

The magazine of the Probation Institute

<https://doi.org/10.54006/IEMG5679> ISSN 2752-6933

PROBATION

Quarterly

Issue 32: June 2024

THE PROBATION RESET AN ACADEMIC ANALYSIS

**How to stop overloaded
community orders!**

Why is probation 'feminised'?

The Probation Touring exhibition

 **Probation
Institute**
Celebrating 10 years

PROBATION *Quarterly*

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Registered charity number 1198486



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SUBMIT AN ARTICLE FOR THE NEXT EDITION OF PQ?

Probation Quarterly publishes short articles of 500 - 1500 words which are of interest to practitioners and researchers in public, private or voluntary sector work with people on probation and victims. These articles can be about:

- the activities of the Probation Institute.
- news about the work of your organisation or project.
- reports from special events, seminars, meetings or conferences.
- summaries of your own completed research. (Note: we do not publish requests for research participants)
- brief reviews of books or research reports that have caught your eye.
- thought pieces where you can reflect on an issue that concerns you.

The articles need to be well-written, informative and engaging but don't need to meet the academic standards for a peer-reviewed journal. The editorial touch is 'light' and we can help you to develop your article if that is appropriate. If you have an idea for a suitable article, let me know what you have in mind and I can advise you on how to proceed. Please also read our [language policy](#) which asks all contributors to avoid stigmatising language.

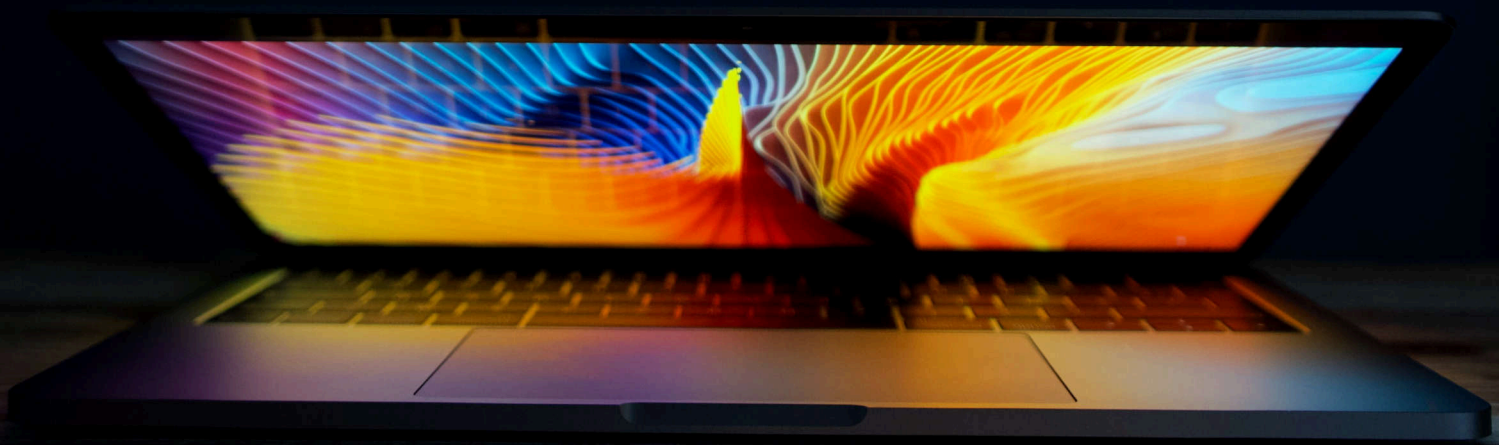
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WELCOME TO PROBATION QUARTERLY

PQ32 EDITORIAL



Jake Phillips
Editor, Probation Quarterly

It has been three years since I took over as editor of *Probation Quarterly*. In my first editorial – written just before unification – I said that it would take time for probation to recover from TR and that workload issues would likely persist for some time. It is perhaps no surprise – if somewhat depressing – that I could write a very similar editorial now as I did back then. The system surrounding probation has continued to creak, especially in relation to the increasingly overcrowded prison estate. This has put even more pressure on the Probation Service through the early release of prisoners. Thus, despite efforts to grow the workforce even more pressure is being put on probation staff. There is already some worrying evidence about the effect of this in terms of high recall rates and examples of people who pose a high risk of harm being released from prison at short notice, and with inadequate release planning. The Government's response to this has been a 'reset' by which sentences being served in the community will – for most – effectively end at the two-thirds point. This issue of PQ starts by trying to make sense of what this means for probation. I am grateful to members of the Probation Institute's [Academic Advisory Network](#) who have quickly responded to a request from myself to analyse the reset from their own particular area of expertise.

The remainder of the issue includes a range of articles focusing on different areas of probation practice, development and innovation. We start with an article that summarises the recent exhibition that was curated by HMPPS and has toured exhibition spaces across England and Wales in the last year. We then hear from Janet Carter, a retired barrister who provides her view on what needs to happen to prevent probation from becoming increasingly overloaded. We have two articles which deal with the issue of neurodiversity: in the first, User Voice provide an overview of their research on neurodivergent peoples' experiences of criminal justice and in the second Roger Broadbent discusses the empowerment passport for people who need extra support with communication. Two articles focus on issues of gender: one article on women who give birth in prison and recent related policy as well as an overview from Matt Tidmarsh of his article on the feminisation of probation. Finally, we look to the US where we hear from Florida about two initiatives being developed there to encourage engagement and compliance.

As ever, I hope you enjoy reading this issue and please do get in touch with any thoughts or suggestions for contributions.

WHAT'S GOING ON AT THE PROBATION INSTITUTE



Helen Schofield
Chief Executive
Probation Institute

Readers may be aware of the Probation Institute [Research Event](#) on Friday 14th June focussing on research on SFO Review Reports and their recommendations. We will be using this event as an opportunity to enquire into key issues for practice and optimum opportunities for learning from inspections and serious further offence reviews. The Research Event will be written up in a report for the Probation Quarterly. Our Research Committee is planning a further Research Event in September and is always pleased to receive suggestions about significant research which can strengthen practice.

Probation Institute Fellows are working hard on two papers with which we hope to influence sentencing - a paper drawing together current evidence of effective community sentences, and a sentencing exercise exploring what we know about public attitudes to sentencing. We welcome applications to join our group of Fellows who are committed to supporting probation and wider rehabilitation.

We will shortly be releasing a Probation Institute Position Paper on Professionalism which we hope will provide an important context for the developments in HMPPS towards an externally regulated and recognised professional registration system.

Probation has a substantial and proud history of professionalism in a highly challenging environment. We want to see the professionalism in probation recognised widely on a par with other professions. To this end the arrangements for professional registration need to be robust but achievable without increasing pressure on practitioners. We encourage practitioners to join the Probation Institute to help to ensure that the institute is best placed to support the professional registration and regulation.

As we approach the General Election we, like many others, are increasingly giving thought to the messages we wish to send to an incoming government. Whilst there is much that needs changing, for probation and the wider justice system current pressures indicate that change needs to be incremental and carefully managed. Our messages will nevertheless include the urgency of implementing the Victims and Prisoners Act and addressing the remaining injustices regarding [IPP](#), reducing the use of short term prison sentences, resourcing and prioritising the reduction of cases pending in the Crown Courts, and urgently reviewing decisions to build more prison places as a means of reducing pressure in the prison system. We will share our concerns about the location of Probation within the Civil Service and the increasing drawing together of the Probation and Prison Services.

The Probation Reset: an academic analysis



Contributions from:

Sam Ainslie

Sheffield Hallam University

Lol Burke

Liverpool John Moores University

Rob Canton

De Montfort University

Matt Cracknell

Brunel University

Jane Dominey

University of Cambridge

Loraine Gelsthorpe

University of Cambridge

Tony Goodman

Middlesex University

Matthew Millings

Liverpool John Moores University

Madeline Petrillo

University of Greenwich

Nicole Renehan

University of Durham

Matt Tidmarsh

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Introduction

Workloads have long been an issue in probation. The introduction of the Extended Custody Supervised Licence (ESCL) whereby some prisoners become eligible for release up to 70 days before the automatic release date has put probation under increased pressure. On 1 May, the Government responded to this added pressure by implementing the 'probation reset'. Formal policy documentation in relation to the 'reset' is not in the public domain. However, we know that - in an attempt to reduce workloads - supervision for most people under probation supervision will cease at the two-thirds point of their period on licence or community sanction. MAPPA cases, people supervised by the National Security Division, people assessed as posing a very high risk of serious harm and those with current active child protection procedures in place are exempt and supervision will continue to the end of the sentence.

When announcing the 'reset' Secretary of State for Justice, Alex Chalk MP said that the policy follows 'evidence, not emotion'. In this special section of PQ, members of the Probation Institute's Academic Advisory Network assess the evidence underpinning this change in policy and consider the impact that it may have on practice, practitioners, people under supervision and the Service.

Probation ethics

Rob Canton, De Montfort University

A reset sounds like something radical, a fundamental rethink and reorganisation. Yet any such project ought to begin with an attempt to specify the purpose(s) that should be set for probation - its point and its value. Thinking at that level is not easy to detect in recent government announcements. Purposes tend to be assumed: reduced reoffending, protection of the public, reduction of the prison population. But some of these are only achievable to an extent, while others - perhaps especially reducing numbers in prison - are aspirations with a long history of disappointment.

Politicians insist they are led by evidence and not emotion, but this has never been true. Some evidence counts, it seems, while other evidence (notably the testimony of practitioners and service users) counts for much less. And ultimately what a criminal justice system should do and stand for rests on *what we feel to be right* - judgements from which emotion cannot and should not be removed.

Justice and human rights should be the starting point for any 'reset'. Probation is at least as effective as imprisonment in reducing reoffending and in protecting the public: detention often amounts to postponement, delaying desistance. Yet probation matters not only for its contribution to these objectives, but should represent how a decent society should react to offending. Probation stands for the belief that everyone is more than the worst thing they have ever done, that desistance will be achieved by enabling people to have fair access to the resources that everyone needs to live a law-abiding life, and that the rights of victims are not

best respected simply by the imposition of severe punishment. If our penal system could be rebuilt on those foundations, we might begin with a strong presumption against imprisonment and do our best to ensure that when custodial sentences are imposed they do not amount to a persistent exclusion from the communities where desistance must be accomplished.

RARs and Supervision

Jane Dominey, University of Cambridge

The impact of the probation reset for community supervision is that activities and interventions will be scheduled in the first two-thirds of the supervision period with little contact between supervisees and supervisors beyond that. The public is reassured that this reduction in service will not apply to those assessed as falling into various 'high risk' categories, although not reminded of the empirical and moral challenges of seeking to discriminate between people on this basis.

The justification for resetting in this way is to 'ensure that intervention and engagement is prioritised towards the first two thirds of the sentence, as experience shows that that most effectively rehabilitates offenders' (Chalk 2024). My sense is that experience - and the evidence - shows something rather different from this. The quality of probation supervision depends on the relationship between the individual and the supervisor (Robinson et al 2014) and probation outcomes are contingent on opportunities and resources over which the probation service has limited control (Reed and Dominey 2022). Supervisory relationships are not all the same, because legitimacy and trust develop at different speeds.

A further complication, highlighted by the reset, is the conceptual gap at the heart of community supervision caused by the 2015 abolition of the 'supervision requirement' and the creation of the 'Rehabilitation Activity Requirement (RAR)' (Robinson and Dominey 2019). The reset expects RAR days to be completed in the first two-thirds of the order. It is much less clear whether the subsequent management of the order allows any space for purposeful interactions between supervisors and supervisees. Contributors to the On Probation Blog (2024), drawing on current experience of policy and practice, take strikingly different views about whether *supervision* exists independently of RAR days.

It is hard to understand this probation reset as anything other than a policy attempt to grapple with the well-documented problems of probation workload and prison overcrowding. A probation reset that was primarily informed by evidence and experience would take seriously the relational foundations of practice and allow space for supervision.

Desistance-focused Practice

Sam Ainslie, Sheffield Hallam University

It seems doubtful that the evidence and experience referred to by the Justice Secretary has been drawn from the vast body of assisted-desistance research in recent years. Probationers have previously indicated that probation intervention can support their efforts to desist (see Villeneuve et al, 2021 for a systematic review), although this ability to affect change is highly dependent on a positive working relationship with their practitioner, characterised by hope, motivation and the ability to respond to individual needs.

The ability of practitioners to work in accordance with desistance supportive principles was

damaged by Transforming Rehabilitation (Ainslie, 2021), and the prescriptive directions of the 'reset' would appear to push them further still from the evidence base that underpins their training. One can only imagine the frustration in knowing what it takes to do the job of probation well, but not be able to enact this in your daily practice. Practitioners are aware that desistance is a lengthy process characterised by setbacks as individuals come up against structural barriers including stigma and a lack of opportunities within their communities. Arguably, the compulsorily reduced levels of contact compromise practitioner ability to support desistance efforts in several ways. How can they support the development of human capital if they are no longer able to intervene when circumstances change, or to consolidate learning through the completion of post-intervention work? How can they bear witness to positive change (Anderson, 2016) or hold hope (McNeill, 2009) when individuals experience goal failure or isolation (Nugent and Schinkel, 2016)? The evidence tells us that this is what practitioners need to be able to do if they are to assist individuals in achieving lasting transformation, as opposed to a short-lived lull in offending behaviour.

The benefits of a reduction in the excessive workload of practitioners, coupled with the potential to mitigate the pains of statutory supervision for some probationers should not be overlooked. However, the persistent reductionist framing of probation work as surveillance of those who present a high risk of harm risks further alienation of the individuals who are seeking support with desistance (not necessarily in the early stages of their sentence), and the practitioners who consistently assert that this is the work they find meaningful. Given the current issues with staff retention, the narrative of 'reset' could quickly become redundant unless policy makers start to listen to the evidence.

Post-sentence Supervision

Matt Cracknell, Brunel University

Historically, people serving a short sentence (a prison sentence of less than twelve months) have been relatively invisible in penal policy, with resources and political attention geared towards cases assessed as higher risk. This is despite extensive research highlighting the multi-systemic needs and high reoffending rates of this cohort. Transforming Rehabilitation sought to remedy this gap through the introduction of the Offender Rehabilitation Act (ORA) 2014.

Previously, people serving a short sentence were released unconditionally at the halfway point of their sentence with no statutory probation involvement post-release. However, ORA (2014) introduced a supervised licence period, and once this has elapsed, a 'top-up' period of Post Sentence Supervision (PSS), to take the total post-release period in the community to twelve months. Policymakers gave PSS the specific aim of 'rehabilitation', with the hope that this extended time period could help address the multi-systemic issues that often need addressing with this cohort.

However, the recent probation 'reset' indicates that active supervision appointments under PSS will no longer be delivered unless cases fall under specific exemption criteria. Justice Minister Alex Chalk promoted the probation reset as an opportunity to "allow front-line staff to maximise supervision of the most serious offenders". This approach seeks to further entrench probation as an institution that is primarily concerned with public protection, and does so through a bifurcation strategy; a twin-track approach that prioritises supervision and engagement for high-risk of harm cases, who will continue to be supervised for the full term of their licence, while once again confining people serving short sentence to their previous invisible status.

The rehabilitative aims of PSS will effectively become redundant, as people serving a short sentence will have all their supervision squeezed into a brief period on licence. This leaves this cohort in an invidious position: they are denied the potential benefits of the supervisory relationship whilst living under the threat of sanctions for breaking licence conditions. This further undermines the ideals of the 'rehabilitation revolution' that promised support to tackle the multi-systemic issues of this cohort and ending the cycle of revolving door short sentences that many get trapped in.

Interventions

Nicole Renehan, University of Durham

Interventions comprise accredited and structured group work programmes, and one to one practitioner tool kits. According to the Sentencing Council (2020), the main aim of interventions is to 'reform and rehabilitate offenders' to 'prevent future crime'. Accredited programmes can be mandated as part of a court order or licensing conditions post-prison release. In this section, I will focus specifically on accredited interventions for domestic abuse offenders, a population who in 2023 (index offence or not) made up a third of probation caseloads (HMIP, 2023a).

While accessing the right intervention at the right time is crucial to achieving better outcomes in reducing reoffending, the current extensive waiting lists for accredited programmes have put timely referrals in jeopardy (HMIP, 2023d). This situation has been exacerbated by acute staffing problems following the pandemic and the renationalisation of the probation service, the latter of which has failed to resolve tensions between interventions teams and probation practitioners (HMIP, 2023a). Needless to say, these tensions will likely escalate under probation reset which will create more rather than less separation between the two.

This matters of course when taking together the early release scheme and probation reset within the broader context of domestic abuse offending. The Domestic Abuse Commissioner for England and Wales recently cautioned that domestic abuse offenders ‘frequently receive short prison sentences and are likely to be among those released early’. As Matt alludes to, above, the probation re-set suggests that active supervision appointments will no longer be delivered under PSS. For those that do not fall under the exemption criteria, intervention delays mean there is likely to be a significant gap between being released from prison and receiving an intervention, posing a risk to victim-survivors. Even for those that do, a front-end supervision period risks depriving domestic abuse offenders from the supportive and rehabilitative function of supervision alongside an intervention.

Further, what of the post-programme objectives delivered by probation practitioners embedded into the current accredited domestic abuse intervention, specifically to mitigate against evidence that *promising gains are not maintained over time* without post-programme support? Indeed, many men consulted for the most recent probation domestic abuse inspection said they already did not get what they needed from supervision appointments (HMIP, 2023a) and complained about being left ‘out in the wild’ without post-programme support (User Voice, 2023). While building a therapeutic alliance between practitioner and clients has been hailed as the cornerstone of probation practice for reducing reoffending (Renahan and Gadd, 2024), prioritising interventions over supervision risks

exacerbating existing limitations, and ultimately raises the question whether some domestic abuse offenders will receive any kind of intervention at all.

Gender and Women on Probation

Loraine Gelsthorpe, University of Cambridge

Madeline Petrillo, University of Greenwich

The ‘Probation Reset’ project ostensibly aims to increase Probation’s capacity to focus on the most serious offenders at a time when the Service is understaffed and under-resourced. Historically, initiatives to streamline Probation supervision have been underpinned by the axiomatic assumption that resources must follow risk. As researchers concerned with the experiences of women on probation, we have seen this centring of risk result in the neglect of gender-informed service provision. So, what does ‘reset’ really mean for women? Most women on probation are low-level offenders who have committed non-violent offences, but there is much evidence of vulnerability, and their rehabilitative needs are high. Women on Probation are often in unsafe relationships, require support around parenting/contact with children, are overcoming histories of abuse, and are managing addiction.

Addressing these needs relies on the relational skills of Probation Officers, to both build trust with the women they supervise and to work closely with the other health and social care professionals involved.

Community Centres for women have a record of being successful because of their personal and wrap-around provision for women (Tavistock Institute, 2019). Despite aspirations to deliver gender-informed approaches across the Probation Service the recent thematic inspection report (CJJI, 2024) makes clear that the expectations have not been met.

There are few delivery models where probation staff work closely with local authorities and partner organisations, and the quality of supervision and support available varies considerably. Indeed, recall rates for 'technical breaches' of post-release supervision conditions are very high for women, indicative of the ways generalised practice policy based on managing risk can adversely impact on women. We saw with Transforming Rehabilitation how easily risk-driven initiatives can sideline the needs of women. If 'reset' means focusing on the more serious offenders there is huge concern that provision for women will once again be diminished.

Race and ethnicity

Tony Goodman, Middlesex University

The crisis in criminal justice has focused predominantly on overcrowding in prisons. On 23rd May 2024, the BBC current affairs programme, Panorama, exposed poor practice within a probation approved premises. Men arrived there from prison without safeguards being put in place. The programme included an interview with the widow of a heavily overburdened probation manager who had died by suicide having been overwhelmed with guilt after an SFO. The programme highlighted how the disastrous Transforming Rehabilitation experiment had led to a haemorrhaging of experienced (including many minority) staff and that probation was in crisis. Good practice takes time to bed in and evolve; that has been

complicated by unification. This concentration on critical factors in criminal justice risks masking other issues that are pushed below the radar and the 'reset' poses real issues here in relation to race and ethnicity. Little wonder then that minority ethnic staff still experience 'racism, discrimination and poor behaviour' (HMIP 2023c: 10).

Disproportionate use of force incidents was registered on black and Muslim prisoners by the Independent Monitoring Boards (2024). It also stated that there was a shortage of probation staff in prisons, which disadvantages prisoners being released (28% of the prison population are non-white; about 10% more than the population of England and Wales). This will therefore impact disproportionately on minoritised people as they are less likely to receive probation support both during their sentence and after release.

HMIP (2023c) found that there is no national strategy for service delivery to minority ethnic people on probation and there had been 'minimal improvement over the past two years in the extent to which assessments of minority ethnic people on probation take into account issues of ethnicity, culture, faith and experience of discrimination' (HMIP 2023c: 9). Many practitioners appeared to lack cultural awareness, and supervision rarely focused on work with minority ethnic people. It is the responsibility for all staff, whatever their race and ethnicity to treat those being supervised with respect, and to assist them to build up their strengths, skills and knowledge. It is vital to prevent workload pressures causing anti-oppressive practice to be neglected. It is of concern the 'reset' may mean that many minorities ethnic ex-offenders may no longer be entitled to probation support, limiting the service in its scope to deliver effective practice despite the intersectional disadvantages faced by people on probation.

Effectiveness/monitoring

*Kevin Wong,
Manchester Metropolitan University*

There is little to no evidence that indicates that ceasing supervision for people under probation at the two-thirds point of their period on licence or community sanction is effective practice. If effectiveness is measured by public safety, i.e. reducing reoffending then the evidence points firmly away from this peremptory dictat. Analysis by HMI Probation (2023b) determined that the frequency of reoffending (for individuals who reoffend) was significantly lower when sufficient efforts had been made by probation to support sentence completion; an average of 4.3 offences compared to 5.7 offences when probation support was judged to be insufficient (HMIP 2023b).

This aligns with other evidence; that effective probation supervision helps people on probation overcome practical obstacles to desistance, ensuring that immediate needs are addressed first; and once stability is established, then other needs can be attended to. It seems too obvious to state this, but stability does not occur at an arbitrary point, it can't be mandated. Stability may occur at the beginning of a sentence, but equally it may not occur until after the two-thirds point. Effective probation supervision provides continuity and time to consolidate learning and support change. Ceasing supervision arbitrarily at the two-thirds point cannot be regarded as effective supervision.

This is confirmed by the HMIP research which found that the sentence completion rate was 78 per cent in cases where probation supervision was assessed as effective compared to 63 per

cent where the delivery was assessed as not effective, while the reoffending rate was lower at 35 per cent compared to 43 per cent (HMIP 2023b).

Of course, effectiveness is not just about public safety but interwoven within this, are the life chances of the circa 230,000 individuals supported by probation staff. The two-thirds point supervision cut-off, arbitrarily and unjustly curtails their hopes and opportunities.

Professional Identity

*Lol Burke and Matthew Millings,
Liverpool John Moores University*

As researchers we have been involved in capturing probation practitioner experiences as the service has been part-privatised and then, more recently, returned to the public sector. Three years on from unification, it is clear probation is still having to endure significant staffing issues whilst operating under increasing external scrutiny. As the landscape has changed, probation work has remained a complex endeavour that requires time and resources, where case management - holding the balance between 'care' and 'control' - acts as the mechanism to achieve sustained changes in the individual's behaviour and circumstances. However, whilst being acutely aware of their public protection role, newly qualified practitioners we have interviewed describe the relentless and unfulfilling nature of case management practice that distils the scope of probation work to predominantly one of enforcement and monitoring.

The emotional vulnerability created by the constant fear of someone they supervise engaging in a serious further offence - and the heightened level of scrutiny and recrimination that inevitably ensues - led some to view case management as a 'rite of passage' to be endured before taking on a more specialised role within the organisation with, they perceived, less pressure and greater scope to innovate. Whilst 'reset' may indeed be a mechanism that ostensibly starts to reduce the pressures on practitioners, our concern is that it represents a further diminution of the case management function at a time when the practice values of a unified service are still taking hold.

The 'blanket' reduction in the length of supervision based on categories of risk rather than individual need(s) has the potential to undermine practitioner's scope to enact professional discretion in their assessments of individual cases and their capacity to develop the relational aspects of probation work that researchers have consistently identified as being the bedrock to achieving positive desistance-based outcomes.

Professionalism and the workforce

Matt Tidmarsh, University of Leeds

Probation is unequivocally a profession; yet it lacks the social and economic prestige of the likes of medicine, law, architecture, and others. This is, in part, because probation work is predicated on an ethic of care: practitioners enter the service to work with people, to make a difference in the lives of criminal justice-affected individuals. Indeed, what makes the service unique has been devalued by successive governments. This lack of professional recognition has rendered the service an easy target for political intervention. Recent reforms - namely, TR and the subsequent unification of services - have mobilised the

'professionalism' to justify organisational change, but a plethora of HM Inspectorate of Probation reports have documented their negative impact on staff, particularly in relation to high caseloads and staffing shortages. Despite being framed in terms of alleviating workload challenges, the probation 'reset', again, represents another top-down reform which will likely prove to the detriment of staff. Efforts to frontload supervision towards the first two-thirds of a sentence place the emphasis firmly on risk management, enforcement, and public protection. Against this backdrop, in addition to a £0.5bn cut in the Ministry of Justice's budget over the next financial year, it is difficult to see how the professionalism of staff - their ability to exercise knowledge, expertise, and judgement in the service of clients - will be strengthened as a result of the reset.

Conclusion

There seems to be little good in the probation reset beyond - potentially - reducing workloads in the Service. This - albeit brief - analysis points to the risk that it will further reduce probation's role to sentence enforcement and create further ruptures in the Service. Moreover, it would be fair to conclude that the only way of describing the policy as 'evidence-based' is to draw the boundaries of 'effective' in very narrow terms indeed. We already know that people being released under ECSL are being recalled at high rates. This will - in turn - only put more pressure on prisons. As we approach the general election we can but hope that one of the political parties is brave enough to make a case for reducing the prison population through proper resourcing and implementation of policy which actually is evidence-based: that surely is the only way to solve the workload crisis that persists in probation and the wider criminal justice system.

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**The Probation Touring exhibition:
the Probation Service story from its
roots to the present day**

A chance conversation led to the idea for an exhibition telling the story of the Probation Service.

As the nation emerged from lockdowns in summer 2021 following the COVID19 pandemic, Sonia Flynn was in Staffordshire taking a break from her role as Chief Probation Officer.

One day, while exploring the countryside, Sonia went to visit Englesea Brook Museum and Chapel, just across the border in Cheshire. Here, she met museum director Ruth Hilton and they struck up a conversation while viewing the exhibits.

They chatted about the museum and the links with Sonia's work and discussed the importance of faith to the founders of the Probation Service and the early links with Methodism and the Church of England.

That initial conversation gave them an idea and led to further meetings where Sonia and Ruth agreed that the Probation Service and the museum would work together to prepare an exhibition which would not only tell the story of the Probation Service's foundation but its work and activity - including Community Payback, Electronic Management and Approved Premises - right up to the present day.

The museum's researcher Amy Wilkinson examined records at the National Justice Museum in Nottingham and the British Library, while the Probation Service appealed to its regions to gather an array of artefacts and information.

The exhibition was launched at Englesea Brook Museum and Chapel in August 2023 and has since toured venues in Keighley, Nottingham, Wrexham, Cardiff, London, Worcester and Bristol.

The exhibition will look to complete its tour of England and Wales at Sheffield Hallam University in the autumn. The story of the exhibition is told



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in an accompanying blog with articles and podcasts. It has been translated into five languages - Welsh, Bengali, Urdu, Punjabi and Hindi.

Exhibits include hi-vi vests from Community Payback teams, alcohol tags from Electronic Management, photos of people under supervision working on farms, Victorian court documents, pledges to remain alcohol-free, and old photographs of staff and accommodation.

What was particularly exciting was the discovery of Probation Service ledgers from around the country. Leather-bound ledgers from the early and mid-twentieth century were found in offices in Sefton, Liverpool. In Birmingham, following the move from probation offices in Lower Essex Street to nearby the Centre City, six ledgers from the 1940s and 1950s were discovered.

Each ledger details the date and details of the person on probation (or under supervision orders as it refers to them), as well as their employment, place of work, nature of their offence and the sentence handed down by the court.

Those under supervision were hoping to receive the letters 'CS' either scribbled or ink-stamped on their record: CS means completed satisfactorily.

The records present a fascinating snapshot of the work of probation officers in the Black Country during the war and post-war period.

The cases are intriguing and include women in their twenties from Dudley on supervision for unlawfully trespassing on a US Army base.

Four youngsters - all under 11 and two under eight - are under supervision for breaking and entering, with objects stolen including fountain pens, coal, toffees, apples and even a cat.

Sadly, not all completed their orders satisfactorily.

Some were put back before the courts. Some emigrated. A small number entered 'asylums' (mental health hospitals).

More information can be found about the ledgers in the accompanying exhibition [website](#).

Englesea Brook Museum and Chapel is set in beautiful, rolling south Cheshire countryside. It's home to many fascinating artefacts and tells the story of Primitive Methodism, a movement founded at a camp at nearby Mow Cop in 1807 which spread from its north Staffordshire heart across the country and then the world. Miners and millworkers, farm labourers and fishermen were inspired to join the movement at open-air gatherings. Women became travelling preachers and a passion for social justice was shared with many followers becoming councillors, trade union leaders and MPs.

It was this passion and care for those less fortunate in society that was evident in the foundation of the Probation Service and gave the exhibition its title: 'Root & Branch - How Five Shillings, Faith and Belief inspired the beginning of the Probation Service.'

The exhibition touches on the work of the founders, right through to the modern day Probation Service, focusing on five key areas (Five Shillings, 1907 - A Key Date, Homes and Hope, Changing Lives, and the Temperance Movement).

Five Shillings refers to a donation made by Frederic Rainer (1836-1911), who was a printer and member of the *Church of England Temperance Society* and lived in Holborn, London, in the 1850s and 1860s. Rainer witnessed the poverty in and around the police courts and worried about the lack of help for people attending the courts, especially those with alcohol issues. He sent five shillings to the *Church of England Temperance Society* to create the Police Court Missions.

Police court missionaries were then placed in police courts across London and a National Police Court Mission developed. Police court missionaries gave advice and support to offenders based on the Christian values of care and compassion. They helped offenders to keep their jobs or found jobs for those out of work.

A British Women's Temperance Association (BWTA) was formed with female court missionaries to help women. In 1890, Lady Henry Somerset, a Methodist, was elected as BWTA's president, and was integral to increasing the work of their female missionaries. Alongside her friend, Frances Willard, an American Temperance reformer, Lady Somerset was a strong advocate for children's welfare, women's suffrage, and prison reform. Frances Storr, a Primitive Methodist, was a BWTA Police Court Missionary in Doncaster in the early 1900s.

From two Police Court Missionaries in 1878, the Probation Service now has over 20,300 employees.

A key element in the foundation of the Probation Service was the founders' belief in the importance of Temperance. The link had been made between alcohol and crime in the 1800s and the Primitive Methodists, Church of England and others recognised the need to help people in court on charges of drunkenness.

Tackling substance misuse, including alcohol consumption, continues to be an important part of the Probation Service's work and electronic monitoring (known as tagging) can be used to monitor alcohol use, location and compliance with curfews.

Whereas the founders would observe the behaviour and coordination and perhaps the smell of drink on those brought before the police courts in Victorian London, modern tagging allows alcohol levels in sweat to be measured every thirty minutes. One of these devices can be viewed as part of the exhibition.

Students of English and Welsh legal history may know that 1907 is a very important year in the Probation Service. The Liberal Government, under Prime Minister Henry Campbell-Bannerman, passed the Probation of Offenders Act. This gave Police Court Missionaries, who had been volunteers, official status as Probation Officers. Courts could suspend punishment if offenders spent between 12 months and three years under the supervision of a Probation Officer.

Under the topic 'Homes and Hope' the exhibition looks at the provision of accommodation and jobs from the era of the Whitechapel Primitive Methodist Mission, which opened in 1876, right up to the Approved Premises of the present day. James Thorp, the Whitechapel Mission's probation officer in the 1920s, found work for lads on farms in Devon where they could gain skills.

There are notes detailing examples of lives changed through the work of the Probation Service, including the learning of new skills to improve employability. There are examples of people on probation becoming carpenters, joiners, chefs and farmhands and escaping the city for employment or new opportunities in Essex, Hertfordshire and the West Country.

Community Payback also features prominently in the exhibition in the wake of its 50th anniversary year (2023); the first Community Sentence was made in 1973 in Nottingham.

Projects continue to change lives, helping people on probation to repay their communities, gain confidence and employment, learn new skills, and help improve their local environment.

During 2023, each of the 12 probation regions in England and Wales showcased Community Payback projects including lunch clubs, beach cleans, tree-planting, maintaining a tourist railway, working at a shipyard and a zoo, and working at a walled garden.

Sonia said:

"It's wonderful to see this complete chronology of the history of the Probation Service. It's a positive affirmation of all that we do and such an important contributor to our professional identity."

"We hope many people will be able to visit, learn more and be inspired."

Ruth said:

"We're excited to be able to tell a brand new story – how five shillings, faith and belief inspired the start of the Probation Service."

"That same desire, to transform people's lives, which is shared by those of different faiths and none, is at the heart of it."



How to stop overloaded community orders!

One of the most common reasons for overloading a community order is an overzealous application of the legislation which begins by stating that 'the order must include at least one requirement imposed 'for the purpose of punishment'¹ (commonly referred to as a 'punitive requirement'). So easy for sentencers to apply. If the person is suitable for any of the punitive requirements - unpaid work, curfew or alcohol abstinence - just add in to the community order - job done!

But is it that simple? Absolutely not, and never should be. Arguably this legislation increases a low level community order into a medium level community order, just by doubling the requirements. It also differentiates unfairly with a co-defendant who has no rehabilitative needs and may therefore simply be ordered to complete unpaid work. One requirement is suitable, which happens to be punitive, so the legislation is met. However, their co-defendant with rehabilitative needs is likely to be ordered to complete a Rehabilitative Activity Requirement but with an unpaid work requirement on top to meet the punitive requirement aspect. How did this situation arise?

This legislation began its life in 2013² and the hype at the time was that a community order should not be regarded as a 'soft option'. The main concern focused on the pure 'supervision' requirement, which existed at the time. 'Supervision' as a single requirement quite rightly carried a level of intervention relating to the individual, which could quite rightly be relatively 'light touch'. So, the perceived need to bring some pure 'punishment' into an order began its life. Supervision requirements thereafter were normally accompanied by the punitive requirements of unpaid work or a curfew, or at that time, an attendance centre requirement.



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Barrister

Retired HMCTS Legal Training Manager
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A year later in 2014³ the supervision requirement was replaced by the introduction of the Rehabilitation Activity Requirement (RAR), with a far clearer restriction on liberty within the imposition of activity days. Would this address the need for punishment within the order? No. Case law has determined that the RAR is not considered to be a requirement 'for the purpose of punishment' (nor is an alcohol treatment requirement)⁴.

This is why it is even more important to address the full legislative provision within a report. The legislation goes on to provide for the alternative of a fine instead, or, more significantly, neither a fine nor a punitive requirement. The avoidance criterion is seldom addressed, but it may often apply.

It states that if there are 'exceptional circumstances relating to the offence or to the offender which make it 'unjust' in all the circumstances for the court to impose a requirement for the purpose of punishment or a fine' the order may be made without a punitive requirement and without the imposition of a fine instead⁵.

Whilst this is ultimately a question for the court, it is significant that in a later case, the Judge said 'the authors of pre-sentence reports must take into account the requirements of the legislation ... They should, in appropriate cases, specifically address the question of whether there are exceptional circumstances to justify not imposing a requirement for the purposes of punishment'⁶.

Given that the legislative role of the pre-sentence report is to inform the opinion of the court as to the 'most suitable requirements' or 'combination of requirements'⁷, it is vital that any information which may render the 'punishment requirement' to be unjust is covered in the report.

This may simply be the fact that the person is not considered to be suitable for a punitive requirement and is relevant particularly if it is not due to any 'fault' of the person, which is usually the case. Simply a fact and with a good reason. This is crucially important when a high level community order is being offered for consideration as a direct alternative to an offence at the custody threshold. The order needs to be intense and proportionate to custody. What if there is no punitive requirement? It can be perfectly legitimate with purely rehabilitative requirements provided that the court identifies why it is unjust to include a punitive requirement. Crucially, the absence of a punitive requirement does not kill the option of a community order, but my concern is that it so easily does just that, unless it is spelt out exactly why a punitive requirement is not suitable.

'Exceptional circumstances' are not defined and may relate either to the offence itself based on the relevant offence guideline factors, or to the personal circumstances of the individual. These may include, for instance, health issues, pregnancy, family responsibilities, or a lack of maturity. Basically, if any punitive requirement is going to make the order disproportionately onerous for this individual for clear reasons, there is the prospect that it may be unjust to include it at all. An alternative of a fine must also be considered, and it may also be 'unjust' because of the evidence of limited means and financial difficulties.

The legislation and case law are clear that this information becomes highly relevant whenever the punitive requirement cannot be achieved at all, or equally, if it is being considered as a prospective 'add-on' to other proposed requirements.

Overloaded orders can be stopped in their tracks with the relevant information provided in the pre-sentence report. Equally as importantly, a custodial sentence can be avoided with a direct alternative community order with entirely rehabilitative requirements.

Just one extra sentence of information can stop an unjust sentence.

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The voice of neurodiverse service users on probation

USER VOICE

User Voice's report '[Not Naughty, stupid, or bad - The Voices of Neurodiverse Service Users in the Criminal Justice System](#)' puts the voice of those who self-diagnose as neurodivergent front and centre of discussions about how best to support people in this category. The health and criminal justice sectors are learning more about the experiences of the neurodivergent and how best people can be supported. The voice of people with lived experience must be part of the conversation.

As part of our consultation, User Voice surveyed and interviewed service users about their experiences before, during, and after being in the criminal justice system. All service users were either diagnosed or self-diagnosed as neurodivergent.

The relevance of neurodiversity to peoples' involvement with probation

Most service users we spoke to came from lower socio-economic backgrounds; over half had experienced abuse and neglect, and one third had been in care.

"I actually asked help from probation, I told them I've been made to do stuff I don't want to do. I showed them scars when I got stabbed in my own house, I told them everything. But there's no help."

We found that neurodivergent service users were often getting recalled because no adjustments in their probation experience had been made:

"I used to have to get the train to get to my probation, it was in Wales, you see, and round loads of people and stuff like that, that got in the way, yes, it did. And then the times were changing, and I've got it in my head and the times were changed and I'd miss, and I'd have to phone up and stuff like that, yes."

At a crisis point, respondents often found that they did not have the support networks in place to assist them with their return to the community. As a result, many had turned to alcohol and drugs which had then led to a life of criminality. Many told us that due to their neurodiversity, they are easily manipulated, coerced, groomed, or susceptible to peer pressure:

"People I see here, old boys, I can clearly tell that they have traces of autism, ADHD. And they are here because of 4th strike 5th strike because of class A when they were 18. That should tell the system, that should tell the people that someone is vulnerable and needs help."

Improving the way probation supports people with neurodivergent conditions

Service users told us they struggled when their routine changed at late notice. Once in their meeting, some told us that they were not given the emotional support that they needed.

"When I got to, like, 17, 18. No, 18 it was. I had done the YOT and they moved me onto probation and the probation used to say to me, the woman, the probation officer. She used to say 'You're un-rehabilitable,' you know what I mean, so we can't-, 'There's nothing we can do for you. You've done every course. You've done everything. There's nothing else we can do for you.' Do you know what I mean?"

Service users told us they often struggled to understand literature and instructions. Digital exclusion was also mentioned, service users were often asked to go online and book appointments and fill out forms. We heard that they struggled with internet connectivity or access to devices.

"Reminders about appointments was mentioned as a good practice / adjustment in probation. Probation, only thing they supported me is that I forget about appointments, and they actually send a text saying I have an appointment."

We are a solution focused organisation, and all our work comes with suggestions from service users. We believe that lived experience has a crucial part to play in the formulation of policy and practice in every sector, whether it be criminal justice, health, or education.

A consistent response we heard was a call for the Probation Service needs to train their staff so they can provide support that is adjusted to neurodivergent individual's needs. This should focus on ensuring consistency, being flexibility and responding to service users' different literacy and digital literacy levels.

"Five times, no crime, nothing, not drink, or drugs, or anything, purely, 'Oh, he's been late here. He's been two minutes late. He was three.' Do you know what? One of the things when I got out, I got a voluntary job. I wasn't getting paid for it. I thought I'll do that, and then that will get me into employment. Do you know what they said to me? I was signing on once a day I had to go back to the hostel. They changed it as soon as I got the job, four times a day."

A need for consistency in appointments and staff was another common theme: neurodivergent service users often find that change is a trigger for anxiety. If changes in routine can be reduced, service users will be able to get more out of their appointments.

Furthermore, service users told us they needed more flexibility in their appointments (not punished if two minutes late) with clear reminders and directions on how to get there. Once in the appointment, service users have asked for more time to go through letters and processes without being rushed. Finally, and perhaps most importantly, service users asked for empathy, someone who can take the time and listen to them.

Conclusion

After the release of the report User Voice has taken the voice of service users to Westminster, speaking to representatives about people's experiences and what can be done to help them. We understand that our report is just a snapshot. For meaningful change to occur the voices of those with lived experience need to be taken on board as part of a long-term strategy across numerous departments.

In the next year User Voice will be returning to prison and probation settings to again capture the voices of people in the criminal justice system.



“Seen but not Heard”
Can we support clients to
talk about painful issues?

Working with individuals who are accessing the probation service requires lots of skills: strong communication skills; strategies to understand the person in front of them; perseverance on behalf of the other, just to mention a few. For the service user their probation officer is often their only positive advocate and guide. The stronger the bridge between the two, the greater the chance better outcome for the client. Still, levels of recidivism are high, especially in certain cohorts like those with dyslexia, autism, ADHD and other needs.

For a range of reasons individuals with these neurodivergent conditions can be difficult to engage with. Encouraging the person to better understand themselves, and to start to accept their whole selves, often takes time and patience. The vast majority of neurodivergent individuals will not have had a diagnosis but they will have had their personalities moulded by their lived experiences of the condition/s. Most will have felt things like: classroom bullying, learning anxiety, frustration, truancy, anger; all without being given the support/guidance to develop the necessary self knowledge around their unique challenge, or to nurture their emotional maturity. Anecdotally, I performed many dyslexia screenings with probation clients for the local probation team: the majority showed as positive. One thing of note was the strong emotion demonstrated by these clients: they were often tearful/angry that no one had helped them with their "new" condition. It left me feeling frustrated yet motivated to seek change.



Roger Broadbent

Director
Empowerment Passport

So many common issues are linked to neurodivergence: drug and alcohol abuse; poor diet; prison debt; coercion/bullying; mental health challenges; childhood traumas; etc. And still, not unlike most of us, service users are not readily open to facing up to their "weaknesses". Why would anyone want to think about the things that damage their self confidence, and moreover let other people know about them?



Probation clients are perhaps a bit more reserved in this regard. Many individuals will have been excluded from school, or decided not to engage with education from an early age. Even today most neurodivergent individuals are not diagnosed or supported in school with the British Dyslexia Association (2019) that found 80% of dyslexic pupils were leaving primary school without a diagnosis.

The Empowerment Passport provides an opportunity to explore these issues with people on probation. The Passport is a person centred approach, based on the social model of disability. Users do not need to have had a diagnosis for their unique condition. The confidential nature of the Empowerment Passport means it could be a welcome tool in the probation officer's kitbag. We can work with people on probation, in a neutral space to allow people to think about their challenges and strengths (emotional, physical, social & intellectual). This lets the person better understand their unique self; which leads to self ownership and acceptance which is a key element to personal development. The aim is to support people to make better life choices moving forward.

The 2nd step of the Empowerment Passport is the creation of a document that the passport holder is happy to share. This document includes information about themselves, their strengths, weaknesses, and their support needs. This bridge building exercise allows support strategies to be created and can be used together with the probation officer to design education and training plans, or let potential employers know what workplace adjustments may be needed.

We have found that the use of the Empowerment Passport is really helpful during transitions. It helps the user share some of their most sensitive information, electronically, with permission, with others who are seeking to help and support them. Transitions are particularly vulnerable points in everyone's life, but perhaps more so for individuals with extra challenges.

Existing clients: NHS England, universities, Merseyside Employment Service.

If you would like more information please email: Roger@EmpowermentPassport.co.uk



No More Births Behind Bars: Innovative Potential for Reform

Introduction

Maternal imprisonment policy is at a critical juncture with newborn fatalities, poor maternal and infant outcomes, increased public awareness, and increasing attention under the current media and charitable spotlight, presenting an opportunity for major reformation in the female prison estate.

What do we know?

An incompatibility between the pregnancy, childbirth and the prison estate has long been recognised. Deficits in provision have been repeatedly highlighted across academia (Abbott et al., 2020; Baldwin & Epstein, 2017; North, 2006), linked with increased maternal stress and poor foetal outcomes (Bell et al., 2004; Howard et al., 2008, 2009; Glover, 2010), and termed *Institutional Ignominy* by Abbott et al., (2020). No pregnancy-specific guidelines exist despite recommendations to classify all incarcerated pregnancies as high-risk (Abbott, 2018; North, 2006; Prison and Probation Ombudsman, 2021) and despite the production of the *Birth Charter for Women* which provided a framework for improved prison maternity care, there are no prison service orders dedicated to the care of pregnant women (Birth Companions, 2016). Despite this lack of policy however, pregnant women are still being detained, and babies are still being born to imprisoned mothers. Shockingly, although perhaps inevitably, two babies have recently died in our prisons and this has led to an increase in charitable and media attention.



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Changes afoot

Increasing attention from charitable organisations such as [Level Up](#), a feminist community fighting for gender justice in the UK and [One Small Thing](#), a charity with a vision to redesign the justice system for women and their children have elevated incarcerated pregnancy and childbirth from a *hidden topic*, a factor behind the lack of public outrage (Smith, 2022), to a recognised and contentious contemporary social issue. This has resulted in pressure on the sentencing council to address the imprisonment of pregnant women.

The Sentencing Council recently held a public consultation on including pregnancy and maternity as independent mitigating factors in sentencing. Initially the Council refused, maintaining that these issues were already addressed within the previously specified mitigating factor of *dependant relatives*, and suggested instead that the probation service addressed pregnancy and maternity in pre-sentencing reports (Reports are available to view at www.sentencingcouncil.org.uk/sentencing-and-the-council/ and www.sentencingcouncil.org.uk/miscellaneous-amendments). Their proposals, although welcomed for their positive elements, were met with appeals from scholars, agencies, and charities who pushed for further reform (For example see; [Birth Companions Proposal Response](#)). Ultimately this secured the inclusion of pregnancy and maternity as independent mitigating factors as announced on the 18th March 2024 (<https://www.sentencingcouncil.org.uk/publications/item/miscellaneous-amendments-to-sentencing-guidelines-response-to-third-annual-consultation/>). One Small Thing were among those fighting for policy change and are calling for radical changes in the way the criminal justice system meets the needs of female offenders.

Radical Innovation

One Small Thing developed and built a pioneering award-winning facility which opened in June 2023. *Hope Street* is a pilot residential, trauma-informed environment that strives to meet the needs of women and their children by offering a viable and healing alternative to imprisonment via holistic specialist support. Hope Street houses up to 24 women and their children and provides individually tailored programmes of support

incorporating opportunities for education, life and work-skill enhancement in addition to addressing the root causes of their offending behaviour. Following their residential stay, women and their families receive support for up to 12 months via the established move-on pathway ensuring a successful transition back into the community. Referrals for Hope Street are made via the probation service, thus affording probation workers the chance to offer positive, effective, and compassionate services to their clients, an opportunity previously unavailable. Hope Streets long term aim is to establish a blueprint for replicable women-centred rehabilitation. A model which, if proven effective, could be duplicated across the UK to improve outcomes for women and their children on a national scale (For more information please see; [Hope Street](#)).

Conclusions

Significant changes are underfoot in the female prison estate. Incompatibility between the prison estate, pregnancy, and childbirth, alongside poor outcomes, and the death of two newborn babies have created an opportunity for reform. Members of the public, scholars, maternity, criminal justice, and public health workers are united in calling for change and advocate for alternative, trauma-informed, and supportive approaches from the criminal justice system (Livingston, 2024; Smith, 2022), such as the trauma-informed innovative approach seen with *Hope Street*.

With the establishment of *Hope Street*, One Small Thing is pioneering a new compassionate approach to justice which, if effective, has the potential to revolutionise the female prison estate and its response to female offenders.



A view of Hope Street taken from <https://onesmallthing.org.uk/hopestreet>

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Why is probation 'feminised'?



Introduction

The number of women working in many professions has increased relative to men in recent decades, but the pace and scale of the 'feminisation' of the probation service in England and Wales is without parallel (Annison, 2007). The latest HMPPS (2024) *Workforce Statistics Bulletin* shows that there are 16,713 women and 5,352 men employed by the service, a gender split that is both problematised in policy circles and academically underexplored. Drawing on semi-structured interviews with 38 members of staff from across the probation estate, conducted between May-June 2022, this article speculates as to why probation is a feminised profession.



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Probation: Feminising a caring profession

Feminisation has demographic *and* cultural dimensions; it refers to an influx of women into typically male domains and an increase in the need for the emotional or caring skills typically attributed to women (Fudge & Owens, 2006). The degradation of pay, working conditions, and the value attached to caring labour often coincides with feminisation. Indeed, both these dimensions are apparent within the recent development of the probation service.

Probation is often framed as a *caring profession*, not least because of its traditional ideology of service grounded in the words 'advise, assist, befriend' (May & Annison, 1998; Dominey & Canton, 2022). This historic association with care contributed to perceptions among informants in this study that probation has always been women-dominated:

Men don't come into this profession. [...] The soft skills approach does not lend itself well to male thinking, generally. (PTA2)

And yet, Annison (2007: 154) shows that probation has historically resembled a 'gentleman's club'. Tracing the gender composition of the service, she notes an approximate 70/30 ratio between men and women practitioners in the postwar period - a split which has reversed since the 1980s. This was due to an increase in the number of women entering into the service rather than a fall in the number of men, which remained stable through the 1980s and 1990s. By 2006, a 'gender switchover' (Annison, 2007: 148) had inverted the ratio of two-thirds to one-third men/women in 1980, with 1993 the year in which women surpassed men at maingrade probation officer level.

This demographic transformation has been accompanied by a challenge to the culture of the service. From the 1980s onwards, attempts to impose 'a more masculinised ideology' (Annison, 2007: 153) upon probation manifested in the twin embrace of a managerial regulatory apparatus and a 'tough on crime' enforcement agenda. Distance was established between probation practice and its traditional, care-based professionalism. Probation's 'advise, assist, befriend' ideology of service was permanently excluded from official documents in 1992, while social work training requirements were abolished in 1995 (Deering, 2010). Organisational measures of 'success' have been articulated not through people-work but through performance targets (Phillips, 2011). These changes speak, therefore, to successive governments' perceptions of how an association with care ethics 'did nothing to advance public confidence' (Dominey & Canton, 2022: 418) in probation.

Despite how some - predominantly, but not exclusively, male - informants problematised the gender identity of practitioners, this current study identified no discernible differences between men and women in terms of why they do the job. This suggests that probation work is not specifically gendered. Rather, against the backdrop of the (partial) shift towards 'control', of practitioners and people on probation, an ethic of care remains integral to how practitioners understand their work. PTA3, who reflected on a probation career that spanned five decades, linked this control to the cultural dimensions of feminisation - namely, the heightened need for caring labour alongside the worsening of pay and conditions:

*The nature of the job seems to me to be one that demands more of people, both in terms of time and emotional energy, that you're not being financially rewarded for. It's almost as though...that's in [probation's] culture; **it's always been in its culture.** When [probation] was rewarding and not badly paid, that meant it was attractive to people, men and women, who'd done other jobs, who wanted to do something different. (my emphasis)*

PTA3's response epitomises the tensions that characterise contemporary probation practice. Changing expectations have meant the job has, for many, become less rewarding - both in terms of professional satisfaction and remuneration - which, in turn, has impaired probation's ability to recruit staff with diverse working experiences. Her allusion to the 'time and emotional energy' given by staff not only hints at the persistence of care-based practice, but also highlights how the demands for such work have intensified. These cultural signifiers of feminisation, the rest of the article suggests, offer cautious insight into how the (ongoing) challenge to probation's professional project has filtered into the demographic composition of the service.

A feminised 'pipeline': Gender and working conditions after unification

The problems encountered by probation since services were 'unified', in June 2021, have been well documented. For example, probation is currently in the grip of a 'retention crisis' (Tidmarsh, 2023, 2024), in which there is a shortage of 2,129 full-time equivalent probation officers (HMPPS, 2024). Concerns over retention can be linked to working conditions.

Indeed, many informants in this study cited caseloads as a key factor in poor retention:

...there's a lack of staff; people have got very high caseloads; we've had the backlog of Covid...and the staff on the ground floor are voting with their feet and leaving the organisation. (PSO1)

High caseloads are not unique to unification nor are they experienced in the same way in every probation region (HMI Probation, 2021). However, more than a quarter of the 56 staff interviewed by Millings *et al.* (2023: 12) in their study of staff experiences of unification in one probation region 'compared their pay and conditions unfavourably with other sectors'. There was a sense among staff in this current study, too, that the challenging nature of the job was not reflected in financial remuneration:

If you're looking at paying PSOs, what, £22k [sic] to start work, they can go and work in Tesco or a factory and earn more money that way. And we're asking someone to monitor someone's risk, child protection issues, violence, for that money? It's a joke, a massive joke for what we're expected to do. (PO1)

This is not to denigrate those who work in supermarkets or factories, but rather, to emphasise that a starting salary of £25,310 for PSOs (plus a weighting allowance of £4,249 in London [Mo], 2024) is not commensurate with the weight of responsibilities upon the shoulders of practitioners. A joint pay claim submitted by the trade unions which represent probation staff, Napo (2021), Unison, and GMB, demonstrates

that between 2010 and 2020 - a period which has been defined in large part by the politics of austerity, cloaked in the pursuit of budget deficit reductions (HM Government, 2010) - pay increased by just 1% in real terms. This is compared to 15.6%, 12.6%, and 10.8% rises, respectively, for police, local government, and health professionals.

The probation service's struggle to translate its worth into financial remuneration has arguably drained the pool from which new staff are recruited, with gendered implications:

I think the recruitment model at the moment seems to pick up, whether this is intentionally or otherwise, young, largely female, graduates with limited life experience. (SM3)

The prevalence of young women could be an unforeseen consequence of the long-term changes imposed upon probation, of the interrelation between the demographic and cultural dynamics of feminisation. Entrants onto the Professional Qualification in Probation, M5 asserted, are typically drawn from social sciences subjects:

If you look at where the majority of our recruits come from, it's an academic background: sociology, psychology, criminal justice and criminology. Those courses are women-dominated, aren't they? So, our pipeline is women-dominated.

The absence of data on recruitment pathways means we cannot extrapolate this comment to the service at large, but the 'women-dominated' nature of the alleged 'pipeline' into probation is confirmed by Higher Education Statistics Agency (2023) data. This shows that women constituted 67% of the 286,325 students enrolled on social sciences courses in the academic year 2021/22.

Accordingly, it can be argued that the typical probation recruit is a university-educated, 'highly organized [and] computer-literate' (Mawby & Worrall, 2013: 153) woman. This is not to suggest that women are inherently more capable at delivering probation work. Rather, if pay is such that starting salaries appeal predominantly to recent graduates, and these graduates are drawn mostly from the social sciences, then by extension the recruitment model will draw more women than men into the service.

Conclusion

This article has suggested that, despite efforts to embed within the service a 'macho' (Annison, 2007) organisational culture of control, the influx of women entering the profession could be an unforeseen consequence of the cultural dimensions of feminisation - namely, the degradation of pay and working conditions. The recent organisational contexts in which

practitioners have operated has continued these trends. Evidence points to excessive workloads, as staff are leaving the service (Millings et al., 2023; Tidmarsh, 2024). As such, feminisation provides a lens through which to capture these cultural pressures and how they filter in the demographic composition of a service. The typical entrant is a recently qualified graduate who comes through the 'pipeline' (M5) from university-level social science courses to probation, resulting in a workforce at odds with its predominantly male caseload.

However, we should not be too quick to problematise feminisation nor the age of the probation workforce. The findings suggest that a commitment to a care-based professionalism in probation is gender-neutral and spans different generations of staff. Women are no more or less capable of executing arguably the two most important aspects of probation practice - relationship-building and the ability to proficiently manage risk - than men. Rather than problematising the demography of a gendered workforce, the cultural dynamics of feminisation are more pressing for the future of probation. Thus, an appraisal of pay and working conditions, and their impact on recruitment and retention, should be considered a matter of urgency if the service is to empower a diverse pool of staff and (re)discover an ethic of care.

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Innovative supervision

Introduction

The importance of innovation in probation cannot be overstated, as it profoundly impacts the criminal justice system, society, and individuals' rehabilitation (Goswami, 2005). Over the years, probation, as an alternative to incarceration, has undergone significant evolution. In response to changes in the landscape of criminal justice and rehabilitation, probation has incorporated innovative techniques aimed at reducing recidivism and facilitating successful reintegration into society (Schaefer, 2017). Continued exploration of these innovative techniques and their impact on both individuals under supervision and the criminal justice system can continue a promising path forward for probation in the 21st century.

As a correctional strategy, probation has transformed from its early days as a simple alternative to incarceration into a multifaceted system that integrates innovative techniques for supervision, rehabilitation, and community reintegration. The primary objective of probation is to afford individuals under supervision the opportunity to remain in the community while holding them accountable for their actions, reducing recidivism, and ensuring public safety. Over time, probation has embraced various innovative approaches to achieve these goals (Annison, 2013).

Florida Community Corrections has been proactive in integrating evidence-based practices (EBPs) into its decision-making and intervention strategies. These practices, rooted in empirical research, have proven effective in reducing recidivism. Cognitive-behavioral interventions, motivational interviewing, and substance abuse treatment programs have remained key components of supervision. Florida has recently introduced pioneering initiatives aimed at



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supporting successful reintegration into society while maintaining a strong commitment to public safety. Whilst probation in the US functions differently to England and Wales we believe that some of the initiatives implemented here will be of interest to our colleagues elsewhere. With that in mind, let's take a look at two of these programs.

Bike Team

While traditional methods of probation supervision have been effective, the integration of bicycle patrols presents numerous advantages in terms of community engagement, cost-efficiency, and the promotion of healthier lifestyles for both probation officers and individuals under supervision.

Historically, probation officers have relied on car patrols and office-based supervision to monitor those under their care (CBS News, 2016). However, incorporating bicycle patrols into probation services offers several distinct benefits that can enhance program effectiveness.

Recently, Florida Community Corrections launched its inaugural "Bike Team," which

underwent a comprehensive 32-hour national training program. This training equipped team members with a diverse set of techniques to improve supervision practices for individuals under their supervision. (Winkler, 2023). The implementation of this innovative initiative has yielded several unforeseen positive outcomes.

Firstly, there has been a notable increase in community engagement. The Bike Team is more accessible and visible within the community, fostering positive relationships with both the public and individuals under supervision. This heightened interaction fosters trust, enhances communication, and instills a sense of accountability among those under supervision.



Additionally, the bike team offers a cost-effective alternative to traditional car patrols. Maintaining bicycles is considerably cheaper than maintaining patrol cars, which require fuel, maintenance, and insurance. Furthermore, bicycles provide probation officers with greater mobility and access to areas inaccessible by car. Officers can easily maneuver through parks, alleys, and crowded urban areas, facilitating monitoring in remote or hard-to-reach locations. This flexibility enhances the ability to locate and supervise individuals effectively.

Looking ahead, Florida Community Corrections aims to expand the Bike Team to other areas of the state to enhance probation services in various aspects, including increased community engagement, cost-efficiency, improved mobility, and a focus on promoting healthier lifestyles for officers and individuals under supervision. Despite challenges, the advantages of having bike teams on probation outweigh the drawbacks. Integrating bike teams into probation programs can yield positive outcomes for the criminal justice system and the communities it serves. As probation services continue to evolve, bike teams represent a forward-thinking approach to supervision and community engagement.

Mobile Probation Unit

Florida's latest tool in supervision is the introduction of the Mobile Probation Unit (MPU). The concept of the MPU emerged when the Palm Beach County Jail faced challenges with overcrowding. An assessment of the jail population revealed a significant portion held for Violation of Probation (VOP), with many of these violations stemming from individuals failing to report to the Probation Office as directed. To alleviate overcrowding and enhance compliance, the MPU was conceived and implemented.

The MPU is a 24-foot vehicle equipped with a staging area featuring tents, folding tables, and

chairs. It also includes designated spaces for probation officers to meet with individuals under supervision. To ensure convenience and safety, specific reporting sites have been identified where the MPU can be centrally stationed. These sites offer public facilities, ample parking, and measures for officer security. (Insert Graphic 2)

The MPU has proven highly successful in providing a valuable resource to those under supervision. By bringing services directly to the community, the MPU facilitates success for those it supervises. Recently, a second MPU was added in Sarasota County.



Moreover, the MPU offers numerous benefits for both individuals under supervision and the overall efficiency of the probation system. Mobile probation units can reach individuals in areas where traditional probation offices may not adequately serve. This is particularly crucial in rural or remote communities where transportation to a central office poses a significant obstacle. The MPU provides greater convenience for individuals to report to locations closer to their homes or workplaces, reducing the time and effort required for reporting and aiming for higher compliance rates. Many individuals face

challenges with reliable transportation or financial constraints that make regular trips to a probation office difficult. Mobile units alleviate these transportation barriers, ensuring individuals under supervision can readily meet their reporting obligations.

Additionally, the MPU promotes community integration by allowing individuals to report to locations within their own neighborhoods, fostering a sense of connection and responsibility.

Looking ahead, Florida Community Corrections plans to expand its MPU fleet and diversify its role. Mobile units can be staged in areas affected by natural disasters to facilitate easier access following such events. They can also serve as staging areas during joint operations with other law enforcement agencies, contributing to the principles of community policing by building positive relationships between law enforcement and the community. Furthermore, the MPU serves as a visible and approachable presence in the neighborhood.

Florida Community Corrections has quickly recognized that MPUs offer a more accessible, convenient, and community-oriented approach to probation supervision. They address transportation and accessibility barriers, promote accountability, and have the potential to improve outcomes for individuals under supervision while enhancing the efficiency and cost-effectiveness of probation services.

Conclusion

While innovative probation techniques hold promise, they come with challenges that must be addressed. These include funding limitations, resistance to change, and the necessity for ongoing training and professional development for probation personnel.

The future of probation hinges on its continual evolution and adaptation to emerging trends in criminal justice and rehabilitation (Winkler, 2021). The integration of innovative approaches aimed at fostering fair and equitable outcomes for all involved in the criminal justice system remains a central objective. Moreover, it will ensure that probation officers remain engaged in one of the most crucial professions within the criminal justice system: Community Corrections.

The evolving nature of innovative probation techniques underscores its commitment to

rehabilitation, recidivism reduction, and bolstered public safety. Moving forward, continued research, collaboration, and adaptation will be vital to realizing the full potential of these innovations in probation and fostering a fair and just society for all.

In summary, innovation in probation is imperative as it transforms an outdated punitive system into one that is rehabilitative, data-driven, and community-oriented. By curbing recidivism, promoting cost-efficiency, and addressing individual needs, innovative probation techniques contribute to a safer and more equitable society while upholding the mission of the Community Corrections profession.

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‘PROBATION — A LOCAL COLLABORATIVE VENTURE’

2pm-4:30pm, Thursday 27 June, 2024, University of Cambridge

with Helen Schofield, Chief Executive of the Probation Institute, and
Respondents - Katie Lomas, HMPPS, and Will Hughes, London
Metropolitan University

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