

INTERVIEW #3

MARCELA: PROBATION OFFICER

Marcela (not her real name) is a serving probation officer. She generously volunteered to provide some details of the work that she is involved in and her views of that work as part of an individual's journey. Text in bold represents the questions and Marcela's responses are in normal type. Some of the details have been changed to protect Marcela's identity but any editing retains the flavour of the discussion.

How do you see probation services fitting into the legal system?

Well, I guess it's kind of two-fold. A large part of what we do is based around risk assessments and ensuring that we understand the risk that a young person or an adult poses in terms of their re-offending, risk of serious harm to others, and their own vulnerabilities. Also, I think we massively focus on that to ensure that we can protect the public in the future and protect the offender as well. But coupled with that is also the enforcement side of things, so we have that dual role. As much as we are assessing and trying to help and support the young person or the adult, we are also enforcing court orders, court licenses, and therefore there are two aspects: rehabilitate and support and then the more harsh side of the whole breaching and enforcement side of it.

So, someone comes in and you are told that you have to see them. How do they end up in the Probation system?

Normally the first contact with the Probation/Youth Offending Service would be when they are at Court. Prior to someone being sentenced by the Court, the majority of people will be asked to attend for a pre-sentence report interview with a Probation Officer. Depending on the outcome, the Probation/Youth Offending Service will monitor the offending from the moment they are sentenced to a community or custodial disposal.

The pre-sentence report could partly determine how they are treated, or what sentence they receive, is that right?

The pre-sentence report is an assessment of them, their attitudes, values and behaviours. It identifies 12 to 13 aspects of their life and looks at the risk factors and how to address those. Following that assessment, we would link that into our proposal as to what appropriate sentencing would be. It is always about whether an offender's risk can be managed in the community. If the risk is not able to be managed in the community, then we would be looking at other ways of risk management.

At that point, there is a divergence then where you could be working with someone or they could go to prison and then later on they may come back into your service?

I now work for the Youth Offending Service and we would case manage a young person whether they were in the community or custody. I know from my experience working in Probation that most have teams situated in most establishments. The huge emphasis at the moment is 'end-to-end offender management' where an offender would have a named Officer throughout custody and the community, providing a level of consistency in their management.

If someone does end up in custody, what's the role of Probation?

The Case Management Model is where a Case Manager (either a Probation Officer [qualified] or Probation Service Officers [unqualified]) is supposed to be at the centre of the management process. You would manage the case alongside various teams, making key decisions. So, if somebody goes to custody, we aren't going to be in there seeing them every day but we will have involvement by working with the team around them. We will have to meet certain statutory meetings, so when someone first enters an establishment, we need to work out what they are going to be doing for the duration of their time there. Whether they are going to be accessing programmes, accessing health care, accessing substance abuse provision. So, we are involved in the setting up of that intervention plan. That would then continue at every review. Prior to release, we would be looking at a resettlement plan.

Who is it who is guiding the work that this person may do? Is that guided by the Probation Service, by the Prison Service, or is that a joint decision?

It should be joint, in theory. We should be working on addressing the most risky aspects of someone's life, so that we can manage the risk they pose to themselves or others. Therefore, it should be around a needs basis. So, the Probation Service are massively involved in that process and in trying to put together an intervention plan for that period of time. However, in reality, there are going to be resource issues, programmes not running at certain prisons, staffing issues, so you can set a fantastic scheme of work but often that might not be possible for various reasons.

I've come across this kind of situation, where a judge has required that someone do a particular piece of work and then they are sent to an establishment where it is not available. In a case like that, does the Probation Service become responsible for getting that work done after the person is released?

If someone hasn't undertaken some work in a custodial establishment, when they are due to be released you would review your assessment and acknowledge whether that particular risk factor has been reduced at all. It would be blatantly obvious that that the work had not been undertaken. So, therefore, you would be looking during the licence period for that work to be undertaken by the Probation Service.

How does that work - if someone has, for example, a license period of two years? If that isn't enough time to do the work that has been identified, what happens to that person?

We only have a statutory obligation to work with people during the license period. So, once that license has ended they are under no obligation to work with us either. We may think that actually we could do a couple more months of work but that would very much depend on the offender and if they wanted to engage further with us. I don't think I know any Probation Officer who would turn that down. However, in terms of whether people want to work with us post their license, I haven't come across anyone that has wanted to.

On the whole, you have to be realistic about what you are trying to undertake during an intervention plan period. You have got to identify what the top priorities are and see if it is realistic to do that in the time that you have got. You have also got to take into consideration what else offenders have got going on in their lives. They have things going on all the time, missed appointments, changes in accommodation... Overall their lifestyles are generally quite chaotic. You can set out with a beautiful plan on Week 1 but by Week 2 their girlfriend might have become pregnant, and that can throw everything. So, you are constantly fire fighting, constantly reviewing and reflecting, and I would think that no intervention plan ever stays the same throughout the duration.

Do Probation have some input into how long a person's license is going to be?

The length of the licence depends on the length of the sentence and whether the offender is eligible for release at a given time. The Probation Service would need to liaise with the prison establishment to determine what has been done with the offender during a custodial period, assess the current risks and consider how/if risk could be managed in the community.

And in your particular service, at the moment are there people on IPPs (Indeterminate Sentences for Public Protection)?

I think that there have been some changes recently as to whether young people can be on IPPs - there have been some legislation changes. I haven't got anyone on an IPP and I would need to check for you whether they can still have that. I think that there is a possibility for an indeterminate sentence, I know that they have changed some of the parameters recently as to whether young people need to meet certain criteria to receive that because I think that there is still a push for young people to get out as soon as possible, to get diverted rather than labelling, giving them sentences where they are probably never going to get rid of that label, but I would need to come back and check on that.

If we think about the other route, from the Court it is decided that Probation will do the work with the person. How different is that from the work that you would be doing with them in prison?

The delivery would be different. If an offender is based in the community, the community Probation team would deliver intervention alongside other community based agencies. In custody you are very much constrained to what's on offer resource-wise per establishment and that differs very much from prison to prison.

So then probation becomes both the source of the intervention and the more authoritarian role making sure that people are towing the line, turning up to things?

Yes.

How does that work from the point of view of a relationship with a particular client where you have those dual roles?

I think that it's a very difficult relationship to manage and it's something that I have thought about quite a bit. I think for us to deliver effective supervision and deliver interventions (e.g. victim awareness or offending analysis work) you need to have a good relationship with the offender. They need to feel like they can discuss their feelings and thoughts with you, and that they trust you. There needs to be a certain rapport between both parties. In reality though, I could be delivering intervention work on a Tuesday but by Friday I am initiating breach proceedings. So, I think that is a very difficult relationship to manage. I don't think it is possible sometimes to be both a rehabilitator and the enforcer, but it's the role that we have got to work within.

There are some parallels within psychology where you might be asked to work with someone and then write a report about their success, which is an interesting relationship. Is that similar for Probation Officers? [Would you say] that you have to do the work and then say how well or otherwise it went?

I do think it is about setting your stall out at the beginning, you have to be quite clear on that relationship and for me, I tend to explain to them that we are not friends, we have a professional working relationship, that I am there to support them, but I also make it quite clear that there are rules. I am flexible, I don't think that I am inflexible, but there has to come a point where you have got certain rules and when you cross that line you have to enforce it. Particularly when there are risks involved as well.

Presumably there are things where there is no flexibility at all – if something happens you have to respond in a particular way.

Yes.

Can you give an example of a situation where if A happens, B is your response?

It might be that someone is on license from a prison and as part of that license there is an electronically monitored curfew. It might be that they have not been present to have their tag fitted and there is no reasonable excuse for not being at the property. That is immediately unacceptable, even on Day 1.

And what would be a typical consequence of that?

Depending on what their excuse is and whether it is deemed unacceptable or not, a typical consequence is that at the Youth Offending Service could issue a warning or return the offender back to Court.

And what could the Court potentially do in that situation?

For young people, the Court could revoke their license so they go back to where they have come from [prison] or allow the licence to continue.

As you are a community service, so are working with a range of people with regards to things like employment, mental health, socio-economic status, what would you say is the greatest challenge that you face from the point of view of working with clients?

That's a tough question. We obviously work alongside many other agencies with regard to managing offenders and I think that one of the biggest challenges can be getting agencies plus the parameters we work within. For example, we need to have a certain number of appointments with offenders per month and we count on some agencies to help us to meet this requirement. However something might come up and the agency may not meet with the offender, but then this places case managers in a difficult situation.

So, if another Service lets you down then you have to find time to replace that time?

Yes, that's how it is meant to work. The other thing that I think is quite difficult is that sometimes agencies don't understand the concept of risk. Agencies have a very different role to us and sometimes their view of what is okay and what is not okay is very different. The decisions I make are led by the risk assessments I regularly undertake and if this is not understood by agency staff, then there is conflict.

What are the other agencies that Probation work closely with?

Drug and Alcohol advice services, CAMHS/mental health services for adults, we also have nurses based at the YOS who can offer work on sexual health/general health, Education Services, constructive activities agencies that can offer sports and mentoring.

What would you say, from the perspective of success, is the most important with regard to best supporting the work that the Probation Service is trying to do?

It depends on the offender and the type of issue that they have. Substance abuse is very important as a lot of our young people have dabbled in drugs and for a lot of them going to Court doesn't motivate them to stop.

It depends on that individual's needs?

Yes, I would say that it depends on that.

Given that your particular role is working with youths, how do you find working in a systemic way? Are you also working with the family, or is it done by taking the person out of their family?

We try to model a holistic approach, depending on whether the young people are living with their family. Our work relies on people taking responsibility for themselves and working with us for the benefit of the young person. If something is not right at home we can support the family in certain ways, whether that might be setting boundaries at home, putting a bed time in place and trying to get them to school.

Given that you are working more broadly, and you have suggested that sometimes the youths' lives can be quite chaotic, to what extent does the Service look at risk issues more broadly? So, perhaps risk issues linked to a parent or some other caretaker?

The Youth Offending Service is concerned with all aspects of a young person's life, to ensure that they are being looked after and are safe. Safeguarding is absolutely huge; keeping young people safe is a huge part of our role. We deal with issues linked to parents who are not supportive, sexual exploitation, unsuitable peers, and substance misuse. We make referrals to Children's Services and work alongside them to ensure that young people are being adequately protected.

With these ideas of keeping people safe and keeping them out of custody, are there any professional relationships where the emphasis of the roles are quite different, and there is conflict with how to best proceed with a case?

I think there are lots of conflicts for a variety of different reasons, increasingly so, because statutory agencies are under-resourced. We also have some conflict with agencies when they have different criteria for meeting/accessing their services. For example, I might believe a particular service is essential to helping a person; however that agency may not agree to accept a referral based on their own criteria. We do need the expertise of the other agencies to help us manage offenders. I do think that a lot of the time in this job is spent in conflict with other agencies and that can be difficult.

I suppose somewhere in that you have to keep in mind the person, rather than it becoming an inter-agency turf war.

I would say that we are generally on the ball with that, but the challenge can be getting other agencies to see this view.

Can you make demands on other services: 'you need to do this for us'?

All agencies will have a formalised objectives and a clear referral protocol, so everyone should be clear what the expectations are for all parties. Therefore, they can be challenged if they don't fulfil their role. We have a local protocol at the Youth Offending Service where we can escalate issues with other agencies to our line managers.

As you have mentioned managers, what is the structure of Probation, the hierarchy?

Here at the Youth Offending Service, we have youth justice workers, youth justice officers, and then team managers and then a head of service.

Who has the face-to-face contact?

The youth justice workers and youth justice officers.

And do you have quite a lot of autonomy, or is it always passed back up?

There is a lot of individual professional judgement. However, we also have to work within a clear framework based on local protocols and national standards.

Would you say that Probation now end up doing more paper work than contact?

Given the climate we live in where we have to be transparent, justifiable, recording everything proving everything, I would say I spend a large part of my day recording, showing that I am doing what I am doing. [If] I make a phone call, I have to write it up. If I send an email, I have to record that. Nothing is without paperwork.

So there will be an exhaustive trail of what has gone on?

Yes.

And who has access to that?

We have our own internal systems but with freedom of information a client could apply to look at it.

Do you do group work?

We do. We don't have accredited programmes like Probation do, but we do have some programmes, such as weapons awareness work.

Where do the guidelines for these come from?

We have resources we can use, that are probably individual to each service, and decisions will be based on the kinds of young people that we have. So, for example, in some places there might be issues with gangs, but in other places this is not so much of an issue, and it is these issues that will impact upon what we develop and what we are able to offer.

So, if someone comes up with something innovative, does that stay within this team, from the point of view of getting permission? Or, would it go to national management?

It depends what it is really. If it is relevant, if it was appropriate, and there would be no risk issues then local management would be able to support that.

What would you say is the best bit of the job?

It depends on what morning it is. I love the fact that it is different every day. Although, sometimes I do wish that it was a bit more stable. I think getting someone to the end of their order, that's really nice, and you feel that you have given them something, however small that is, but those events can be fairly few and far between. I think you have to break it down; you might have a great session and then other sessions don't go so well. That one session is worth its weight in gold. Sometimes, what I really like is the young people might pop in, just to let us know what's going on in their lives. They are playing in a concert, or playing in a football team...

What would you say is the worst part?

Probably realising that they [offenders] have had the most terrible childhood ever and you realise that it is no wonder they are in trouble. You wonder why something wasn't done before it got to this stage. That is very frustrating and upsetting. I find that quite difficult about the job. I think we know what the best things are for people but we just can't give it to them. I don't mean we can fix everything, but we can identify what might massively help someone.

Final thing, how did you get from school to here?

I didn't intend to do this. I was doing something else, and was volunteering for Samaritans, and thought 'wouldn't it be good to do something positive?' I started as an unqualified officer and then I put myself forward for the probation officer training, which was the degree in criminal justice and the offending behaviour NVQ. This was funded by the Probation Service and they give you two days a week to do that whilst still managing a case load.