

**Written evidence by the *Rehabilitating Probation* Project Team to the Justice Select Committee
Inquiry - Rehabilitation and Resettlement: Ending the Cycle of Reoffending**

This submission to the Justice Select Committee is being made, collectively, by the [Rehabilitating Probation¹](#) Project Team.

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Our three-year Economic and Social Research Council funded study - *Rehabilitating Probation: Rebuilding culture, identity, and legitimacy in a reformed public service* – has, across five work streams running in parallel, captured the experiences and consequences of the unification, in June 2021, of probation services in England and Wales. We have conducted 340 interviews, across three sweeps of research activity, which have gathered the views of managers and frontline probation staff within one case study region; all 12 Regional Probation Directors; a series of national and local level probation service stakeholders and criminal justice partners who work with the Probation Service (including representatives from HMCTS, the judiciary and Police Services); and national level policy/decision-makers. Members of the research team have also facilitated a series of workshops with a range of people who have experience of probation, including people who have been subject to probation supervision

We respond here to Questions 9, 11, and 13

9. <i>To what extent does the Probation Service have the capacity to support effective resettlement pre and post release?</i>

When currently assessing the capacity of the Probation Service to support effective resettlement pre and post release our research demonstrates that a ***necessary starting point must be to recognise the significant legacy of the sweeps of profound organisational change experienced by probation practitioners over the past decade***. This has ongoing tangible impacts on the Service's capacity to effectively manage people under supervision (including ex-prisoners), in a manner that carries public confidence. Our research findings suggest that there is much force to the conceptualisation of the Probation Service as a 'post-traumatic organisation' (Robinson, 2022: 264)².

Through our current *Rehabilitating Probation* project (2022-2025) and informed by the earlier *Devolving Probation Services* project (2014-15), we have been able to capture in detail the highly detrimental impact organisational change has had on the capacity of probation practitioners, individually and

¹ Rehabilitating Probation: Rebuilding culture, identity and legitimacy in a reformed public service is funded by the Economic and Social Research Council (Ref ES/W001101/1) <https://rehabilitating-probation.org.uk/>

² Robinson, G. (2022) [Can probation be rehabilitated?](#) *Howard Journal of Crime and Justice* 62(2): 147–291.

collectively, to operate effectively³. Our findings add nuance to the succession of PDU Level Inspections delivered by HM Inspector of Probation (HMIP) in the years that have followed unification and the pressures on the Probation Service identified therein⁴. Further, our research provides insights into the work that is required to mediate, possibly to minimise, the extent to which these issues impact on the Service's ability to support effective resettlement. We highlight four themes emerging from our research that need to be considered.

First, our research has captured how the frequency of organisational change, systemic staff shortages and issues with the quality of the estates has made working in probation exceptionally challenging and that this has played through into staff emotional well-being. It has negatively impacted staff judgements about their capacity to deliver effective practice. The time and energy consumed in making sense of, and implementing, organisational change has been a dominant theme in the data (229 interviews) gathered from probation managers and practitioners. Whilst all acknowledge that some level of change is a necessary part of organisational life, our research documents that probation staff at national, regional, and local levels are experiencing 'repetitive change injury' (Wynen et al, 2019: 696)⁵. Regional and local probation senior manager respondents routinely estimated that they had spent over three-quarters of their working time over the last 10 years '*centred on change management, and not [on] core business*'. The uncertainty created by profound organisational changes, operating through Covid restrictions, coupled with the widely acknowledged staffing shortages led many, to report a sense of working within a service that feels in crisis. The language of trauma featured prominently in most interviews for longer serving staff: '*What you used to get through the door was traumatised offenders, you've now got traumatised staff*' (Probation Service Officer).

Second, many of our respondents expressed deep concerns about the challenges in trying to nurture (and sustain) the continuous professional development of their probation craft, the developed skill of balancing care and control. We have found enduring levels of loyalty and commitment to the job of probation and to the people and communities practitioners see themselves as serving⁶. But managers and practitioners acknowledge the *character* of the service has, and continues, to change. Moreover, despite a national recruitment drive to train more practitioners, staff attrition and overall levels of experience remain significant issues of concern. In many PDUs nearly half the staff have been in service for less than two years and large numbers of the younger in-service staff have engaged exclusively with online training formats. We found new staff feeling under-prepared, and experienced staff were frustrated at not being able to support their inexperienced colleagues due to the overwhelming demands on their own time; including finding they are unable to deliver the type of informal mentoring that they found so important to their own professional and practice development. Managers and staff in

³ Millings, M. et al. (2023) [A necessary but painful journey: Experiences of unification in a probation service region](#) *Probation Journal* 70, 4:327-330; Millings, M. et al. (2019) '[Lost in Transition? The personal and professional challenges for probation leaders engaged in delivering public sector reform](#)' *Probation Journal* 66, 1: 60-76; and Robinson, G. et al. (2016) '[Criminal Justice Identities in Transition: The Case of Devolved Probation Services in England and Wales](#)' *British Journal of Criminology* 56, 1: 161-178

⁴ See HMIP (2023) [Annual Report 2023/24](#). HMIP: Manchester

⁵ Wynen, J. et al. (2019) [Are public organizations suffering from repetitive change injury? A panel study of the damaging effect of intense reform sequences](#) *Governance* 32, 4:695-713

⁶ Millings, M. et al. (2023) [A necessary but painful journey: Experiences of unification in a probation service region](#) *Probation Journal* 70, 4:327-330

our research – in ways that resonate with the recent HMIP Thematic Inspection of the recruitment, training, and retention of frontline probation practitioners⁷ - share the view that to improve delivery outcomes, probation practitioners need more dedicated opportunities to collectively reflect upon and develop their professional practice.

Third, managers and practitioners in our research routinely express concern that being part of a national organisation – and the civil service in particular – makes it challenging to respond to variations in regional and local differences, and stifles innovation⁸. The incorporation of probation into HMPPS, which many view as a prison-centric organisation, has led to increased centralised control and this has been exacerbated by its location within civil service structures⁹. This was viewed by many within our research as diminishing professional autonomy and mitigating against responsive localised decision-making and service delivery. For those with experience of working within Community Rehabilitation Companies (CRCs), they recalled positive developments, such as non-accredited structured programmes, specialist provision for women, community hubs and nurturing partnerships with local third-sector social enterprises they had worked with. Likewise, those with longer service histories including those who had worked in Probation Trusts contrasted the greater autonomy they felt managers had then, and the stronger regional identities that existed, with the more restrictive oversight of service delivery of today¹⁰.

Fourthly, our research aligns with HM Probation Inspectorate (2024) analysis that indicates probation workers are experiencing a sense of individual and collective vulnerability that is impacting on practitioner confidence. The Inspectorate (HMIP 2024:3) documented the high level of fear that the Serious Further Offences (SFOs) review process generates and of an associated ‘perceived culture of blame’ that accentuated individual levels of accountability. Alongside the attempts to ‘toughen-up’ probation, there has also been an increased focus on the service’s role in public protection. However, as has been observed, foregrounding public protection is invariably a double-edged sword¹¹. The promise to ‘protect the public’ is a potentially all-encompassing task, and one that leaves the door open to accusations of failure when a serious incident occurs, whether or not this was feasibly preventable via different actions or interventions by agencies such as probation. The increased prominence of SFOs in recent years, in media depictions of probation and related public debate, provides an illustration of this. Respondents described a fear of being subject to a review process and a sense of responsibilisation, if an SFO occurred on their caseload. This was voiced as a concern that they could be held individually accountable - if any shortcomings were identified in the management of the case. Staff described ways in which they managed these feelings, through becoming increasingly process driven. There is also some evidence from interviews that this led to more risk-averse practices, including a recourse to recall.

⁷ HMIP (2025) [A thematic inspection of the recruitment, training, and retention of frontline probation practitioners](#) HMIP: Manchester

⁸ Annison et al. (2024) [Making Good?: A Study of How Senior Penal Policy Makers Narrate Policy Reversal](#) *British Journal of Criminology* 64, 3: 726-743

⁹ Carr, N. (2022) [Speaking with one voice? Probation as a profession and One HMPPS](#) *Probation Journal* 69, 4: 413-416

¹⁰ Millings, M et al. (2025) [A fork in the road: Probation unification in England and Wales two years on](#) *Probation Journal*

¹¹ McCulloch, T. and McNeill, F. (2007) [Consumer society, commodification and offender management](#) *Criminology and Criminal Justice* 7, 3:223-242

11. How effective is support provided to ex-offenders on release such as homelessness prevention, employment opportunities and health and wellbeing services?

We can note first that the last three decades has seen considerable changes in political priorities for probation. The *Criminal Justice Act (1991)* re-positioned probation as ‘punishment in the community’ rather than as an alternative to custody, and further **legislative changes have increased the punitive ‘weight’ of community sentences**¹². An emphasis on punitiveness was further effected in the *Crime and Courts Act 2013*, with the requirement that Community Orders should include at least one punitive element. **Alongside these attempts to ‘toughen-up’ community sentences, there has also been an increased focus on the role of probation in public protection that at times has compromised the capacity to promote the focus on desistance.**

At a strategic level, our research identifies concerns with **structural flaws in (co)commissioning arrangements that compromise the capacity of Probation Service Managers to dynamically respond to local need**. It was stated that the Regional Probation Director (RPD) role, introduced as part of probation unification, would help develop and deliver – in conjunction with local criminal justice partners – regional reducing reoffending plans¹³. This role, it was asserted, would help stimulate co-commissioning arrangements and help refine service delivery to meet local needs. The perception of most managers and staff in our research is that RPDs - and the leaders of local probation units - feel unable to exercise autonomy, don’t have the capacity to (re)commission services, and preside over too large a jurisdiction to fully appreciate what local need looks like¹⁴. The more recent introduction of a newer management tier of HMPPS Area Executive Directors – with even larger divisional areas to cover – has not yet been fully able to resolve these issues and continues to impact on the extent to which probation managers can target investment into resources/services that best stimulate locally rooted efforts to support desistance pathways.

At a more operational level, our research has captured how managers and groups of staff within our sample feel that there has **been a failure to fully reflect upon and integrate the learning and experiences of the different constituent groups brought together through unification**. The below quote is representative of commonly held views (from staff of all backgrounds) of the specific failure to draw through what was considered be advances in the desistance-focused work of CRCs:

‘we’ve lost our focus on all of the really good work the CRCs did on engaging our people in probation, it took a long time to build that work up as a new organisation and get it to a point where they were really listening to the voice of people on probation, and it was informing services at a senior level. [In contrast] I think we are embryonic in our progress...we have a commitment from on high around lived experience, but then we have a vetting process that weeds everybody out [it feels like] there’s a bit of a disconnect with what the intention is and what the potential benefit could be for us [as a whole service] to work differently’. (Probation Officer)

¹² Bottoms, A. (2017) [‘Punishment’ in Non-custodial Sentences: A Critical Analysis](#) *Criminal Law Forum* 28: 563-587

¹³ HMPPS (2021) [The Target Operating Model for probation services in England and Wales Probation Reform Programme](#). London: HMPPS

¹⁴ Millings, M et al. (2025) [A fork in the road: Probation unification in England and Wales two years on](#) *Probation Journal*

Our most recent round of research with practitioners, three years on from unification, continues to capture shared frustration at what they consider the collective failure to draw through (and implement) the practice lessons of the desistance-focused work undertaken by the CRCs. Exacerbated by the demands facing the probation service by success prisoner early release schemes, for many frontline practitioners the shift away from desistance-focused work was symptomatic of an approach to probation work that had become increasingly skewed towards process. The current need to satisfy a matrix of measures and RAG (Red, Amber and Green) ratings has demanded attention to what staff feel are unrelenting bureaucratic demands, at the expense of committing time to the people being supervised.

13. *What role should non-custodial sentences have in promoting rehabilitation?*

Our research evidences the strong ongoing belief from probation practitioners, leaders, stakeholders, and people with experience of probation supervision, that proportionate community sentences can play an important role in promoting rehabilitating¹⁵. However, the capacity of the Probation Service to support the effective delivery of community sentences is undoubtedly impacted by the overall size of the probation caseload and the volume and variety of work that probation staff are required to undertake. ***In tandem with looking at the overall composition of the caseload, we would encourage the Committee to look at some of the core principles set out by Burke et al (2022)¹⁶ in Reimagining Probation Practice.*** As well as advocating that policy and practice should be directed towards a wider conception of rehabilitation (i.e. beyond just the personal domain, to focus on broader elements of legal, moral, and social rehabilitation), the authors also recommend that approaches towards probation should be *parsimonious, proportionate, and productive*¹⁷.

Our co-produced workshops with people with lived experience of probation supervision has drawn out three dominant themes that support this view and that should underpin good quality resettlement work:

Community: probation services should be community-based, co-located with other service providers, and draw on the skills and experience of individuals with lived experience.

Relationships: consistency in who provides supervision is crucial. Stability in casework is essential in helping to shape the capacity to build a positive relationship characterised by empathy, flexibility, and adaptability.

Hope: probation needs to be seen as a place of safety that should seek to empower those being supervised to focus on the future and to break the cycle of offending. Speaking of their own feelings of fear, anxiety, shame, and uncertainty when receiving a Community Order or being release on licence, participants identifying the importance of a supervisor who can fully explain processes and in building hope with individuals.

¹⁵ Robinson et al. (2023) [Whose confidence? Regional leaders' perspectives on building confidence in a reconfigured probation service](#) *Criminology and Criminal Justice*

¹⁶ Burke, L. et al. (eds)(2022) *Reimagining Probation practice: Re-forming Rehabilitation in an Age of Penal Excess* London: Routledge

¹⁷ McNeill, F. (2018) *Pervasive Punishment: Making Sense of Mass Supervision* Bingley: Emerald Publishing

Our research also evidences that criminal justice partners (in the courts, prisons, youth justice and the police) have a sustained belief in the ***value and distinctiveness of the role probation needs to play within a coherent whole systems approach to delivering criminal justice***. Criminal justice partners highlight the professional standing of probation colleagues, the distinctiveness of their work in considering the whole person, and the level of constructive challenge probation can bring to multi-agency working.

At the same time, the considerable challenges facing probation are recognised. Partners sympathise with the service and with individual probation staff. The credibility of probation leaders and relationships built over past decades with long serving criminal justice professionals is helping sustain positive judgements of the perceived legitimacy of the probation service. However, the ongoing strains on the service risk leading to an enduring loss of pragmatic legitimacy of probation, in the eyes of key partners. This would have considerable negative ramifications for the ability of non-custodial sentences to achieve rehabilitative goals.

At a more operational level, a change we would encourage the Committee to consider is reinstating the Supervision Requirement (which was replaced by the Rehabilitation Activity Requirement (RAR) by the 2015 Offender Rehabilitation Act). The RAR is an unhelpfully opaque and confusing element of a community sentence. A substantial body of research attests to the importance of a positive working relationship between the supervisor and supervisee as the cornerstone of an effective community sentence¹⁸. Reinstating the ‘traditional’ and well understood supervision requirement would, in our view, be the best way to ensure that this essential foundation for effective probation practice is properly resourced and enabled, and a positive step toward enhancing judicial confidence in community sentences.

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¹⁸ Robinson, G. and Dominey, J. (2019) [Probation reform, the RAR and the forgotten ingredient of supervision](#) *Probation Journal* 66, 4:451-455