The case of John Worboys: a pivotal point in Probation Victim Services?

Wendy Martin, Probation Inspector and recent graduate of the MSt Penology Course, University of Cambridge

https://doi.org/10.54006/BMHZ3607
How the Probation Service works with victims of crime, is a lesser-known and under-researched element of probation work (Williams 2000) yet it was brought into the spotlight by the media and Government in the aftermath of the John Worboys (later Radford) case in 2018. The case resulted in damning headlines such as: ‘How the establishment failed victims of ‘black-cab rapist’ (Guardian, 5 January 2018).

The Victim Contact Scheme (VCS) requires victim liaison officers (VLOs) to provide information to some victims of crime. However, many of the victims in this case had not opted into the scheme and so were not forewarned about the Parole Board’s decision to release him from custody, with some victims first hearing of the decision from media reports. The case was complicated by the high profile and political status of one of the victims and the fact that although just 12 victims were identified in the formal prosecution many more women identified as being victims of his offending (see R v DSD & Anor v The Parole Board 2018).

The then-newly appointed Lord Chancellor and Justice Secretary, David Gauke initially stood behind the Parole Board’s handling of the situation which included an unequivocal apology by its Chair Nick Hardwick. However, he then sought to challenge the decision and launched the first of a number of reviews into the running of the Parole Board, as well as requesting that Dame Glenys Stacey (then Chief Inspector of Probation), review whether probation had correctly followed procedures. The review found that it was the procedures rather than the service that were at fault and led to calls for greater transparency into the decision-making processes of the parole board which have since been introduced (HMIP 2018), with VLOs now required to share additional information with victims. This new disclosure process has reportedly been positively received by both victims and VLOs (King and Willmott, 2022).

In my research I sought to understand the difficult position that VLOs occupy when they have to ‘put victims at the heart of the criminal justice system’ (King and Willmott, 2022, p174) as exemplified by the Radford case.
The research sought to address gaps in knowledge surrounding contemporary probation victim work using data generated with those tasked with this complex responsibility. Additionally, the study sought to expand research on emotional labour in probation to include those working with victims rather than perpetrators of crime. I used a mixed methods, sequential study to explore how VLOs experience and cope with the emotional impact of victim work in probation. I initially used a survey that was sent to all current VLOs, with 132 out of approximately 200 VLOs completing it. This was followed by interviews with 15 VLOs to complement and expand upon the quantitative findings. There are two limitations to the research: that it was done in the midst of COVID19 pandemic related restrictions which may have affected the data that were collected as well as around the time of probation unification in June 2021.

The study found that VLOs experience both emotional labour and secondary trauma in their work, with many respondents in interview describing the case of John Worboys as pivotal and impactful on the way in which they felt about and undertook their work. The Probation Service focused on the work in a way that many said they had previously not experienced. Further, there was increased focus on the training and development of staff delivering the role. For most VLOs in the study, it was the work-related frustrations - or organisational stressors - that influenced their work on a day-to-day basis. These frustrations included how valued VLOs felt by the organisation as a whole, and their perceived isolation within it. These factors appeared to be more strongly correlated with wellbeing than the work itself.

The study highlighted the inevitable emotional burden that comes with doing a job that involves working with traumatised people in an organisation that does not necessarily recognise the emotional demands of the role. There was evidence of secondary trauma amongst VLOs with the majority of respondents having experienced at least one symptom in the preceding seven days of completing the checklist. This included thinking about victims in their personal life, and having difficulty sleeping as a result of their work. The study found that for secondary traumatic stress, the most frequently reported symptom was intrusive thoughts related to work with clients, with 80.3% (n= 106) of participants indicating that they thought about their work with clients without intending to. The next two most reported symptoms were reminders about work being upsetting and difficulty in concentrating. In terms of symptom frequency, over half of respondents (n =78) were exhibiting symptoms of at least moderate levels of secondary trauma with almost a third (n = 39) exhibiting factors linked to severe secondary trauma.

In the subsequent interviews, staff said that in recent years there had been a marked increase in the tasks required within the role.

“Since the John Worboys case my job has totally changed...my job has just changed so much. Victims are entitled to so much more. I feel like it’s a bigger job now.”

(Abigail)
Following the introduction of the Parole Board reconsideration mechanism post-Worboys (MOJ, 2019) which allowed greater transparency in the parole process for victims, the work of VLOs has significantly expanded, through what Van Dyne and Ellis (2004) refer to as role creep. The primary importance of information sharing highlighted in the Worboy’s case was recognised by VLOs but could be frustrating when system limitations got in the way of them being able to inform victims.

VLOs act as a conduit between victims and the CJS and there was a real emotional consequence to being the ‘face’ of the system:

“we are the face of the justice system. We’re the ones telling them things they don’t want to hear, so we will have that impact.”

(Deborah)

Together with frustrations with the wider system contact with VLOs often results in a range of emotional responses amongst victims, all of which needs to be navigated by the VLO. This requires VLOs to manage their own and the victims’ emotions, despite being told that emotional support is not their role, and they are neither equipped nor trained to do so. The unacknowledged emotional element of the work, over and above simple imparting of information, has a negative emotional impact on staff, from mild frustration to more vocal anger.

VLOs accepted that sentence management was the key task of the Service but felt that victim services were on the periphery of the organisation in spite of published priorities. One participant described the service as ‘The dusty corner of Probation’, explaining that whilst there had been a significant focus on victim work after the Worboys case, officers reported a subsequent return to victim work being marginalised.

In common with studies of probation work with people on probation (Phillips 2011), staff felt anxious about the risk of being blamed when things went wrong. Some reflected that they were almost like victims of the system themselves, highlighting similarities between how they felt, and how the victims they were working with might feel. They felt that this was the case until something went wrong, or a high-profile case happened, when the focus turned to the victim contact scheme. Patricia was representative of others when she said:

“while the wheels turn and nothing falls off, probation will forget about us, we’re not important. But the minute a victim kicks off or something happens such as Worboys or something like that, then we’re important, then we’ll become high profile and there’ll be some high-level interest, and they’ll poke about in things and they’ll make change for change’s sake and not actually consult staff who do the job as to whether or not that’s going to be a useful change.”

The lack of clarity about the purpose and scope of the VCS and VLO was consistent across the study. This frequently left staff working outside of the remit of the role and further exacerbated the lack of acknowledgment in relation to the emotional content of working with the victims of serious crime. This lack of clarity also impacts on how staff see themselves in their role, whether they feel supported and how they see themselves as being viewed by the organisation and so raises implications around how the organisation manages, supports, and trains the staff undertaking this challenging and emotive role. Further, VLOs are more likely to seek emotional support and management from friends and family than any work-based provision, such as the PAM-Assist employee assistance programme.
VLOs described how the initial interest (both internally and externally) in VLO work at the time of Worboys quickly receded. Simultaneously the increased workload - as a result of the processes put in place post-Worboys - continued to grow. Participants described feeling that the VCS still failed to recognise the emotional labour involved in sharing complex information and the limitations of victim work which VLOs must negotiate.

To date, no study has been undertaken to explore the link between emotional labour in probation work in England and Wales and other organisational stressors and how that impacts on staff wellbeing. Phillips et al (2020) are currently looking to explore this area and this study may provide some evidence to support that work. It would be particularly beneficial to understand how emotional labour differs between those working with victims and people under probation supervision.

My research raises a number of recommendations for the Probation Service. HMPPS should consider providing clarity about the VCS and the scope of it, to ensure a shared understanding across organisations, probation staff and indeed victims themselves. There is also an opportunity for HMPPS to evaluate the job description and guidance of the VLO role, and the accompanying training and support package available for those undertaking this specialist work. The extent to which VLO staff are included and consulted with across the organisation is a further area that warrants exploration by HMPPS. More broadly, my findings point to wider questions around whether the delivery of victim services should sit within probation or whether a separate agency should provide services to victims.

References


R (DSD & Anor) v The Parole Board of England and Wales [2018] EWHC 694 (Admin)
