



The Future of the Probation Service

This paper responds to the recent government announcements – August 2022- regarding the integration of the Probation Service and the Prison Service in England and Wales at leadership and senior management level. Whilst we recognise that this merger is described as intended to strengthen the front line of delivery and increase regional innovation, in the Probation Institute we genuinely believe that this integration will be very damaging for the Probation Service as a profession seeking to achieve management of risk and rehabilitation in the community. Indeed, we believe that it will quickly lead to the disappearance of a distinct Probation Service. It is particularly regrettable that these decisions have been taken so quickly after the re-unification of the Probation Service following the disastrously flawed semi privatisation (Transforming Rehabilitation); and seems a further example of the absolute failure of the current government to understand or value the Probation Service. Indeed the Unification of Probation has been slow to date and is very far from complete.

We note that the proposed changes respond to the savings required within the Civil Service but we do not regard this approach as appropriate to deliver savings that will continue to achieve effective rehabilitation in the community. We also note that the proposed changes are happening quickly with the first integration of leadership roles to take place by 1st September 2022.

The Trustees, Fellows and Academic Advisers of the Probation Institute have many years of experience of working in Probation – as senior leaders, trade union leaders, inspectors, and academics. We all continue to care passionately about Probation – as a concept and as a professional service.

We set out below key areas in which the two services are distinct, and, in our view, they have remained significantly incompatible for at least the last 50 years.

Profession

Probation is a profession – all probation officers must achieve the professional qualification at Higher Education Level 6. This has been a requirement for 50 years.

The Prison Service does not require an equivalent professional qualification and in our view there is no current activity which suggests any movement towards professionalising the Prison Service which would reflect the level of qualification and competences set for the Probation Service. The Probation Service in fact undertakes more joint work with the police and indeed shares the community-based response to and responsibility for the management of risk, requiring a professional approach.

Purposes

We understand the recent statements regarding the “*shared mission of protecting the public, delivering safe prison regimes and reducing the risk that people will reoffend*”. Not only is this statement very prison focussed, we find it narrow, limiting and failing to value the purpose of rehabilitation.

- The purpose of Probation must be the fine balance of managing risk and rehabilitation in the community – including continuous assessment, engagement, relationship building and enforcement in highly complex environments. Key to the purpose is the essential understanding of the causes of offending at a societal, group and individual level. In this sense probation is much more closely aligned to social work.
- The purpose of the Prison Service, rightly, is delivering safe prisons – with a primary emphasis on security, safety, fair and positive management of people in custody.

Both services share the overarching and compelling requirement to promote equality and diversity and to make significant improvements towards race equality but the context in which this needs to occur must be culturally sensitive.

Culture

Over 50 years in our experience the two cultures are distinctly different.

The Probation Service is primarily concerned with the psychological and social environments in which service users and practitioners live and work. The pathways to rehabilitation include housing, finance, substance misuse and health services, employment and education, family support and The Service also provides a service to the courts and is actively involved pre-trial, along with other agencies. The Prison Service has historically shown little interest in the wider societal influences apart from pre-release work on employment and education, which has reduced in recent years. This difference underpins very different attitudes and behaviours across the two services creating very different cultures. Again, there is more of a shared approach between probation, the police and other community-based services.

Size and Funding

The total head count of HMPPS is approximately 54,000. The headcount distribution at the end of June 2021 was:

- Prison service – approx. 34,000
- Probation service – approx. 16,500

Taking also into account the massive cost of the prison estate the size and funding of the Prison Service hugely overwhelms the size of the Probation Service; the Prison Service inevitably dominates in respect of size and funding.

We have seen clear examples that Probation has been losing visibility since HMPPS was created despite the current separate management structures. This has been particularly clear in the court setting and apparent since Probation was drawn fully into the Civil Service.

In our view the Civil Service is a wholly inappropriate location for the Probation Service. Indicators of this inappropriateness include:

- Ministerial control taking precedence over professional advice (recent decisions concerning recommendations in Parole Reports)
- Severe constraints on Probation Practitioners from sharing professional concerns in public arena, including publishing
- Lack of external scrutiny (only the MOJ funded HMIPP Inspectorates currently scrutinise the work of the Probation Service).

Leadership

Probation leaders are typically, and importantly, drawn from the practitioner grades. It is difficult to see how a Prison Officer could effectively lead a Probation Service unless they had significant previous experience in other posts in the community.

Prison Service leaders and managers operate a clear command control structure. Probation officers need to exercise their professional judgement and fundamentally could not maximise their effectiveness in a command control environment.

Training

There is a significant difference in training. Probation Officer training is a two-year higher education at programme based in four universities. The input from higher education includes the essential deep understanding of sociology, law, behaviour, psychology. Probation officers achieve a Level 6 qualification – a degree.

Prison officer training is very short - 6 weeks – and focusses essentially on the tasks required for the safe management of people and security. Prison officers attain a Level 4 vocational qualification.

For the above reasons the Probation Institute urges the government to reverse the decision to integrate the leadership and management of the two services. The organisational location of the Probation Service should be reviewed through genuine consultation as quickly as possible. Our preferred arrangement would be for a Non-Departmental Public Body with strong local representation.

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