

revolving
doors

What next for Probation?

Findings and recommendations
from our Lived Experience
Inquiry into Probation

April 2022

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About Revolving Doors

Revolving Doors is a national charity that aims to change systems and improve services for people in the revolving door of personal crisis and crime. We bring independent research, policy expertise and lived experience together to work towards a smarter criminal justice system where the revolving door is both avoidable and escapable. We work alongside policymakers, commissioners, local decision-makers, and frontline professionals to share evidence, demonstrate effective solutions, and change policy. We embed the involvement of people with lived experience in our work, including through peer research, interviews, lived experience teams, and forums based in London, Birmingham, and Manchester.

Acknowledgments

This inquiry would not have been possible without the close involvement of our lived experience membership. Our Probation Lived Experience Team helped to shape the design and direction of the inquiry, ensuring we were asking the most important questions. Our wider lived experience membership honestly shared their experiences with probation with us and their suggestions for improvement, later co-producing our recommendations with us. We cannot understate the importance of their contribution which we are incredibly grateful for.

We thank Dr. Coral Sirdifield and Dr. Helen Nichols (University of Lincoln) for partnering with us on research to examine the impact of covid-19 on the Probation service. We also thank Probation staff from the Probation service in London who provided their honest perspectives on where they felt Probation should be headed. Finally, we also extend our thanks to Her Majesty's Prison and Probation Service (HMPPS) and the Ministry of Justice (MoJ) for commissioning us to undertake various research projects over the past 18 months. Quotations from these commissioned projects are not included in this report but have been helpful in shaping its direction.

Dedication

We dedicate this inquiry to Jahmaine and Phil who both sadly passed away before this inquiry was completed. Their energy, compassion, and commitment to using their lived experience to help others inspired us and continues to inspire us.



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1 Executive summary

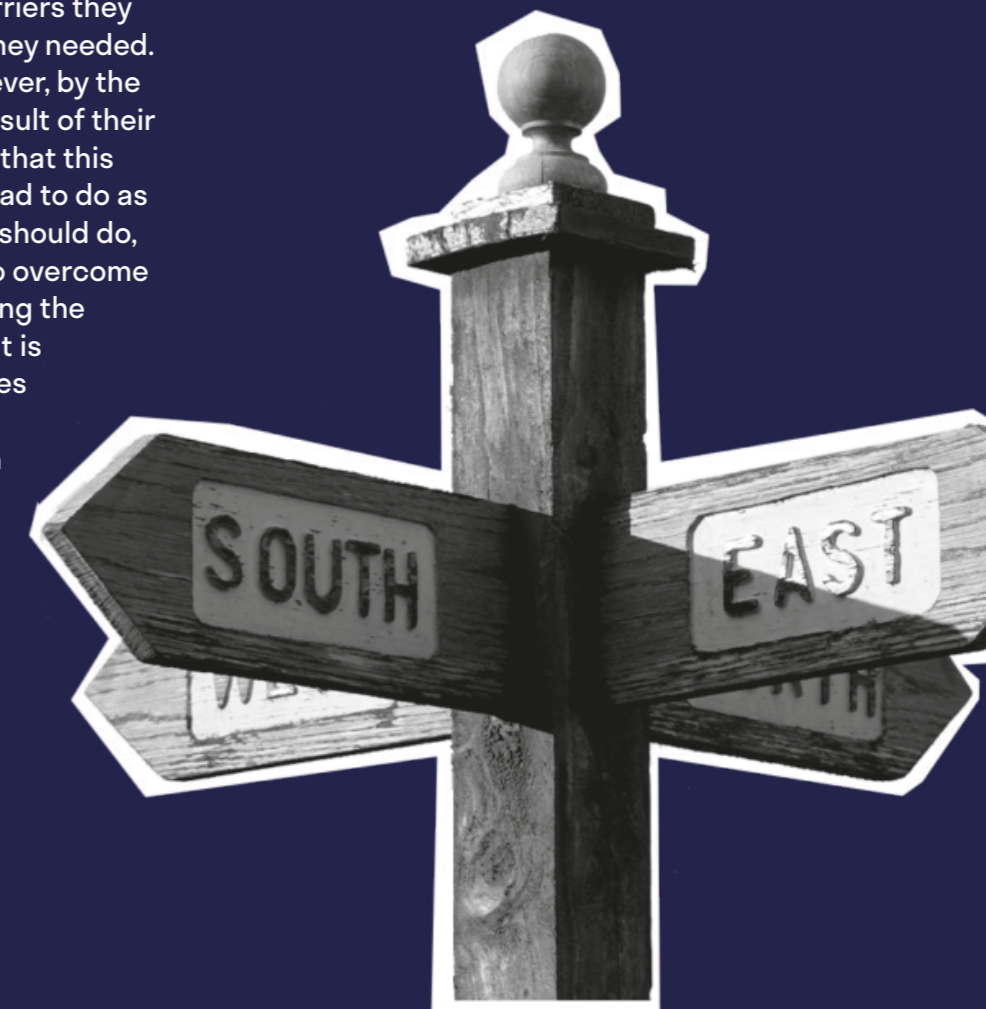
Pavan Dhaliwal, Chief Executive, Revolving Doors

At Revolving Doors, the core of our mission is to collaborate with partners to identify and implement practical and long-term solutions that more effectively address the root causes that drive the cycle of crisis and crime. Addressing these root causes, including poverty, trauma, homelessness and insecure housing, discrimination, exposure to community violence, mental ill-health, and problematic substance use, is key to breaking the cycle of crisis and crime, reducing rates of offending and reoffending, supporting people to realise their potential, and in ensuring communities are safe and vibrant places to live in. As one of our partners in realising this ambition, we are delighted to share this report and its practical recommendations with you for supporting the Probation Service to realise its potential for addressing the root causes that drive the cycle of crisis and crime.

As a charity we are also strongly committed to embedding the voices of people with lived experience across our work. We strongly believe, and see across our work, that people with lived experience of the criminal justice system are central to successful collaborations to address the cycle of crisis and crime. This is because they can draw on their first-hand understanding of issues faced by people in the criminal justice system to identify practical and workable solutions for effectively addressing the root causes behind these issues faced. The strength of the insights and recommendations shared in this report are testament to how this inquiry was driven from the outset by a team of people with lived experience, a team who are passionate about supporting the Probation Service to realise its potential for transforming lives and supporting people to exit the cycle of crisis and crime.

Alongside people with lived experience, we also recognise the importance of collaborating with practitioners working on the ground to understand the challenges they face in working towards our shared ambition of communities free from the cycle of crisis and crime. When speaking to 35 probation practitioners as part of this inquiry, we were struck by their dedication and commitment to supporting people's rehabilitation. Many described how they would regularly work beyond their working hours to support people on probation to overcome the barriers they faced in accessing the services they needed. We were also equally struck, however, by the challenges they described as a result of their high caseloads. They strongly felt that this pressure limited the scope they had to do as much as they felt they could, and should do, to support people on probation to overcome the barriers they faced in accessing the support they needed, support that is vital for addressing the root causes that drive their cycle of crisis and crime. It's clear that the Probation Service is under-resourced by central government and we whole-heartedly support calls for more investment in the Probation Service to support the service to fulfil its potential.

We hope you enjoy reading the honest insights shared by 141 people with lived experience and 35 probation practitioners through this report. We hope you carefully consider our practical recommendations for supporting the Probation Service to realise its potential and we look forward to working with you in discussing and implementing these, and in so doing, working together towards a collective vision of a society free from the cycle of crisis and crime.



2 Introduction

Probation plays a key role throughout the criminal justice system. Through pre-sentence reports (PSRs) probation practitioners play an important role in helping to ensure sentencers at court (e.g., judges or magistrates) have a fuller picture of the lives of defendants, their needs, and the reasons and circumstances behind the crimes alleged. PSRs play a critical role in supporting more appropriate sentencing decisions that most effectively address the root causes behind crime. In prison custody, probation plays a key role in helping to ensure the transition from custody back into the community goes smoothly and people have access to the support they need to succeed in their rehabilitation. In the community, probation practitioners play a vital role in supporting people under their supervision to engage in positive activities to support their rehabilitation and address root causes (e.g., housing insecurity, mental ill-health, and problematic substance use) that drive reoffending. Whilst probation holds the potential to transform lives and disrupt the revolving door of crisis and crime, we have heard all too often how mistrust from people under probation supervision towards the probation service, and a lack of consistent strengths-based practice from supervising practitioners, leads to this potential not always being realised.

Therefore, we developed a lived experience inquiry, driven by the perspectives of people experiencing multiple disadvantage stuck in the revolving door of crisis and crime, to explore how existing services could be improved and what new services/approaches might be needed, to reduce reoffending, support rehabilitation, and divert people away from the criminal justice system and the revolving door of crisis and crime. This inquiry has focussed on people in the revolving door, i.e., those who commit repeat and often low-level crime that is driven by poverty, trauma, unmet health needs, and inequalities. Whilst there is likely to be transferable learning for people who are under probation supervision because of more serious offences, there may also be other factors and considerations for this cohort which will warrant further exploration.

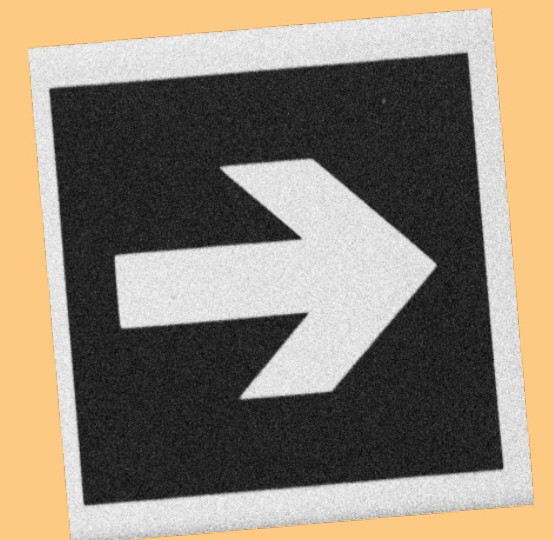
As a collective we want to support the development of a probation service that is responsive to both the root causes of crime and its consequences, such as mental ill-health and problematic substance use, that drive the revolving door of crisis and crime. Underpinning this vision is a person-centred and trauma-informed approach that recognises and nurtures the strengths, passions, and abilities of people under probation supervision, that in turn supports them to meet their ambitions and escape from the revolving door. It is for these reasons that we [advocate for using terms like 'people/person under probation supervision'](#) as alternatives to highly stigmatising and unhelpful terms like 'offender', 'damaged individuals' or 'service users', and encourage others working in the criminal justice system to do the same.

This report covers the first phase of our inquiry. It sets out areas for further development and our most important recommendations that we seek to develop further alongside our partners. To be developed through the next phase of our inquiry, which will be reported separately, our guiding aim for this inquiry is to spark positive real-world changes to probation services to support rehabilitation and reduce reoffending. As part of this next phase, we also seek to work alongside central and regional leaders within Her Majesty's Prison and Probation Service (HMPPS) and the Ministry of Justice (MoJ) to co-produce new ways of working alongside people with lived experience, as their close input into this inquiry is testament to how effective their input is in developing effective policies, interventions and relationships that support rehabilitation and long-term desistance from crime.

The remainder of this report summarises findings from our inquiry to date that has supported us to: take a look through a wide lens at lived experience perspectives of the Probation Service and narrow our focus onto areas of service re-design that we collectively argue would impact most significantly on those in or at risk of entering the revolving door of crisis and crime. We make recommendations to support the Probation Service to fulfil its potential across the following areas:

- How a culture can be set by probation to support people under supervision to feel more confident in honestly discussing their needs and the issues they experience.
- Probation's role at court and how this can be enhanced to ensure the courts are acting on the fullest information possible about the needs of defendants and the most appropriate sentencing options to address the root causes behind the alleged offence.
- How community-based support can be enhanced to better meet the needs of people under supervision.
- Probation's role in prisons and how this can be strengthened to provide the basis for strong, honest, and productive relationships in the community.

As this inquiry was purposefully driven from the outset through a collaborative approach between our staff team, Probation Lived Experience Team, and wider lived experience membership, we have not sought to reference additional evidence or research. Instead, we have led with the testimonies of people that are recurrently or have recently been under probation supervision.



3 Methodology

Over the course of the first phase of the inquiry, and over the last 18 months, we have heard from 141 people with either current or recent (within the last two years) lived experience of being under probation supervision. All those we have spoken to are, or have been, in the revolving door of crisis and crime, experiencing multiple short-term prison sentences driven by root causes including trauma, poverty, problematic substance use, mental ill-health, and discrimination. We have also heard from 35 probation practitioners, including a mix of junior and more senior staff, currently working for the Probation Service.

We engaged (all virtually due to covid-19 related restrictions) people under probation supervision and probation staff through:

- Four open discussions with 41 people with lived experience of the revolving door at our regional lived experience forums from across England - quotations from these are used in this report.
- Regular ongoing discussions with the 8 members of our Probation Lived Experience Team - quotations from these discussions are used in this report.
- A focus group with 8 probation practitioners working for the Probation Service to test our findings and better understand the perspectives of professionals working for the Probation Service – quotations from this focus group are included in section 5 of this report.

- **Research undertaken in collaboration with the University of Lincoln** (Dr. Coral Sirdifield and Dr. Helen Nichols) to better understand the impact of covid-19 on probation supervision. As part of this research, we interviewed 12 people with lived experience of probation supervision during the pandemic and analysed 27 (mostly qualitative) surveys completed by probation staff across each probation region – findings from this research referenced in this report.
- Interviews and focus groups undertaken with a total of 80 people with current or recent lived experience of probation as part of research projects undertaken on behalf of HMPPS, for example one project exploring Black and/or Muslim men's experiences of probation and another to inform the development of the Probation Services' Target Operating Model (TOM) – quotations from these projects are not included in this report but this research has been used to inform the inquiry's direction and recommendations.

4 Inquiry findings: people under probation supervision

This inquiry has been driven by people with lived experience of the revolving door of crisis and crime, people who have experienced multiple community orders and/or prison sentences that can be traced back to underlying root causes including poverty, trauma, and discrimination. In this section we draw on in-depth conversations with 141 people who have been under probation supervision to identify changes that would improve the Probation Service and supervised individuals' trust in the service.

At the time of writing, the Probation Service has recently embarked on a significant re-unification process and we recognise that time will be needed to stabilise the re-unified service. However, this time of change is also an opportunity to re-focus and re-imagine what the Probation Service can do for people under its supervision. It is a time to think about how the service can better achieve its purpose of supporting rehabilitation, through meeting people's needs and assisting them to meet their ambitions, in turn reducing the risk of reoffending and protecting the public from harm. The Probation Service can play a critical role in supporting people to escape the revolving door of crisis and crime and, in this section, we highlight areas of service design and systemic and cultural issues which, when addressed, can make a real difference to the success of the Probation Service.

These design, systemic and cultural issues are explored in this section, following the journeys people take through the Probation Service:

- **The culture of Probation:** in this sub-section section we explore how probation is perceived by supervised individuals and the cultural changes that could be made to the service to improve supervised individual's trust in the service, and in turn their willingness to discuss sensitive but critical aspects of their rehabilitation.
- **Probation's role at court:** here we explore how people under probation supervision perceive probation staff at court. We explore how probation staff at court can better identify vulnerable people at court and more accurately assess the root causes of crime through pre-sentence reports (PSRs).
- **Probation's supervisory role in the community:** in this sub-section we explore the experiences of people under probation supervision in the community and how support can be best structured and provided to support rehabilitation and reduce the likelihood of re-offending.
- **Prison resettlement:** here we explore probation's key role in resettlement planning with people in custody, particularly for individuals serving shorter prison sentences of under a year. We also explore the first few days of release from the perspectives of people under supervision and highlight how the support provided by probation in this critical period can be improved.

4.1 The Culture of Probation

“We need to be more involved; probation really needs us guys in there, it's outdated, it doesn't work, something really needs to change.”

Most people we spoke to as part of the inquiry raised issue with what they saw as the culture of probation. There was a strong feeling, particularly in more recent years, that the balance between assessing/managing risk and supporting rehabilitation had shifted to be much more weighted towards risk management, to the neglect of providing or signposting people to the support needed to address root causes (e.g., problematic substance misuse, housing insecurity and mental ill-health) that drive crisis, crime, and reoffending. A significant number of people described probation as a form of policing, and in some cases as an agency that actively spied on them, significantly reducing their willingness to openly discuss their needs and the help they need to better manage these. There was also widespread frustration at the number of times their probation practitioners changed over the course of their supervision, limiting their ability to build the positive and trusting relationships necessary to feel comfortable in talking openly about their needs, any setbacks, and the kinds of support they needed. The Probation Service, therefore, has a challenge in addressing how it is perceived by people under its supervision.

There is cause for optimism, however. Those who raised issue with the culture of probation, of probation practitioners seeming too quick to recall them back to prison for minor issues, for example, in many cases also shared examples of positive interactions with probation that stuck with them. We heard countless examples of probation practitioners described as going above and beyond what people under supervision expected of them, for example through sending letters to them whilst they were in prison to build the foundations for a positive relationship, taking the time to listen to their aspirations and ambitions and researching opportunities to help them reach these,

and taking the extra care to send letters, make phone calls or attend appointments (e.g., to the housing office) to advocate for their access to services they needed. We also heard how previously negative perceptions of probation could be countered by probation practitioners taking a more trauma-informed approach in assessing needs (an approach ideally designed with the close input of people with lived experience of probation supervision), a more collaborative sentence planning process that supports people under supervision to feel more invested in their rehabilitation, and through support from a peer mentor (more on this later in this section).

The challenge the Probation Service faces, from a lived experience perspective, is addressing the variability of probation practice and taking steps to ensure this practice currently described as ‘going above and beyond’ becomes the norm. To use an analogy, just as you would expect a Big Mac from London to look and taste similarly to a Big Mac from Newcastle, we should expect similar across probation regions and between probation practitioners within the same region.

As outlined above, however, most people we spoke to thought about probation as a form of policing, and in some cases spying. The strong feeling was that probation's role in supporting rehabilitation had been neglected as a result of a much stronger focus in recent years on assessing risk and protecting the public. This shift in the perceived role of probation exacerbated the negative perceptions people under supervision had towards probation. Probation practitioners were often seen as more intrusive than the police and focused on surveillance, rather on the support needed to support successful rehabilitation:

“For me, the probation service is like another arm of the police service, they just check on you, check on your tag... these guys are like the police services, and it's not about rehabilitation.”

“They're [Probation] much more powerful than the police, cos they wanna ask things that are not relevant when you've been released from prison, in terms of policing your life. They have total power in terms of what happens to you, whether you stay on the street or go to prison. But not much thought or consideration is given to us as individuals. It's a one size fits all. The vast majority of people are not like that.”

“What Probation should do and what they could do is different. If you spent say 8 years in prison you are going to be somewhat marginalised in society. They're meant to help you and prepare you with housing and all that. But they don't, at this moment in time their role is to monitor you. Their primarily there to make sure the public are safe. It's only the secondary part that is to have our best interests at heart.”

“We are judged on a crime that we did 7 years ago, but I'm still seen as a criminal, dealt with like a criminal, interrogated each time I go there. Each time I go there it feels like I'm being threatened and like I might go back to prison. It's like a “yes sir, no sir”.”

An additional barrier that discouraged the people we spoke to from speaking honestly with their probation practitioner about their needs and circumstances was their fear that doing so could lead to an immediate risk of being breached or recalled back to prison, rather than an offer of support to help them manage any setbacks. This fear of being breached or recalled back to prison significantly reduced their willingness to openly discuss any issues they faced, including drug use, their mental health, and even being a victim of crime or suffering abuse, and the ways that probation could support them to manage these issues.

When asked more about this fear, most people we spoke to pointed to how they saw the dual role of probation, of rehabilitation alongside enforcement, as deeply contradictory. They saw the Probation Service as ‘judge and jury’ and, as a result, struggled to believe that their probation practitioner had their best interests at heart. This perception is indicative of a deep-rooted lack of trust in the Probation Service which needs to be addressed if people under supervision are to feel confident and trusting enough to have open and honest discussions with probation practitioners about their circumstances and needs:

“If you're having issues with drugs and alcohol and stuff, and you mention something that relates to your risk, then they're just gonna recall you. It's a very counter-productive thing, you have to be very, very careful what you say to them.”

“A lot of people have issues with the system [as they have been let down in the past], especially probation. So, you need to find common ground and build up that trust.”

“They are breaching you for being late, you know. That's not what you want, you want to make progress, and you want to see what you can get out of it.”

“There isn't respect for people coming into their appointments. When people are late there is no understanding, people do not get a chance to explain what is going on or why they are late. There is no relationship, so people don't feel heard.”

“Probation destroys your hope, it's hopeless, it's repetitive, it kills hope. To change that you'd have to see people as a human and have an interest in your future, or even be curious about what you want to do. They focus on the crime and not the human connection. They see themselves as morally superior to you and that comes across in subtle ways.”

“ You become another number, everyone’s tarred with the same brush. ”

“ I had to tell him everything I did [around the crime], relive that trauma, but they didn’t ask me what I needed going forward. ”

“ No one asks you: ‘so what do you want to get out of this [relationship]? ”

“ My probation had a breach letter pre-written, they were just waiting for me to turn up late. ”

“ It [Probation] should be trauma informed, currently their reactions to you just increases that trauma. ”

“ They should train the individuals [probation officers] to see people as a person. There is no interest in your future, no curiosity. There is a lack of humanity, no connection, a massive disconnection. They see themselves as morally superior, there is a need for retraining and being trauma informed. ”

“ Probation are always thinking about what you are lacking, they should be seeing the goodness in people and focussing on your abilities. ”

There was a strong feeling amongst those we spoke to that individual probation practitioners had too much power to take life-changing action against them, such as breach proceedings and threatening to recall them back to prison. Whilst those we spoke to understood that probation has a role to protect the public, which may necessitate enforcement action if a person/the wider public is at risk, it was felt that all too often people were breached for minor infringements (e.g., being slightly late for an appointment due to circumstances beyond their control) where there was not such a risk. To re-build trust in the Probation Service, we recommend that review panels should be more widely used, particularly where the risk of harm to the public is assessed as low and the breach being considered is due to a minor/

non-violent re-offence (e.g., petty theft due to having an insecure income) and/or is technical in nature, such as the person having multiple missed or late appointments. This review panel should speak to the person under probation supervision, the probation practitioner, and any other relevant support staff (e.g., charities or services working with the person under supervision) to assess whether anything can be done to avoid enforcement action. Through undertaking this process minor issues could be uncovered (e.g., misunderstandings in relationships) that could quickly be addressed, avoiding the use of unnecessary enforcement that could further damage the trust of people under supervision in probation.

Whilst this distrust in probation was deep-rooted, most people we spoke to were able to share examples of positive interactions and relationships with particular probation practitioners. These practitioners, often described as ‘going above and beyond’, were described as demonstrating empathy and compassion, as keeping in regular communication through phone calls, as delivering on any promises made, as successfully advocating for access to services including housing and healthcare, and taking the time to get to know them, their goals and ambitions, and signposting them to appropriate networks (e.g., within their local community around their hobbies that would support their mental health, and in turn their rehabilitation). The aspect that made these practitioners most distinctive, in contrast to those they had negative relationships or interactions with, was how they took the time to get to know them and their strengths and ambitions. Alongside taking the time to build a positive relationship, trust was also built through their practitioner taking active steps to support them with practical issues they faced, as exemplified below:

“ My last experience [of probation] was this woman [my responsible officer] showed me a lot of compassion, she really, really, helped me. I’ve not experienced that before. My first impressions of her were that she was going to be hard work, but she went out of her way to help with my recovery. She gave me things to do, she’d give me bus passes to go to AA meetings, I’d never experienced that before. I’d look forward to seeing her. We’d talk about life and the areas of trouble I had. She kept me occupied, learning to use a computer. Even when I went into detox she sent me cards and was phoning me every couple of days. She got the ball rolling to get me into detox and then helped me get my own accommodation – she realised that the hostel I was in before wasn’t a good place for me to be. ”

“ At first I didn’t like them [my probation officer], but they used to push for me. They knew my history and understood my circumstances, they really believed in me and that I could do better. ”

“ It helped that my [probation] worker stuck with me, they were not going to give up on me and put structures into place. It also helped that they were real, upfront and honest with me, and that they helped me access the support workers and medication I needed. ”

For most people we spoke to, the difference between a positive and negative experience with probation was described as the difference between a probation practitioner who demonstrated empathy, understanding and compassion, as opposed to a practitioner who was perceived as just being there to tick a box and make sure they attended their appointments. In too many instances we heard people describe probation as a ‘hi and bye system’, with many describing the average length of appointments with their probation practitioner as being 5 minutes or less, short appointments that were perceived as being a waste of everyone’s time. Similarly to [our recent research with the University of Lincoln](#), many felt that flexible appointments better suited them and enabled them to get more out of their time with their probation practitioner:

“ The last probation officer, only had him for about 6 weeks. I got more out of him than anyone else. He gave me a phone number out of hours and said I could call him in. He was really interested in me, and my journey. He phoned me out of hours. It made me feel good, he cared, he was compassionate. ”

One of the consistent messages we heard throughout the inquiry was that relationships are critical to positive and open engagement with the Probation Service. Several people we spoke to suggested that recruitment and training processes could be adapted to assess more accurately who demonstrated the empathy and compassion necessary to fulfil the probation practitioner role well, and provide the ongoing training needed to support probation practitioners to behave in a more empathetic and compassionate way. For many this was as much about recruiting the right people in the first instance, as it was about providing the initial and ongoing training to support them to do the job in a more empathetic, compassionate, and trauma-informed way. Several people we spoke to strongly suggested that people with lived experience of probation supervision could enhance the recruitment process through providing a separate assessment as to whether candidates demonstrated they had the skills and aptitude to work with people who faced multiple challenges (e.g., mental ill-health and problematic substance use) in a way that demonstrated respect towards them and would support them to build a positive relationship with them.

The vast majority of people we spoke to as part of the inquiry felt that the Probation Service was not making the most of opportunities to work alongside people with lived experience of probation supervision to enhance service delivery. It was strongly felt that peer support, either through paid or voluntary roles, would not only improve the engagement of people under supervision with probation practitioners, but could also support access to services that help address the root causes of crisis, crime, and reoffending. For example, peer support workers were identified as helping to build trust by mediating between people under supervision and probation practitioners, helping to identify and address potential issues before they escalated:

“People with lived experience could be the buffer between the probation officer”

Several people we spoke to felt that, had they been provided with peer support, they would have likely engaged with probation more and from an earlier stage, which in turn would have supported them to desist earlier from crime. Additionally, several people we spoke to explained that it wasn't until they spoke to a peer who had similar lived experience to their own and had turned their life around, that they started to really think about their issues and needs and the steps they needed to take to support their rehabilitation:

“Peer support would help the language and dynamics of probation...It would bring more understanding and empathy to service”

To support the culture shift (described earlier) necessary to challenge their distrust in probation, the vast majority of people we spoke to felt that people with lived experience needed to feature much more closely in the delivery of probation services:

“Good probation officers, they see the value of good lived experience. If you're going in cold you just want out of there, you're not going to build a relationship, and nothing is going to get done...You go in, bump your head and get out. You want it to be as painless as possible. Peer support might even just change that way of thinking, it will just change the way they [probation officers] work. It will increase the empathy.”

To conclude this section on probation's culture, when discussing what they felt the strategic direction of probation should be, many people we spoke to told us they wanted to see probation think more about the root causes of crime and enhance its strategic focus on diversion. They wanted to see the Probation Service work more closely with the Police and Her Majesty's Courts and Tribunals Service (HMCTS) to advocate for more focus on diversionary activity, placing people into support rather than applying a criminal justice sanction that does little to address the underlying causes (e.g., poverty and unmet

health needs) that drive people to repeatedly commit crimes. As will be discussed further in the next section, the Probation Service has significant scope to support such diversionary activities through increasing the quality and quantity of pre-sentence reports (PSRs) it provides. There are also opportunities to support diversionary activity through co-commissioning opportunities through the Probation Services' newly established Regional Outcomes and Innovation Fund that is expressly set up to support activity that is outside of normal sentence delivery.

Recommendations:

1. Sentence plans should be co-produced by supervised individuals and probation practitioners through a jointly owned process, with increased focus on practical support needs and strength-based practice.
2. The system through which enforcement decisions are taken should be changed and should ideally be reviewed by a panel.
3. Probation offices, procedures and training should be reviewed and re-designed through a trauma-informed lens.
4. Introduce a neutral broker, ideally someone with lived experience, to assess when relationships have broken down, the reasons why and how these relationships could be repaired.
5. Reducing the frequency with which supervised individuals change probation practitioners must be viewed as a critical priority. Where a change is unavoidable, a 3-way handover process should take place.
6. The Probation Service must place a higher strategic priority on diversion, starting by utilising resources (such as the Regional Outcomes and Innovation Fund) to invest in the diversion of vulnerable people who are at risk of (re)offending, and particularly young people who are at an acute risk.

4.2 Probation's role at court

Probation has a significant role to play in supporting sentencers (e.g., judges and magistrates) to make appropriate sentencing decisions. Through pre-sentence reports (PSRs), probation practitioners support sentencers to take full consideration of any mitigating circumstances into account. They also make recommendations for the sentencing option that would most appropriate given these circumstances and that, crucially, would also be most effective for addressing root causes that drove the crime, thus reducing the risk of reoffending in future.

Despite the importance of their role, most people we spoke to as part of the inquiry were unaware of the role probation played at court and did not see them as present or visible within the court setting. Only a small number of people we spoke to understood what a PSR entailed and recalled having an in-depth conversation with a probation practitioner to inform a PSR. Only a couple of people we spoke to had a positive experience with a PSR, however, the experiences of these people showcase the transformational impact probation can have at court. For example, in one case speaking to a probation practitioner was the first opportunity where they felt comfortable disclosing their experience of domestic violence (a very significant mitigating circumstance) to a professional, an aspect of their case they felt uncomfortable disclosing to their legal representative. As a result of this disclosure, the probation practitioner was able to quickly facilitate this person's access to multiple services (e.g., a local mental health service and a women's service), ensuring they had access to the support they needed, and ultimately the probation practitioner's recommendation that a community sentence would be more appropriate in these circumstances was taken on board by the sentencer. Unfortunately, others shared examples where the process of developing the PSR felt rushed. They didn't feel they had time to build up a relationship trusting enough to disclose sensitive and traumatic details about their lives, and so the reports created did not fully reflect the circumstances of the alleged offence. There was a strong feeling that

probation staff were letting them down by not taking more time to complete more rigorous PSRs. In a few extreme cases we heard examples of PSRs either being copied and pasted from a previous case against them (cases that were significantly out of date) or from a different person's case entirely, leading to recent changes in personal circumstances not being reflected in court and potentially the wrong recommendations to sentencers being made. The following quotes from people with lived experience we spoke to as part of the inquiry illustrate some of these challenges around PSRs:

“I've never seen probation in court. I got sentenced there and then, with no report.”

“When I went to court I only spoke to the barrister. I didn't even know that I could or should speak to probation.”

“I have never seen my PSR in most cases. I only saw it once when my solicitor sent it out. Another time I saw my probation officer write it up in 15 minutes, and what he wrote was not appropriate.”

“I only saw my PSR once before being sentenced, and I wish I hadn't seen it cos they unfairly crucified me in it.”

“These reports that they give they've got such a limited amount of time and they don't really know the ins and outs of your stories.”

“That report's based on one communication you've had with one person. If you don't disclose everything they only get what you're giving them...”

“I wasn't very impressed with my presentencing report. The officer hadn't read anything around my case before we sat there and she brought a lot of prejudice to my report.”

“OASys report when I was 19, used [to inform my pre-sentence report] when I was 24, I was a different person, so how can they use the same report? People change.”

“The pre-sentence report makes everyone look bad on paper, it doesn't look at the recent progress. It looks at the reports used from years ago, which isn't fair.”

It is well documented that the number of full written PSRs has declined in recent years, and this is reflected in our inquiry. We welcome Her Majesty's Prison and Probation Services' (HMPPS) commitment to increasing the number and quality of PSRs, but recommend that more resource is immediately dedicated to probation in court given the alarming number of people we spoke to who had no understanding of PSRs, or even that probation practitioners played a role at court. We also recommend that HMPPS should work closely with colleagues from Her Majesty's Courts and Tribunals Service (HMCTS) to advocate for more time to complete fuller PSRs, working alongside people with lived experience in this advocacy work as they can provide powerful testimony to sentencers on the importance of fuller PSRs. More broadly, HMPPS should consider how people with lived experience in peer support roles can support probation staff working at court through encouraging defendants to engage, and engage more honestly, with probation through outlining how it is in their best interest to do so.

We also recommend that probation should have a clearer and more strategic focus on diverting people away from custody and into support in circumstances where unmet needs (e.g., around mental health and problematic substance use) are the root causes behind the alleged offence. Probation staff based at court should also particularly consider the financial stability of defendants as it is likely that the root cause of many minor offences (e.g., non-payment of TV license or petty theft) is likely to be poverty. Where it is assessed that defendants are in acute financial difficulty, it is critical that a recommendation is not made that defendants should pay a fine, unless there is clarity on how they would be able to pay this fine without resorting to further criminal activity or eventually defaulting on the payment and getting summoned back to court for non-payment of fines.

Recommendations:
1. More resource must be structured into probation services at court to support a far higher proportion of defendants to receive a PSR and HMPPS should advocate alongside Her Majesty's Courts and Tribunal Service (HMCTS) for more time to be made available in court schedules for fuller PSRs to be completed.
2. Building on the existing peer support provided within probation services, peer support should be extended into courts to increase the engagement of more vulnerable or at-risk defendants with PSRs.
3. Design a 'diversion-first' approach for people who have committed non-violent and/or low-level offences which considers all diversion options for these identified vulnerable people and proposes appropriate diversion options to the court.
4. HMPPS should work with people with lived experience to support the training of magistrates, particularly around supporting their understanding of the root causes of crime and the impacts of different sentences.

4.3 Probation's supervisory role in the community

Probation was recognised as a vital support service by almost everyone we spoke to. The role probation played, and could play, in providing or supporting people under supervision to access help with issues including housing, employment, mental health or problematic substance use was highly valued. Throughout the inquiry we heard countless life-changing descriptions of probation, of proactive probation practitioners going above and beyond to facilitate people's access to services to address their needs and support them to reach their aspirations. The potential positive impacts that probation can have on people's lives should therefore not be underestimated. As a result of this potential, many people we spoke to as part of the inquiry had high expectations of probation, expectations they felt were not met because of the limited resources probation practitioners have available to them, particularly in terms of time.

Despite probation's potential to change lives, all too commonly we were told about situations where probation practitioners were unable to offer the right support people on probation needed, to support their rehabilitation and escape from cycles of crisis, crime, and reoffending. We often heard how probation practitioners were unable to effectively advocate for their access to vital local services, such as housing, because of insufficient knowledge about these services or how to refer into them, or simply because of a lack of time to take joint steps (e.g., a telephone call together or accompanying them to a meeting) to help address barriers in accessing services. People we spoke to as part of the inquiry often only needed a small amount of time-limited support to access services, for example being pointed in the right direction of services that could be helpful or for their practitioner to complete a referral form, but in too many instances this support was not provided:

“Left prison homeless, lived in car for three years and was willing to change – probation just ticked me off and sent me on my way.”

“I had to commit a crime to get probation to give me help with somewhere to live. I had to get nicked so someone would help me.”

In addition to valuing support to access vital services, a significant number of people we spoke to highlighted the importance of being linked into community-based services that could provide them with the skills, or in some cases a different kind of positive social interaction, that could support their rehabilitation, mental health and wellbeing. We heard several examples of people wanting to find ways to change their social life/circle and habits, but not knowing where to start. In these cases, people under supervision would have valued support outside of traditional offender-behaviour services and courses, and instead would have valued signposting and encouragement to make new and positive social circles through local community activities including hobbies, sports, and volunteering. People we spoke to as part of the inquiry found that their probation practitioner was often unaware of the sorts of activities they might be able to engage in and rarely provided this type of support as part of their supervision.

When coupled with the issues around the perceptions of probation's culture (described in 4.1), this lack of responsiveness to the support people under supervision identified themselves as being important to their rehabilitation left a significant number of people feeling like their relationships with probation were like a tick-box, with meetings rarely lasting more than 5 to 15 minutes. It was the strong belief of almost everyone we spoke to that probation practitioners simply did not have the time to spend getting to know them, their goals, aspirations and the kinds of support they needed to reach these and address the root causes that drive crisis, crime and reoffending. It was strongly felt that the caseloads of probation practitioners were too high and that they were over-stretched and exhausted. To fulfil its potential to change lives through providing responsive and person-centred

support to address needs and support people to meet their aspirations, both critical for long-term desistance from crime, a priority for the Probation Service must be the recruitment of more probation practitioners to facilitate a significant reduction in the caseloads of probation practitioners:

“ My probation officer, it’s a calling to her, she has too many on her caseload but she goes further and beyond. ”

“ The system puts good officers under a lot of problems, there are lots of people in probation that want to do the right thing. ”

Almost everyone we spoke to was frustrated by how their meetings with probation practitioners often only lasted 5 to 15 minutes. In several cases, people we spoke to told us that it felt like probation practitioners thought they were doing them a favour by keeping meetings as short as possible. Many expressed their frustrations that they were not able to get any meaningful support in such a short period of time and that this limited time they had with their practitioner shifted the dynamic between them into a bureaucratic one, a relationship of ticking boxes and checking compliance. Instead they wanted relationship where probation practitioners provide the help they need to better manage issues include problematic substance use, mental ill-health, unemployment and/or issues accessing social security, and inappropriate accommodation and homelessness:

“ One person might only need 15 minutes another person might need an hour... ‘Going above and beyond’ comes with empathy and should be the norm. Some people won’t do things because it’s not in their job remit, but it should be. ”

“ Some people don’t know what their needs are, it is important probation officers try and identify what their needs might be. Probation can also play a role to see what people are good at, strengthening them. ”

Over time, as people we spoke to knew their meetings were likely to be so short, people on probation recounted how they purposefully withheld information about key areas of need or any setbacks because they knew those issues could not be properly dealt with in the allocated time. They feared that probation practitioners would think that these issues were too complex to solve in 15 minutes and so would immediately recall them back to prison, rather than spending the hour they needed to jointly develop a plan to support them to access the support they needed. We often heard how people on probation actively made the decision not to engage with probation as a result of a combination of these two issues:

“ You should be getting something out of probation, not just going there as a punishment. You need to be given time [to talk]. ”

Issues around communication in supervision

Poor communication was often at the heart of people’s dissatisfaction with the relationships they had with their probation practitioners. We heard several examples where people had only found out their probation practitioner had changed when they went to attend a meeting at their probation office, despite the importance of this relationship to them. We also heard examples of people receiving letters that stipulated that breach proceedings were being enacted against them for non-attendance at a meeting, despite attending all appointments and without their probation practitioner being aware of the letter being sent. Whilst people we spoke to accepted that mistakes could sometimes be made, the lack of apology in these situations signalled a lack of respect towards them, further damaging their perception of probation and willingness to openly discuss their circumstances and needs. As part of the inquiry, we also heard countless examples of people on probation trying to proactively contact their probation practitioner, to request help before an issue escalated further, only for their phone call to be left unanswered:

“ I got letters that I had been breached when I had attended. I did get an explanation, but I think it was a bit of a cop out. It came from another office. I was really worried about it. I never got an answer when I called the probation office. I had to travel to the probation office because no one was answering the phone. ”

“ I was never told about the change to my probation officer, nothing was communicated. Previously I had been getting support with housing and employment [from their previous probation worker], but this went out the window with the next probation worker. The new officer just didn’t pick up on notes from the previous worker. ”

“ They should stop just giving me appointments for nothing. One time I was waiting for an hour for my appointment, as the probation officer who booked the appointment went to McDonalds. ”

There is some optimism, however. As part of the inquiry, we also heard several examples of good communication, often linked to probation practitioners making regular check-in phone calls, providing people under supervision with their mobile numbers and encouraging them to call when needed, offering support out of hours, and signposting people under supervision to other services and activities that were not part of the sentence plan or license conditions. These regular telephone conversations/ supervisions, used more extensively because of the covid-19 pandemic, were perceived as very helpful. Remote appointments provided people under supervision with more flexibility to arrange appointments for a time that better suited their work or childcare commitments. This flexibility meant they could arrange meetings for when they were in a better frame of mind to engage with their probation practitioner, supporting them to feel more comfortable in talking openly with their probation practitioner. However, just as we found in our [research with Dr. Coral Sirdifield \(University of Lincoln\) around the impact of covid-19 on probation](#), remote communication

was most effective when used in combination with in-person meetings to help develop a good trusting relationship and create regular communication. The balance of communication should always be discussed and reviewed with the person under supervision. Several people we spoke to had experienced home/doorstep visits during the pandemic and had found these meetings helpful, but only because their relationship with their practitioner was more well established at this point:

“ A lot of face to face contact might be offered in a unique, or community setting rather than the business as usual in the probation office... Maybe once a month in the probation office and maybe the rest in the community, that’s more inviting. Might be more informal, if we could go and get a coffee, it might make a relationship rather than the service user and professional. ”

Remote communication, and meeting in more neutral venues in the community, were also positively received as these meant that the need to attend the probation office could be avoided. We heard countless examples of people bumping into old associates, co-defendants or sometimes even perpetrators of crimes against them at their probation office, sometimes breaching their license conditions as a result through no fault of their own. In some cases this led to breach proceedings and involvement from child protective services which caused significant stress and further damaged their perception of probation, particularly as often no formal apology was given to them. The design of probation offices was also often referenced as hindering more open communication and discussion around sensitive topics due to the open-plan nature of many offices. By contrast, remote communication was preferred by some people we spoke to as a result of how they felt more comfortable discussing their experiences and needs from their own home.

The potential of peer support for enhancing community supervision

“I was feeling like that barrier needs to be put down. I never knew how to connect...You see probation just to sign something. I looked at them as authority figures, so I continued to do what I had always done... I never had a connection with those people.”

Throughout the inquiry we heard countless examples of how people with lived experience, particularly through providing peer support, could enhance the work of probation and people’s trust in the Probation Service. It was strongly felt that a peer support worker could help to rebuild people’s trust in probation by mediating between the person under supervision and their probation practitioner, encouraging people under supervision to see the value of speaking more honestly with their practitioner and addressing any potential issues before they escalated:

“People with lived experience could be the buffer between the probation officer.”

We often heard people talk about how peer support would have likely helped them to engage with probation more, and more honestly, from an earlier stage which would have supported earlier desistance from crime. Additionally, several people told us that it was only when they spoke to someone who had the same life experience as their own, who had then turned their life around, that they found hope that their situation could improve. As well as providing tailored support to individuals, it was strongly felt that peer support workers could also make a vital contribution to shifting people’s perceptions of the Probation Service away from a bureaucratic service into one that treats people with the compassion and empathy needed to support people to meet their goals and aspirations and tackle the root causes that drive cycles of crisis, crime and reoffending:

“Good probation officers, they see the value of good lived experience. If you’re going in cold you just want out of there, you’re not going to build a relationship, and nothing is going to get done...You go in, bump your head and get out. You want it to be as painless as possible.”

“[Peer support] Might even just change their way of thinking, it will just change the way they work. It will increase the empathy.”
“Peer support would help the language and dynamics of probation...It would bring more understanding and empathy to service.”

Recommendations:

1. The initial assessment process should be re-designed, with more time allocated to probation staff to complete it. Assessments should focus more evenly on needs, strengths and aspirations as they do on risks, and should be updated regularly when additional information is provided or when circumstances changed.
2. Support plans developed from assessments must prioritise meeting short-term basic human needs, such as housing, healthcare and income, within the first weeks and months of any sentence
3. A dynamic way of assessing the contact options available to supervised individuals should be developed, and as much choice and flexibility as is practically possible should be provided in the method and location of meetings and interventions.
4. The layout of probation offices must be reviewed through a trauma-lens and ideally with the close input of people with lived experience of probation supervision.
5. HMPPS should build on pre-existing and successful local peer support service models to develop a peer support service that is more thoroughly embedded within the operating model for the Probation Service.

4.4 Probation’s role in prison resettlement

Almost all the people we spoke to as part of the inquiry had experience of multiple short prison sentences of less than 12 months, driven by root causes including poverty, mental ill-health, and problematic substance use. Most experienced the same issues when it came to their release from prison; preparation happened too late, communication with their probation practitioner was challenging and happened too late, and there was a lack of support around practical issues including housing, healthcare, and securing an income (either through employment or social security).

The new target operating model for the Probation Service includes a short prison sentence team to better address the resettlement needs of people sentenced to custody for short time periods. This is a positive development, but as highlighted in previous sections (4.1 and 4.2) there are opportunities for probation to increase its focus on diversion to better tackle root causes that drive crisis, crime, and reoffending. In the remainder of this section, we set out simple principles that would improve prison resettlement and support people to make a smoother transition back into the community.

Principle 1: Providing consistent relationships

Almost everyone we spoke to experienced frequent change of their assigned probation practitioner whilst they were in prison custody. This was experienced as highly confusing and was referenced as a contributing factor to why they struggled to engage with the Probation Service as a whole. Building a consistent relationship with a single probation practitioner whilst in prison custody, who made the most of this time to really get to know them, was seen unanimously by those we spoke to as essential for building the foundations for a positive and trusting relationship post-release. Probation should prioritise the consistency of probation practitioners and encourage much earlier and regular communication prior to release. In

circumstances where a change of probation practitioner is unavoidable, for example in the case of relocation or retirement, then 3-way handovers should take place with the person in prison custody to hand over the case more effectively and ensure that no information on assessments or joint plans are lost when making the transition between probation practitioners. This would also minimise the need for people under supervision to recount details of their history or offence again to a new practitioner, minimising the potential for people under supervision to be re-traumatised as a result.

Principle 2: Being proactive in communication

A lack of proactive communication and engagement prior to release was identified by almost everyone we spoke to as the key issue with prison resettlement. People we spoke to often felt unable to contact their probation practitioner when they needed to, felt meetings with their probation practitioner were too short to properly plan for their release, and felt these meetings often came too late during their time in prison custody. Several people we spoke to were particularly frustrated when they had used their time in prison custody productively to carefully plan for their release, only to be told by their probation practitioner a few weeks prior to their release that they would have to make different plans due to their license restrictions. This exacerbated their sense of distrust in probation and could have been avoided had they had earlier and more regular meetings with their probation practitioner:

“Most offender managers don’t get involved until 28 days before your release. How can you build a relationship in that time? You need someone you can offload to and get all of the s**t out to.”

“ If I had to go back, then I would have liked it if the probation could have seen me months before release and say, this is me, sit down and talk. If you did that then you could actually build that relationship and get on.”

Principle 3: More carefully planning for the first day of release

Almost everyone we spoke to found the first day of their release from prison challenging. Most struggled to coordinate and get to multiple appointments (e.g., the housing office, the pharmacy, and a substance misuse service) in addition to seeing probation. These challenges were exacerbated when the probation office was a significant distance away from the prison they were released from, a particular challenge for women given that there are fewer women's prisons. Additionally, the first few days of release were experienced as emotionally overwhelming at times, for example when thinking about seeing family or children again. What people we spoke to wanted most on the day of release was practical needs-focussed support (e.g., with housing or prescriptions) and emotional support to better manage the transition, support that they often felt they didn't receive from probation:

“ I suffered from extreme anxiety, when released these things are not taken into account – you are not asked ‘how are you feeling.’ ”

The vast majority of people we spoke to experienced their first meeting with their probation practitioner after being released from prison as unhelpful, and in some cases as preventing them from getting to other essential appointments (e.g., with the housing office). They felt the meeting was overly bureaucratic and that there was not enough focus on the practical and immediate matters that were important to them and their rehabilitation, for example in resolving issues with housing and social security. People we spoke to did not understand why some of the bureaucratic tasks (e.g., signing documentation) could not be completed whilst they were in prison custody, to provide them with more time on the day of the release to ensure access to vital services to support their rehabilitation, or why the initial appointment could not take place within 72 hours of release:

We recommend that the following principles are taken on-board to support better and more proactive communication between probation practitioners and people in prison custody:

- Meet the person (ideally in person, but virtually if restrictions continue) within the first week of their reception at prison.
- Focus initial meetings on assessing needs, strengths and aspirations in a collaborative way and start to jointly plan for their resettlement.
- Ensure that meetings are of a sufficient length (at least an hour on average) to support relationships and trust to develop that can later be harnessed during community supervision.
- Take steps to ensure that the person doing resettlement planning is the same person that provides support in the community, with a three-way handover provided in circumstances where this is not possible.
- Utilise a diverse range of communication tools to support regular communication. For example, people we spoke to valued being sent letters from their probation practitioner that outlined who they are and asked them to in turn send more information about themselves and their goals.

“ It's just a number, it's just like turning up. If you don't come, you go back to prison. That's it.”

“ Going to see my son, no one asked how I felt. I was really anxious, wanted to get off my head [on drugs] I was so frightened. I just would have liked him [my probation officer] to have acknowledged that.”

If the initial meeting was less focused on bureaucratic tasks, and instead more focused on helping to ensure people under supervision had access to all the support they needed, people we spoke to would have been more receptive to an appointment with probation on the day of release. There was a strong feeling that the first meeting with probation should be primarily focused on needs, which does not necessarily exclude conversations about compliance, and the support people need to make a successful transition back into the community:

“ Being a mother wasn't taken into account. I had no support. I had to work this out, really hard to adjust. Going to see my son, no one asked how I felt. I was really anxious, wanted to get off my head I was so frightened... I would have liked him [my probation officer] to have acknowledged that.”

“ You're full of fear [when you are released], you've got family problems, no clothes, no food and you only have £40, its gonna take ages to get social [social security/benefits] and you have to go to probation, and they can't do anything for you. If someone [from probation] is able to help you, then it becomes a different story. They need to become an asset and not an adversary.”

“ First day out of prison is the worst day, full of fear, no accommodation and so on and so on, family problems, no food and you have to go to go probation and they haven't got all the answers.”

We recommend that all assessments, joint sentence planning and discussions around license conditions should take place in prison prior to release, eliminating the need for a meeting on the day of release to cover bureaucratic tasks. This would also provide people under supervision with more time to focus on securing support to meet their practical and immediate needs, with this support being critical to supporting their rehabilitation. If a meeting is to take place with probation on the day of release, and we recommend that flexibility should be given for this meeting to take place within 72 hours after release, this should focus on the hands-on support that probation can provide to assist the person to access the services they need (e.g., making joint calls to the housing service to arrange an appointment or navigate assessment processes):

“ I don't think you should go to probation on the first day you get out. You need to sort out your benefits, and your scripts, and your housing. Then you should go to probation the day after when the heat is off from worrying about all those things.”

“ If you're going to a brand-new area, then no one knows you. You may have 3 triage appointments, they can last 2 hours each, I was homeless, and then to go to probation after that. I had a really negative experience. What could have been different, could I have done those triage appointments beforehand. Make the process gentle and give them half a chance to build their lives back up again.”

Principle 4: Consider the potential of departure lounges to provide tailored support on the day of release

Several people we spoke to had positive experiences with departure lounges based close by to the prison they were released from. The aim of these is to support people released from prison to better manage all the different tasks and appointments they have to complete on the first day of release, including supporting their understanding of what they have to comply with around their probation order. Departure lounges were experienced as particularly helpful where staff from different agencies (e.g., substance misuse services, probation, and housing) were co-located at the departure lounge as this minimised the risk of missing appointments. They were also valued where people with lived experience of probation supervision and multiple disadvantage were on site as they could often provide the reassurance and emotional support they needed to better manage the emotional challenges they were experiencing, as well as additional information, advice and guidance where appropriate.

Recommendations:

1. Prison in-reach probation staff should commence joint resettlement planning as soon as is practically possible. For those serving short prison sentences of less than a year, this planning should start immediately upon reception.
2. Input from people with lived experience should be sought into the development of the short-sentence prisoner teams and the training provided to staff working in these teams. The potential role supervised individuals could play in supporting delivery through providing peer support and facilitating better and more trusting relationships should also be carefully considered.
3. A new assessment and sentence planning approach in prison should be developed that allows for greater joint planning on an iterative basis throughout the person's time in prison custody. The process for developing such an approach should include user-design and testing to assess how much time and resources needs to be allocated to support regular contact (we recommend at least monthly initially, moving to weekly contact in the three months prior to release).
4. A mix of communication methods, including remote (phone and written letters) and face-to-face contact should be utilised to help build more trusting relationships between people in prison custody and probation practitioners.
5. All necessary paperwork should be completed prior to release, this should include any necessary induction requirements to minimise the amount of bureaucracy that needs to be undertaken in the days immediately post-release.
6. The requirements for the date and time of the first formal appointment with probation should be flexible, although still within the first 48-72 hours. This appointment should also be more focussed on supporting the supervised individual to access services and support in the community, as ensuring access to these services is key to reducing the risks of reoffending.

5 Inquiry findings: Probation practitioners

Throughout our inquiry we heard two key and consistent messages from a lived experience perspective:

1. That positive and trusting relationships underpin good probation practice; and
2. Cultural change is necessary to provide the foundations to support these relationships.

As the quality and nature of relationships were highlighted as so important, we wanted to understand how probation practitioners perceived their relationships with people under their supervision. We particularly wanted to understand, from a practitioner perspective, what they saw as some of the barriers to building more positive and trusting relationships and how they felt these could be overcome. To do this we spoke in-depth to 8 probation practitioners currently working for the Probation Service. The group included both senior and more junior staff, with experience ranging from being recently qualified to 18 years, but most having at least 5/6 years' experience. In this section we summarise what they saw as motivating them in their roles, what they felt made for good probation practice (particularly in terms of relationship-building), and the cultural change they felt was needed in the Probation Service to reduce crime and reoffending and support rehabilitation.

Their motivation

The consistent theme probation practitioners identified when asked about their motivation was the role they felt could play in people's lives, particularly in supporting them to make positive changes and reach their goals and aspirations. The eight practitioners sincerely spoke about how they really wanted to see and believed that people under supervision could make positive

changes in their lives, if only they are given the right support and encouragement:

“ I came into probation via the social worker route. I like to see the journey someone makes. ”

“ I joined for the ability to make a difference in society, assisting service users in change... but it's difficult with a lack of resources. ”

“ Big changes or small changes, I just like to see change. ”

“ I believe people can change. ”

“ I like to see that journey somebody makes, sometimes it's not a straight journey, there can be winding roads to get to where they want to be in the end. ”

“ I have a really big interest in people and want to see people succeed, it's not about the money. ”

Qualities of a good probation practitioner

We then asked the group to identify what qualities they felt made for a good probation practitioner. They identified qualities including consistency, following through on any promises made, being reliable, accepting responsibility for any mistakes and apologising, and a commitment to involving people under supervision in planning processes wherever possible. Similarly to people with lived experience of probation supervision,

practitioners emphasised how relationship-building underpins good probation practice:

“Consistency is important. Lots of change happens [staff turnover] on our side, so people can have 6 to 7 officers on one sentence. I know that’s frustrating.”

“If you make a mistake as a professional, you need to be honest.”

“They [people under supervision] need to know they can rely on you, you’re accountable, it’s pro-social modelling.”

“Through the current model [if your risk score is reduced you are given a new officer] you’re [the person under supervision] rewarded by getting a different worker. These models don’t work. In one of my cases the new worker is already sending out warning letters, give me back my case!”

“We should involve people in their sentence plan, even if it’s just 3 or 4 things, see if they match.”

“The relationship is the main driver of success.”

Qualities of a good relationship

We asked probation practitioners to identify what they felt supported them to build more positive and trusting relationships with people under their supervision. Qualities identified included demonstrating reliability, being transparent and honest, acknowledging how people feel, showing respect, taking the time to get to know people as individuals, and taking steps to actively prove that they understood them, the challenges they face, their needs and how they wanted them to succeed. They did identify, however, how their dual role of enforcement whilst also supporting the individual to have their needs met (e.g., through signposting or advocating for their access

to services) was a difficult balance to strike, with enforcement action often reversing the progress they had made in establishing trust and rapport:

“Good relationships provide consistency, reliability, honesty and transparency. The things to build a relationship with anyone.”

“It’s about transparency and what they really want from you and having the ability to follow through.”

“People know if you are genuine, you need to show you are routing for them to succeed. That’s half the battle.”

“As a white woman, speaking to a black male, who said they were stopped by the police because they were black, I have to respect that and not dismiss it. It’s important to give them a place to talk about it.”

“When people find it difficult to engage, their experience of the criminal justice system is a good place to start. Acknowledge how people have been treated and how they feel.”

“On the other side, enforcement can disturb what you need to have a therapeutic relationship.”

“It all went out the window first time I gave a warning.”

The need for cultural change

To carry out their roles of protecting the public, reducing crime and reoffending, and supporting rehabilitation and desistance more effectively, the probation practitioners we spoke to similarly felt that culture shifts in the Probation Service were needed. Similarly to the people with lived experience we spoke to, they felt a fairer and more equal balance between risk management and supporting rehabilitation needed to be struck. The challenge with doing so, however,

was resource. Issues the group raised included high caseloads that meant they often felt there was not the time to think about anything other than managing risk, feeling excluded from policy development processes, having limited resource to provide practical support to address root causes behind reoffending, and the perception of a risk-aversion culture being set by the Probation Service:

“Sometimes you can get bogged down, rehabilitation can become a second thought.”

“We need to be honest about our limitations, we’re very poorly resourced.”

“[Probation feels] increasingly risk averse, thinking ‘what’s the worst-case scenario?’”

“We need less of a caseload, [risk management] is all we have time to do so we become more risk averse. We need a more mixed caseload, if it’s all high-risk then our role is all about risk management.”

“[Policy seems to be] constantly changing for the sake of changing, us on the ground have to pay the price. It can feel like the revolving door of the Probation Service.”

“We send them [people under supervision] to prison, we punish. But we don’t give them a house, they are at the bottom for everything. All the research says if you support people, they are less likely to reoffend.”

“Rehabilitation and the criminal justice system need to be run in line with research, but the UK doesn’t do this. There is good practice from Norway. If you support people, the likelihood of reoffending people is lowered, but we choose to punish.”

“For our sanity we need to be able to focus on rehabilitation... it’s emotionally exhausting.”

“[There seems to be an] increasing culture of fear, fear of the worst possible outcome, this has taken us away from where we should be, of making fair and balanced decisions.”

“It disrupts the relationship if other services give false promises. Other agencies aren’t accountable [for what they promise], they say, go to probation.”

“Restrictive, risk averse and punitive as that’s all we have the time to do.”

“As we have big caseloads, we are not spending as much time with people, bogged down with a load of paperwork. We often have to sacrifice time with someone else to give a person time.”


Whilst it would have to be carefully managed, due to legitimate concerns around people on probation accessing case data about themselves for example, the group of probation practitioners we spoke to strongly felt that people with lived experience could add significant value to the Probation Service and help to address some of the above concerns. They felt that people with lived experience could enhance the work of probation through inputting to staff training, providing strategic review of processes (e.g., assessment and induction) to improve engagement with and the sensitivity of these, and through being employed in front-line roles either as peer mentors or even probation practitioners. We welcome the Probation Services’ commitment to reviewing and increasing this work through the Engaging People on Probation (EPOP) programme, with its message of increasing the voice of people with lived experience within the Probation Service being strongly supported by both practitioners and people with lived experience themselves:

“I would think having an ex-service user of yours working in the service should be seen as a success to celebrate!”

“The engagement workers [employed by CRCs to help mediate relationships between probation officers and people under supervision] were really useful. They helped create more meaningful relationship who other wise would have been quite difficult to engage.”

“Engagement workers worked solely on engagement, they mediated relationships. They can start by saying ‘This is how I came out of it’, they can help by coming from a different point of view. There was trouble, however, with some staff members who were a little funny, as they were a previous supervisee. We had someone become a PSO which was great, though Probation can be a bit risk averse, if they are employed and something serious happens.”

“We have always had service users involved in professional development training. There is no better way of knowing how someone experiences something than by asking them.”

When speaking to probation practitioners we were really struck by just how much what we heard from people with lived experience chimed with what probation practitioners felt. We really appreciate the honesty with which probation practitioners spoke to us with, but recognise that different probation practitioners, including practitioners from different regions, may have different perspectives and experience different issues. We welcome further feedback on our findings and recommendations, please  **get in touch with us.** We also hope we can work together with you, the reader, to work towards the same collective vision, a Probation Service that most effectively supports people to address the root causes that drive crisis, crime and reoffending and assists people to move towards long-term desistance through helping them to set, meet and exceed their goals and ambitions.

Annex 1: Summary of recommendations

Table 1: Key findings and recommendations relating to the Culture of Probation

Culture of Probation: Key findings	Culture of Probation: Recommendations
<ul style="list-style-type: none"> • Most people under probation supervision spoke about probation in terms of fear and distrust. They feared that speaking to probation about the issues or setbacks they were experiencing would lead to an immediate recall, rather than an offer of help and support. There was also a general feeling that probation couldn't offer much help with practical issues, such as housing, which prevented further discussion around these issues. • Managing risk of harm to the public was seen by most as outweighing the equal need for probation to support rehabilitation and take harm-reduction approaches. There was a strong sense that people under supervision felt that probation took a deficit approach, rather than a preferred model focusing on recognising and building upon their strengths and potential. 	<ol style="list-style-type: none"> 1. Sentence plans should be co-produced by supervised individuals and probation practitioners through a jointly owned process, with increased focus on practical support needs and strength-based practice.
<ul style="list-style-type: none"> • Most supervised individuals felt that their probation practitioner was too quick to breach them for non-compliance of their order, often for minor issues and circumstances beyond their control. The use or threat of enforcement added to this fear of probation and made supervised individuals even more reluctant to talk about issues they were experiencing and to reach out for help from probation. 	<ol style="list-style-type: none"> 2. The system through which enforcement decisions are taken should be changed and should ideally be reviewed by a panel.
<ul style="list-style-type: none"> • A significant number of supervised individuals described probation supervision in the community as traumatising or re-traumatising. Many told us that they were often expected to re-tell past traumas they had experienced, a process which they found could re-trigger negative thoughts and coping mechanisms (particularly using substances). To avoid these negative thoughts and reliance on harmful coping mechanisms, people under supervision explained that it was critical that probation staff had the right training to deal with the trauma in people's lives effectively and sensitively. 	<ol style="list-style-type: none"> 3. Probation offices, procedures and training should be reviewed and re-designed through a trauma-informed lens.

<ul style="list-style-type: none"> A number of supervised individuals described how they felt their relationship with their probation practitioner had broken down during their period of supervision, for example due to promises not being kept. Whilst this negative perception of their relationship limited their engagement, they felt they often had to 'make do' even when they felt they would have a more positive relationship with a different practitioner. There was also widespread distrust in the complaints process. 	<p>4. Introduce a neutral broker, ideally someone with lived experience, to assess when relationships have broken down, the reasons why and how these relationships could be repaired.</p>
<ul style="list-style-type: none"> There was widespread frustration from supervised individuals around the frequency with which their probation practitioner changed. Many described how they felt they had just built a positive and trusting relationship, only to have to then start again with a new practitioner. The handover to a new practitioner was often described as deeply inadequate, rather than building on the progress they had made and goals they had set they felt the focus for the new practitioner was on re-assessment and asking them to again re-tell previous trauma. 	<p>5. Reducing the frequency with which supervised individuals change probation practitioners must be viewed as a critical priority. Where a change is unavoidable, a 3-way handover process should take place.</p>
<ul style="list-style-type: none"> People under supervision strongly felt that the probation service as a whole does not focus enough on diversion and understanding and addressing the root causes of crime. They wanted to see probation take an explicit strategic shift towards diversion, working with local partners to address these root causes of crime. 	<p>6. The probation service must place a higher strategic priority on diversion, starting by utilising resources (such as the Regional Outcomes and Innovation Fund) to invest in the diversion of vulnerable people who are at risk of (re)offending, and particularly young people who are at an acute risk.</p>

Table 2: Key findings and recommendations relating to the role of Probation at Court

Probation at Court: Key findings	Probation at Court: Recommendations
<ul style="list-style-type: none"> Pre-sentence reports (PSRs) are critical to ensuring sentencers at court act on the fullest information possible around vulnerabilities, mitigating circumstances and reasons behind the alleged offence(s). Despite this, both the quality and quantity of PSRs were described as lacking. The lack of a robust assessment of need and circumstance through PSRs was perceived by many as contributing to the persistent use of short prison sentences for vulnerable people who would have instead benefited from community alternatives, such as Community Sentence Treatment Requirements (CSTRs) to tackle the root causes that drove their offending. 	<ol style="list-style-type: none"> More resource must be structured into probation services at court to support a far higher proportion of defendants to receive a PSR and HMPPS should advocate alongside Her Majesty's Courts and Tribunal Service (HMCTS) for more time to be made available in court schedules for fuller PSRs to be completed. Building on the existing peer support provided within probation services, peer support should be extended into courts to increase the engagement of more vulnerable or at-risk defendants with PSRs. Design a 'diversion-first' approach for people who have committed non-violent and/or low-level offences which considers all diversion options for these identified vulnerable people and proposes appropriate diversion options to the court. HMPPS should work with people with lived experience to support the training of magistrates, particularly around supporting their understanding of the root causes of crime and the impacts of different sentences.

Table 3: Key findings and recommendations relating to community supervision

Community supervision: Key findings	Community supervision: Recommendations
<ul style="list-style-type: none"> • People under supervision often start with high expectations about what probation can do for them. They expect in depth assessments that happen over time, to really understand them and develop a package of support around them. They are also hoping for probation to provide access to very practical support that will help them turn their lives around. In reality, the lack of time given to meetings, often no longer than 5 to 15 minutes, is seen by supervised individuals as counter-productive and leads to a lack of engagement from them with their practitioner. The lack of support for issues surrounding housing, health and securing a stable and sufficient income quickly diminishes trust in the service as a whole. • People under supervision can play a valuable role in designing better and more sensitive assessment questions that would support them to open up to their probation practitioner more about their needs. 	<ol style="list-style-type: none"> 1. The initial assessment process should be re-designed, with more time allocated to probation staff to complete it. Assessments should focus more evenly on needs, strengths and aspirations as they do on risks, and should be updated regularly when additional information is provided or when circumstances changed. 2. Support plans developed from assessments must prioritise meeting short-term basic human needs, such as housing, healthcare and income, within the first weeks and months of any sentence.
<ul style="list-style-type: none"> • Probation offices were seen by many as places supervised individuals wanted to avoid. This was often because they couldn't avoid inadvertently bumping into old associates, co-defendants, acquaintances still using substances or people who had committed crimes against them, including domestic abuse. • The design of the office was also problematic for some, particularly the use of open-plan spaces that made them more reluctant to discuss sensitive personal information. 	<ol style="list-style-type: none"> 3. A dynamic way of assessing the contact options available to supervised individuals should be developed, and as much choice and flexibility as is practically possible should be provided in the method and location of meetings and interventions. 4. The layout of probation offices must be reviewed through a trauma-lens and ideally with the close input of people with lived experience of probation supervision.
<ul style="list-style-type: none"> • Most supervised individuals we spoke to felt that probation did not have a fuller understanding of their lives because of a perceived lack of lived experience involvement within the service that could help to shift the culture of probation in more positive ways. Additionally, where supervised individuals had received peer support this was viewed as overwhelmingly positive, increasing overall engagement and as supporting more honest conversations between the supervised individual and their probation practitioner. This was particularly the case where peer support was targeted at not only helping to develop more positive relationships but was also focused on helping supervised individuals to access community-based services (with these services helping to address needs and supporting people to meet their aspirations). 	<ol style="list-style-type: none"> 5. HMPPS should build on pre-existing and successful local peer support service models to develop a peer support service that is more thoroughly embedded within the operating model for the Probation service.

Table 4: Key findings and recommendations relating to Probation's role in prisons

Probation's role in prisons: Key findings	Probation's role in prisons: Recommendations
<ul style="list-style-type: none"> • People serving prison sentences strongly felt that contact with probation pre-release was inadequate. They felt release planning was left too late and without sufficient focus on practical support around housing, healthcare and employment. Many described situations where they had carefully planned for their release, making productive use of the time they had in prison, only for probation to tell them a few weeks prior to release that their license conditions rendered these plans unworkable. • These challenges were most acutely felt by those serving short prison sentences who are more likely to be released homeless. 	<ol style="list-style-type: none"> 1. Prison in-reach probation staff should commence joint resettlement planning as soon as is practically possible. For those serving short prison sentences of less than a year, this planning should start immediately upon reception. 2. Input from people with lived experience should be sought into the development of the short-sentence prisoner teams and the training provided to staff working in these teams. The potential role supervised individuals could play in supporting delivery through providing peer support and facilitating better and more trusting relationships should also be carefully considered.
<ul style="list-style-type: none"> • People serving prison sentences felt strongly that the process of preparing for their release felt uncollaborative, with limited time made available for joint planning between them and their probation practitioner. This was exacerbated by a lack of good communication throughout their time in prison custody and frequent changes of probation practitioner 	<ol style="list-style-type: none"> 3. A new assessment and sentence planning approach in prison should be developed that allows for greater joint planning on an iterative basis throughout the person's time in prison custody. The process for developing such an approach should include user-design and testing to assess how much time and resources needs to be allocated to support regular contact (we recommend at least monthly initially, moving to weekly contact in the three months prior to release). 4. A mix of communication methods, including remote (phone and written letters) and face-to-face contact should be utilised to help build more trusting relationships between people in prison custody and probation practitioners
<ul style="list-style-type: none"> • The first day of release was often described as challenging by supervised individuals. They described the difficulties in managing multiple competing but essential priorities including housing, access to medication, substance misuse treatment, and access to services to support their physical and mental health. It was often felt that probation appointments did little to support them to cope with managing these multiple issues they were facing on release. The requirement to attend probation on the first day of release often felt counterproductive and overly bureaucratic, it was not understood why some of these functions (e.g. signing paperwork) could not be completed in prison custody to support them to focus on very practical resettlement issues post-release. • Some supervised individuals had experience of 'departure lounges' that provide support on the day of the release and are often staffed by people with lived experience with whom they can relate. These services were welcomed, especially when they helped people with immediate needs, such as travel arrangements, or with emotional support on the day of release. 	<ol style="list-style-type: none"> 5. All necessary paperwork should be completed prior to release, this should include any necessary induction requirements to minimise the amount of bureaucracy that needs to be undertaken in the days immediately post-release. 6. The requirements for the date and time of the first formal appointment with probation should be flexible, although still within the first 48-72 hours. This appointment should also be more focussed on supporting the supervised individual to access services and support in the community, as ensuring access to these services is key to reducing the risks of reoffending.

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