

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

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Published version

AINSLIE, Samantha (2022). Reunified Probation: An opportunity to finally progress a desistance paradigm of practice? *Early Career Academic Network Bulletin*, 50, 28-34.

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

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 individuals 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 paper 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 3 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 and this paper draws on their views¹ to consider what possible lessons can be learnt from the failed part-privatisation agenda. I am particularly focused 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 individuals 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 individuals 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)

¹ Pseudonyms are used throughout the paper to protect the anonymity of participants

'He's half a caseload on his own; I have 2 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 pain to all practitioners and 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 individuals 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 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 individuals 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 3 or 4 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, PSO)

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 that positioned individuals 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 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 development of human capital

rather than acknowledge the role of probation (practitioners and the organisation as a whole) in engaging with local communities to reduce stigma and support, promote 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 individuals, 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 individuals compromises their ability to work in a way that supports 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 say '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, a finding in alignment with the work of Durnescu (2014) who argues 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

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 issue 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 individuals 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 individuals 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.

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