> • A non-permanent base, set up as a temporary solution, to respond to a particular need for a given period of time, in a community setting.
Co-locations	<ul style="list-style-type: none"> • Where employability and justice teams share premises, which in itself is the beginnings of a community hub, that can be built on to encourage other organisations to provide services from, in future.
Reporting centre	<ul style="list-style-type: none"> • Although technically not a hub, main premises provided by third party (for example a police station) where probation service users report, rather than travelling further. Over time may move or evolve into a community hub.

The mixed methodology design included semi-structured interviews and observations across all six sites. Site one was a hybrid hub; site two was a community hub; site three was a specialist hub; site four was a co-located hub; site five was a reporting centre; and site six was a pop-up community hub. Across the six sites we interviewed 21 CRC staff, seven employees of voluntary sector organisations and one member of the National Probation Service (NPS). We also interviewed 38 service users and seven people in strategic positions, for example, CRC directors. Interviews were transcribed and analysed using the eight desistance principles as sensitising concepts (McNeill et al, 2012; also see Phillips et al, 2020b). The semi-structured interviews were developed around seven areas: (1) background of hub attendance; (2) the extent of hub resources; (3) users'/workers' experiences of the hub; (4) diversity and environmental issues; (5) facilitators, barriers, and good practice; (6) impacts on relationships with responsible with responsible officers; (7) individual evaluations of the service (and de-brief material). The findings were written up

into a report for HMI Probation (Phillips et al, 2020a), an academic article highlighting best practice (Phillips et al, 2020b) and a theoretical paper exploring the link between agency and desistance (Albertson et al, 2020). During the analysis, the challenges of setting up a community hub and quality of this innovation to support desistance and resettlement were plain to see.

This article explores three key themes from our analysis of community hubs as an innovation: the benefits of localised services; risk management issues and sustainability, resources, and intensification. Moreover, there were anxieties around sustainability, funding and intensification of supervision. The next section details these findings.

Localised services

Fox and Albertson (2020) point towards localised approaches to designing and delivering probation services as the best hope for innovation. This is echoed in the comments from our respondents. Firstly, a Senior Probation Officer (SPO) from the CRC argued that this was cost effective:

Obviously, I touched upon with you previously about the cost of getting people to town centres or city centres where they can go to their probation office, it's a lot more cost effective to be working out of a location such as this where we maybe pay rent to use this building but it's far cheaper than the cost of bussing 50 odd offenders to XXXX. (CRC staff site one, hybrid hub)

Being based in the community was also regarded as enhancing local knowledge of relationships in the community and events that have occurred which could support risk management:

Local knowledge, you know, who's hanging around with who and you find that they're all linked one way or the other. There was a robbery across the road two years ago and it was the town crier who got robbed and they took his wife's jewellery and she passed away so [policeman], he was our policeman in IOM, he rang me, and he said, look, the name being branded about is this, I said, right, okay. He wasn't on to me at the time, but I'd had him previously and then one of mine came in and said something and I said, oh, are you on about that? How do you know about that? I said, well, everybody knows about it. (CRC staff, site one, hybrid hub)

There was also a sense of readily available social justice where people could access support swiftly when needed.

So, whereas women might have to go from one agency to another to another, usually we can get things fast tracked pretty fast if things are needing done

here. (CRC staff, site three, specialist hub)

Service users commented on services being accessible and under one roof.

*So, I wouldn't go out of my way to – like I wouldn't come to probation then I've got to go and see National Careers and walk another mile after probation to see National – I wouldn't do it, I would just think 'Oh, f*** that, I ain't going to see National Careers now' but having it all under one roof – it's the two birds with one stone scenario. As simple as that. I could resolve anything under this roof. (Service user, Site six, pop-up community hub)*

The benefits of localisation and grouping services geographically and under one roof were a key theme in interviews with staff and clients using the community hubs. Localisation in this sense was seen as cost effective, conducive to productive relational probation work, an enabler for accessing support as well as an improved way of managing risk. This represents the innovative ecosystem described by Fox and Albertson (2020, p. 10) that require approaches to reducing reoffending 'where knowledge is dispersed across organisational boundaries.'

Risk management

The bifurcation of probation work along the lines of risk (i.e., with CRCs responsible for people who were seen to pose a low and medium risk of harm and the NPS reserved for people assessed as high risk) meant that there was a disparity in services available to people on probation. The community hubs were developed in partnership with the CRCs or, in the case of some, by the CRCs acting alone. This meant there was a case-by-case risk assessment of who could attend the hub and in some cases people under the supervision of the NPS

were not permitted. This is reflected in comments from participants who shared their views on risk management in community hubs. There were particular concerns in hubs that were not reserved for people on probation. It should also be mentioned that people attending the hubs felt it destigmatised probation visits and facilitated social networks beyond the probation population (Phillips et al, 2020b). A Responsible Officer (RO) from a community hub expresses some of this complexity.

I don't know the reason why they're not using this (the NPS) place. I wouldn't have thought that, I was discussing this yesterday, sex offenders should come here, myself. I think sex offenders, on the whole, are very compliant and very easy to manage, but, personally, I wouldn't like to see sex offenders sitting in the waiting room because you've got CAMHS (Children and Adolescent Mental Health Services) here, sometimes there are children, or they could be recognised by the community. We were having the discussion that you don't know who you're sitting next to in the dentist's waiting room or the hospital, but we would know what they've done, and I think that would possibly expose this centre to some criticism. But I think there are other high-risk offenders who could come here. (CRC staff, Site one)

At a specialist hub for women, an RO explained that there have been instances where people have been excluded as it would be unsafe for other clients to have that person on site:

I can think of a couple of examples where due to risk they were not seen there because of the vulnerability of other service users who were there who

were on probation and other people, non-probation that are accessing it and also risk to staff in terms of the building there – specialist hub. (CRC staff, site three)

An RO expressed concerns about people with non-offending backgrounds mixing on site with someone with an offending background.

I know you've got to be mindful of contamination as well, you know, people who have never been in trouble before hanging around people who are in trouble and the staff manage that quite well in the open plan reception area, but I do think it does give it a different atmosphere. (CRC staff, site four, co-located hub)

Site six was not available for use by NPS clients due to their level of risk, however, there was a sense from other staff that allowing this would be beneficial.

There have been a few comments because the NPS are not allowed over here because of the offences, and I think that's what they would like. They would like something that we've got. (CRC staff, Site six)

As stated, the community hubs were not all exclusively for the use of people under the statutory supervision of probation. Where there was a mix of the public and people attending under probation supervision at site two and three there were concerns about the impact of non-probation service users. Where the hub was not accessible to people under the supervision of the National Probation Service, at sites one, five and six this created a disparity in service provision. At sites two, three, and four, where CRC and NPS clients could attend, this was done on a case-by-case basis or required the attendance of an NPS staff member. Arguably, probation

is the site where there should be an equality of rehabilitative opportunities for all people under statutory supervision. With Canton (2019) we would argue the moral worth of probation is established not just through outcomes but with processes and day-to-day practice.

Sustainability, resources, and intensification

There were some concerns about innovation in relation to sustainability, resourcing, and potential for intensification like mass supervision (McNeill, 2019). At site three, the specialist women's hub manager explained:

For me there's two things. In order for it to work you need sustainable funding. We're a charity. Without that it can make it very, very difficult in terms of how you plan, develop and provide services because your short-term funding, like you may get a year contract, you get somebody in post, it gets up and running, it gets moving, it's fantastic, everybody loves it, engagement's great and then it ends. (CRC staff, site three)

At site five, a reporting centre outside a prison, the hub director explained the limiting and limited resources available.

I think one of the barriers to achieving what we ultimately want to do and to give the time to each and every service user, is about resourcing. I'd love more staff... Some of the barriers have been just around technology, making sure we've got IT working and we can get Wi-Fi devices to the right bit of the – I mean in XXXX that's why it's not working so well, why the room isn't good is that it's still within the grounds [of the prison] so we can't have a phone, we can't have a Wi-Fi device, we can't use laptops so it's things like that we've got to overcome still in some places. (CRC staff, site five, reporting centre)

There were also concerns about the intensification of supervising people at hubs. At site three an RO stated the disadvantages.

I'd say the disadvantage is that I think caseloads went way too high because I think the split was mismanaged, too many on one. All the financial targets have put extra pressure on case managers to get the targets done and I think maybe that's taken a little bit away from us doing our job. They're the disadvantages. (CRC staff, site three)

Moreover, at site six, a PSO explained the increase in the number of people seen in a condensed amount of time.

...When you do come here on that one day every two weeks, you end up seeing eight to ten people back-to-back or quite soon after each other which creates a chaotic nature of it. Whereas if you're in a different office Monday to Thursday, you can spread your appointments over the course of the week to have that time for reflection. (CRC staff, site six)

A client also reflected the importance of appropriate staffing levels to provide support.

The most challenging thing is kind of a bit of a scramble for the support situation, I think. Because there is a lot of people here that are needing support and a lot of people I think just get forgotten about quite easily and you're constantly reminding them 'I'm here, I'm homeless, help me.' (Client, site two)

The sustainability of the projects reflects the precarious nature of the third sector where contracts can be short-term, unpredictable, underfunded and consequently staff are working on a financial shoestring. The concern around high caseloads and intensifying the volume of people being supervised is

reflected in the client's description of support as a 'scramble.' Fox and Albertson argue (2020) that there must be technical, financial, social and relational innovation to achieve full potential. There needs to be sustainable plans for the continuation of an innovation, a commitment to learn from experiences, continued engagement with partner agencies, communities, and opportunities for creative work within probation.

Conclusion

In addition to 'positive innovations' being brought forward there needs to be a culture of innovation in probation services. Further to this, probation has a 'strong legacy of innovation' (Annison, 2013, p. 237) based on social justice and inclusion. In brief, Lewin's (1947) organisational change model involves three steps: unfreezing, changing and refreezing. The first step in the process of changing behaviour, is to unfreeze an existing state, only then can change occur. The third step involves maintaining change in refreezing new behaviours. The TR approach was found to be inadequate by HMIP (2019) which led to an 'unfreezing' of the TR reforms. The reunification of probation in June 2021 marked the change to a unified probation service. Before the refreezing stage, mechanisms for innovation and creative approaches to probation work need to be embedded in the organisational culture of unified probation services, heeding the suggestions from Fox and Albertson (2020) about innovation.

This article has explored themes from staff and clients attending community hubs provided by CRCs to consider whether they represent a positive innovation that should not be lost. It should be remembered that hubs are not new to probation work (see Vanstone and Priestley, 2022). However, the hubs

visited as part of this research were a consequence of TR. The localised nature of the support was overwhelmingly seen as a positive, challenging the centralisation of probation services in the 2000s (Gale, 2012). Being able to access multiple services under one roof meant that clients and providers were saving money, that staff were attuned to what was happening in the community to manage risk, and that swift information sharing between agencies meant that clients could access support quickly. Our previous articles (Phillips et al, 2020; Albertson et al, 2020) highlight the importance of hub spaces in the community, delivered by the community, linking people into community networks which last beyond the end of a sentence from the court. Community hub governance sub-types may need to be considered to explore how equal opportunities in service provision are available across all offence types and / or levels of risk. Important questions around the sustainability of innovation would need to be explored to ensure appropriate staffing, resources, and ongoing funding – although hubs may represent a cost saving for providers, this should not be the overriding rationale for implementing them.

There are concerns that in the climate of doing 'more for less' and during staff shortages, hubs open the door to upscaling supervision, and intensifying workloads for staff who are expected to see more people, in less time. Going forward there is – we would argue – some potential for this kind of innovation to work well in the context of the Probation Service. Moreover, a sustainable culture of innovation and creative approaches to probation work, underpinned by social justice and inclusion, should be brought forward with 'positive innovations' from the private companies.

References

- Albertson, K., Phillips, J., Fowler, A., and Collinson, B. (2020), Who owns desistance? A triad of agency enabling social structures in the desistance process. *Theoretical Criminology*. November 2020. doi:[10.1177/1362480620968084](https://doi.org/10.1177/1362480620968084)
- Albertson, K. (2021), *Probation Insights: Social capital building supporting the desistance process*. HM Inspectorate of Probation. Academic Insights 2021 / 06. <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2021/06/Academic-Insights-Albertson-KM-design2-RM.pdf> (last accessed 15.02.2022)
- Annisson, J. (2013), Innovation in probation practice: past, present and future. *Probation Journal*, 60(3), 227–241. <https://doi.org/10.1177/0264550513489761>
- Canton, R. (2019), European Probation Rules. HM Inspectorate of Probation. Academic Insights 2019/02. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/03/Academic-Insights-Canton-Jan-19-final.pdf> (last accessed 15 February 2022)
- Dominey, J. (2012), A mixed market for probation services: can lessons from the recent past help shape the near future? *Probation Journal*, 59(4), 339–354. <https://doi.org/10.1177/0264550512458474>
- Dominey, J. (2018), The use of community hubs to deliver probation supervision. Available at: <https://www.cgsj.crim.cam.ac.uk/pdf/community-hubs> (accessed 4 February 2022).
- Firth, J.R., (1957), The techniques of semantics. In: Firth, J.R. (Ed.), *Papers in Linguistics 1934–1951*. Oxford University Press, Oxford.
- Fox, C., and Albertson, K. (2020), Innovation and the Evidence base. HM Inspectorate, Academic Insights 2020/08. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/07/Academic-Insights-Fox-and-Albertson.pdf> (last accessed 15 February 2022)
- Fox, and Marsh, C. (2016), Personalisation: Is social innovation possible under Transforming Rehabilitation? *Probation Journal*, 63(2), 169–181. <https://doi.org/10.1177/0264550516648402>
- Gale, J. (2012), Government reforms, performance management and the labour process: the case of officers in the UK probation service. *Work, Employment and Society*, 26(5), 822–838. <https://doi.org/10.1177/0950017012451646>
- Gardner, T. (2016), Community Hub Strategy. Working Links [unpublished policy document].
- Her Majesty's Inspectorate of Probation (2019). Report of the Chief Inspector of Probation. Available at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/03/HMI-Probation-Chief-Inspectors-Report.pdf> (accessed 9 February 2022)
- HM Government. (2010), *The Coalition: Our programme for government*. London: Cabinet Office. Available at: http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition_programme_for_government.pdf (accessed 11 February 2022).
- Lewin, K. (1947). *Field theory in social science*. New York: Harper & Row.
- Lundvall, B.-Å., and Borrás, S., (2005), Science, technology and innovation policy. In: Fagerberg, J., Mowery, D.C., Nelson, R.R. (Eds.), *The Oxford Handbook of Innovation*. Oxford University Press, Oxford.
- Ministry of Justice (2013), *Transforming Rehabilitation: A Strategy for Reform*. London: Ministry of Justice.
- McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012), *How and why people stop offending: discovering desistance*. Glasgow: Institute for Research and Innovation in Social Services.

McNeill, F. (2019), *Pervasive punishment: making sense of mass supervision* (First edition), Emerald Publishing Limited.

Perren, L. and Sapsed, J. (2013). Innovation as politics: The rise and reshaping of innovation in UK parliamentary discourse 1960–2005. *Research Policy*, 42(10), 1815–1828.
<https://doi.org/10.1016/j.respol.2013.08.012>

Phillips, J., Albertson, K., Fowler, A., and Collinson, B. (2020a). *The role of community hubs in helping to deliver probation services and support desistance*. Her Majesty's Inspectorate of Probation.

Phillips, J., Albertson, K., Collinson, B., and Fowler, A. (2020b). Delivering desistance-focused probation in community hubs: Five key ingredients. *Probation Journal*, 67(3), 264–282.
<https://doi.org/10.1177/0264550520939176>

Robinson, G., Burke, L., and Millings, M. (2016), Criminal Justice Identities in Transition: The Case of Devolved Probation Services in England and Wales. *British Journal of Criminology*, 56(1), 161–178.
<https://doi.org/10.1093/bjc/azv036>

Russell, J. (2021), Probation unification is not enough, by itself, to put right the flaws of past reform Available at:
<https://www.justiceinspectrates.gov.uk/hmip/robation/probation-unification-is-not-enough-by-itself-to-put-right-the-flaws-of-past-reform/>
(accessed 24 February 2022)

Vanstone, M., and Priestley, P. (2022), Reducing the use of imprisonment. Lessons from Probation Day Centres in England and Wales: 1970–2000. *Probation Journal*.
<https://doi.org/10.1177/02645505211070085>

About the authors:

Andrew Fowler is a Senior Lecturer in Criminology and Community Justice Learning. He teaches on the Professional Qualification in Probation at Sheffield Hallam University. His research focuses on probation practice.

Jake Phillips is Reader in Criminology. His research focuses on the intersection of

policy and practice in the context of probation and community sanctions.

Katherine Albertson is a Senior Lecturer in Criminology. Her research focuses on the social capital and relational aspects of desistance from crime.

Howard League for Penal Reform**Crime, Justice and the Human Condition**
Two-day international conference
13 – 14 September 2022
Keble College, Oxford**Call for papers**

The last two years have brought the fragility of human existence into sharp relief. This conference and accompanying festival for change is happening as we emerge from a time of intense uncertainty. Governments, civil society and communities face formidable problems and difficult choices that could have enduring repercussions for justice. This conference will provide an opportunity to reimagine how the penal system should work.

The conference seeks to examine key questions in penal reform using the lens of the human condition, for example:

- How can we utilise our shared and diverse experiences to shape criminal justice for the better in the future?
- What are the broader cultural and social factors that can be drawn upon to shape criminal justice responses, policies and institutions?
- How might we re-imagine the criminal justice system? What values and principles might underpin this re-imagining?
- This is an opportunity to examine social bonds, history, creativity, learning and technology, as well as isolation and inequality, racism, harm and hate.

The conference will bring together contributions from academics and researchers at all levels, practitioners, policy makers and other experts from different fields and disciplines to explore crime, justice and the human condition, and the issues that intersect and think about how the criminal justice system can work.

Complemented by a festival of thought-provoking creative and participatory activities, this will be a wide-ranging discussion, considering crime and justice as they relate to life, growth, maturity, hope, emotion, conflict and mortality from myriad perspectives. We will look at how and where the criminal justice system touches people in their everyday lives, and what this means for society at large.

We are planning for this to be an in-person event however we are mindful that this may not suit everyone. We are developing plans for online participation and will announce further details shortly. Please also indicate whether you intend to participate in person or online.

We invite abstracts for traditional conference papers, as well as alternative modes of delivery. Please submit your abstract to helen.churcher@howardleague.org by Monday 16 May 2022, using our submission guidelines.

Additional information:

[Event webpage](#) [Call for papers](#) [Conference themes](#)

[Abstract submission guidelines](#) [Confirmed speakers](#)

Become a Howard League Fellow

A fellowship for academics and magistrates

Throughout the Howard League's 150-year history we have been committed to informed debate and have been highly successful in achieving real and lasting change in the penal system. A guiding principle of our work has been to develop new ideas and to understand the consequences of changes and innovations. In this time of flux and uncertainty both in communities and the penal system, it has never been more important to generate discussion, ideas and commitment to a humane and effective penal system.

Howard League fellows will be invited to attend special events that will offer opportunities to meet informally with senior politicians and academics as well as attend seminars and events to contribute to current research streams and emerging, innovative ideas.

One of our inaugural fellows is Barry Godfrey who is both Professor of Social Justice at the University of Liverpool and a magistrate. He became a fellow 'in the hope that my research can contribute to the work of the Howard League and do something useful. My aim is to analyse historical data and longitudinal research to show policymakers that incarceration has long been socially and financially unaffordable; inefficient as a system; and incapable of bringing about reform and rehabilitation.'

How to become a fellow

Academics and magistrates may apply themselves or be nominated to become a fellow. There is no fixed cost but a minimum donation of £10 a month is suggested. The expectation is that fellows will have supported penal reform and social justice. The criteria for elevation to a Howard League fellow are deliberately broad in order to promote individual initiatives and creative work that embeds justice in the community.

Nominations should be no more than 200 words long and emailed to Anita Dockley, the Howard League's research director at anita.dockley@howardleague.org. The nomination should also include the name, contact details (address and email) and the nominee's institution/bench. A selection panel will assess all nominations.

Nominations are assessed on a quarterly basis.

Guidelines for submissions

Style

Text should be readable and interesting. It should, as far as possible, be jargon-free, with minimal use of references. Of course, non-racist and non-sexist language is expected. References should be put at the end of the article. We reserve the right to edit where necessary.

Illustrations

We always welcome photographs, graphic or illustrations to accompany your article.

Authorship

Please append your name to the end of the article, together with your job description and any other relevant information (e.g., other voluntary roles, or publications etc).

Publication

Even where articles have been commissioned by the Howard League for Penal Reform, we cannot guarantee publication. An article may be held over until the next issue.

Format

Please send your submission by email to anita.dockley@howardleague.org.

Please note

Views expressed are those of the author and do not reflect Howard League for Penal Reform policy unless explicitly stated.