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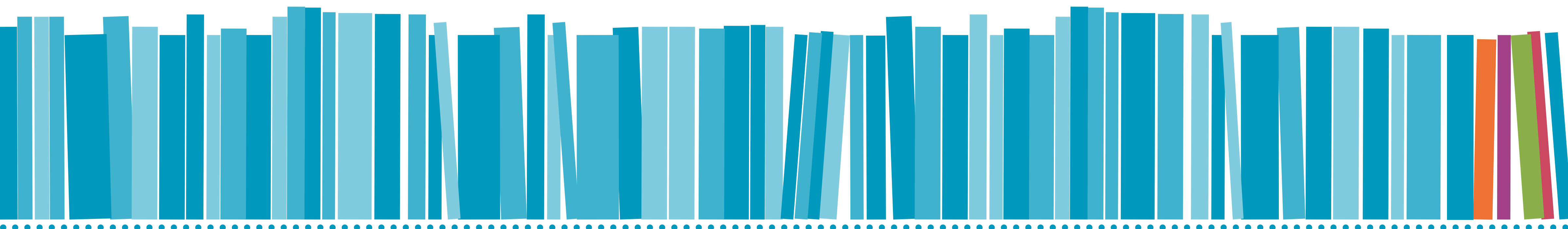
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# Engaging people with convictions



**Kevin Wong**

Reader in Community Justice and Associate Director, Criminal Justice, at the Policy Evaluation and Research Unit (PERU), Manchester Metropolitan University

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## About the author



**Kevin Wong** is Reader in Community Justice and Associate Director, Criminal Justice, at the Policy Evaluation and Research Unit (PERU), Manchester Metropolitan University. He has over twenty five years' experience in criminal justice as a researcher, policy adviser, commissioner and practitioner. He has particular expertise in justice reinvestment, the work of the criminal justice voluntary sector and the effective engagement of people with convictions.

Kevin is Co-Editor of the British Journal of Community Justice, a member of the Advisory Panel on Probation Learning, Chair of the Criminal Justice Alliance and a trustee of Manchester based charity Back on Track. He is also the founder and director of The Manchester Crime and Justice Film Festival.

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## Why read this evidence review?

This evidence review provides an in-depth look at the issue of engaging people with convictions. Kevin Wong has been a prominent researcher in this area and has examined the issues of assessment, engagement and promoting desistance in both the probation service and voluntary sector organisations.

The review covers a wide range of issues including:

- Summarising the evidence base and guidance materials on ways to engage effectively with adults and young people with convictions
- Setting this evidence base within the context of the research underpinning broader rehabilitative practice
- Looking at the differences in effective engagement practice between the statutory and voluntary sectors
- Discussing the role of co-production in needs assessments – inevitably the first stage on the engagement process
- Proposing ways in which this learning can be applied to voluntary sector organisations by practitioners, policy makers and commissioners.

# Introduction

No one goes to work to do a bad job, but research suggests that there is considerable variation in the way that practitioners in criminal justice and social welfare services engage with people with convictions – some more effectively than others (see among others Bateman and Hazel 2016, Gallagher et al., 2017).

Of course, this variation is not confined to these two service areas alone, after all it's an artefact of any interactive personal service – anything from hairdressing to midwifery (Proctor and Wright, 1998).

Why does it matter? As suggested elsewhere, but worth reiterating here, arguably, there is a responsibility on all agencies and individuals who provide support and supervision to people with convictions (adults and young people) to do what they can to improve the way they engage with their service users (Wong and Horan, 2021a). After all, doing so can aid the desistance efforts of those they seek to assist and more broadly, over time contribute to a safer and more inclusive society (ibid).

In short, a win-win for everyone.

This briefing:

- Examines research and guidance on ways to engage effectively with adults and young people with convictions
- Sets this in the context of the research underpinning broader rehabilitative practice
- Considers if engagement with voluntary sector agencies is different to statutory agencies
- Proposes ways in which this learning can be applied to voluntary sector organisations by practitioners, policy makers and commissioners.

Given the brief – i.e. this is a briefing – it has not been possible to include a more comprehensive set of references. That said, this review offers a useful starting point. To enable further reading, where possible the references selected for inclusion in this review are open access and freely available.<sup>1</sup>

# What is effective engagement?

There is no single or simple answer to this. Instead, the three frameworks examined below provide guidance on elements of effective engagement that can be applied by practitioners, policy makers and commissioners.

## Skills for Effective Engagement and Development (SEED)

The 'does what is says on the tin' – Skills for Effective Engagement and Development accompanied by its adroit acronym – SEED – appears as a significant feature of the Target Operating Model for the unified probation service in England and Wales (HMPPS, 2021). It builds on two previous pre-Transforming Rehabilitation (2013) initiatives developed by what was then the National Offender Management Service – which since 2017 has become Her Majesty's Prison and Probation Service. The first of these is the ideal 'engaging practitioner' model (Copsey and Rex, 2013); itself based on the second and related initiative - the skills for effective engagement, development and supervision (SEEDS) programme (Copsey, 2011). Back to its current iteration – SEED is intended to develop the effective engagement skills of National Probation Service (NPS) staff in the following ways (HMPPS 2021:181):

- Relationship building
- Structuring sessions
- Use of Risk Needs Responsivity (RNR) principles
- Motivational interviewing
- Pro-social modelling
- Cognitive behavioural techniques.

Similar effective practice principles apply in youth justice (Youth Justice Board 2008).

## Quality in probation supervision

Shapland and colleagues' (2012:43) literature review on quality in probation supervision supported the NOMS Offender Engagement Programme (mentioned above) and still has contemporary relevance. Like the current SEED programme, their review arguably has wider applicability beyond statutory probation staff. They identified six factors which probation supervisors and supervisees regarded as demonstrating 'quality' (ibid):

- Building genuine relationships which demonstrate care about the supervisee, their desistance, and future beyond control/monitoring/surveillance
- Identifying needs and setting goals, including a supervisory relationship characterised by listening from supervisors and persistence in steering supervisees towards desistance through motivation and encouraging problem solving
- Understanding desistance and applying thoughtful consideration to responses to relapses and breaches

- Attention to practical obstacles to desistance and psychological issues
- Knowledge and access to services to address practical obstacles
- Advocacy tailored to supervisees' needs and capabilities, involving supervisor action, referral or signposting.

## Engaging with disaffected young people

Turning to young people, Bateman and Hazel's (2013) synthesis of research on disaffected young people proposes a multi-faceted model of engagement comprising:

- *Behavioural engagement* – an individual's participation and cooperation with a service/intervention
- *Emotional engagement* – the attitudinal relationship with a service/intervention and those who work in it
- *Cognitive engagement* – an individual's investment in achieving the goals of the service/intervention and their commitment to mastering the social and personal skills and investment in working towards the cognitive and behavioural changes necessary.

Before considering engagement in a broader context, it is worth recognising that while there are substantive differences between the adult and youth justice systems, the conceptualisations of engagement presented in the frameworks set out above are useful for designing and delivering services for adults and young people alike.

## How does engagement fit with rehabilitative practice?

Engaging people with convictions is both implicit and explicit within the two theoretical models of rehabilitative practice that have influenced policy and practice over the past two decades in England and Wales, Canada and jurisdictions in Europe.

The first of these is the Risk Needs Responsivity (RNR) model/principles (Andrews, Bonta and Wormith, 2011) which informed the development of both SEEDS (Copsey, 2011) and the current SEED programme (HMPPS, 2021).

- The *risk principle* underpins identifying risk and matching the level of services to the individual's level of risk for reoffending – with greater risk requiring more intensive intervention (Bonta and Andrews, 2017)
- The *need principle* supports the identification and treatment of changeable (dynamic) risk factors that are directly linked to offending – only factors directly associated with reoffending should be targeted in interventions (Andrews et al., 2011)
- The *responsivity principle* suggests that intervention programmes should be matched to the characteristics of the person with convictions (Craig, Dixon and Gannon, 2013).

The second of these theoretical models/principles, the good lives model and desistance research, which focuses on 'why people stop committing crime' rather than 'why people commit crime' (Maruna, 2016: 291), emphasises the zig-zag desistance journey (Glaser, 1964), i.e. that desistance is not a one-off event but a process; that individuals will desist for a period, relapse, desist, relapse on the road to desisting. In rehabilitative terms - that individuals need not just a second chance, but a third, fourth etc. As suggested by Wong and Horan (2021b) the engagement of services by people with convictions (where compliance is not required) is also not a linear process but more a series of engagement episodes. Additionally, emphasis is placed by desistance research on recognising the strengths of the individual including their links to the community, which were found to facilitate engagement in needs assessments – often the first thing that happens when people with convictions commence with criminal justice and social welfare services (Wong and Horan 2021a). As suggested, it is an opportunity to get the relationship off to a good start (ibid).

Desistance research has highlighted the importance of the agency of people with convictions. As noted by Wong and Horan (2021:131) effective engagement is a two-way process - "it takes two to tango". Enabling people with convictions to play their part is something that should be encouraged (ibid).

## Why disagreement and small changes can help

Counter-intuitively perhaps, research suggests that disagreement between a probation supervisee and supervisor, particularly in the assessment of risk, can be a key part of the co-production process (Wong and Horan, 2021a). Handled well, the resolution of disagreement can lead to more, rather than less, engagement (ibid). Perhaps the ability to resolve disagreement is implicit in the engagement frameworks presented earlier. However, as proposed elsewhere (ibid), this ability should be explicitly articulated and developed as a practitioner skill, for example integrated as a principle of quality supervision (Shapland et al., 2013), and embedded within one or more of Bateman and Hazel's (2013) modes of engagement.

Additionally, Wong and Horan's (2021a) study suggested that making small changes to the physical and social environment in which needs assessment is undertaken can make a difference to engagement. For example, a practitioner and service user sitting side by side, completing the needs assessment together while viewing this on the same computer screen signalled honesty and transparency which aided the co-production process (ibid).



## Is engagement with voluntary sector agencies different?

The involvement of voluntary sector agencies with people with convictions in community and custody appears to have a different function and role to that of statutory agencies such as probation and prison (see among others Tomczak and Albertson, 2016, Meek et al., 2010).

Pivoted around compliance, generally, people with convictions can choose whether or not to engage with voluntary sector support services without concerns about being sanctioned for non-attendance. Additionally, their services can be open-ended and non-time limited – individuals can engage, dis-engage and re-engage at any time.

Does a different engagement model apply? Wong et al (2018) proposed the development of a voluntary sector model of engagement based on the NOMS engaging practitioner model (Copsey and Rex, 2013) but with the following added features:<sup>2</sup>

- *Reciprocation* – greater commitment of voluntary sector staff as perceived by the service users being rewarded by engagement and cooperation from the users
- *Reliability and consistency* – in the way in which the voluntary agency staff engaged with their service users compared to other agencies – an explicit organisational, cultural and individual commitment to this
- *Completeness of provision* – a holistic model of provision where the criminogenic<sup>3</sup> and non-criminogenic needs of the service user were dealt with (as far as possible) by the one agency
- *Emotional pleasure* – derived by service users from their encounters with the voluntary sector staff.

However, further research is required to further test this.

## Implications for policy and practice

The implementation of SEED by Her Majesty's Prison and Probation Service (HMPPS) to develop Probation Service practitioner skills through training, staff supervision and continuous professional development points the method of applying the learning from the engagement frameworks (HMPPS, 2021). The investment in developing Probation Service staff arguably needs to be matched for non-Probation Service agencies. Attaining a common standard of skills in engagement is required across the complex matrix of services that people with convictions (adult and young people) engage with. As posited by Senior et al (2013) in relation to adults, but applied here to adults and young people, the services that people with convictions engage with cover the four major systems of social organisation: corrections (e.g. probation, youth

justice, prison), social welfare, treatment and community. An investment across all services is necessary to ensure that “each encounter counts” for the individual service user (Wong and Horan, 2021c:11).

However, a cautionary note. If investment is to be made for such ‘capacity building’, commissioners, policy makers and practitioners would do well to learn from past attempts: emulate the successes and avoid the pitfalls of previous programmes. For example, ChangeUp was a national programme which aimed to build the capacity of front-line agencies through support providers – such as local and national infra-structure organisations. The programme generally established better working relationships between support providers and front-line agencies, however, the improvement on front-line agencies varied (National Audit Office, 2009). Additionally, no targets, outcomes or baseline assessments were made to enable the programme performance to be assessed (ibid). An omission that would need to be addressed in any future investment.

In the meantime, even without such programmes, reviewing practice and making small changes can make a difference – even something as simple as undertaking a needs assessment sitting alongside a service user. Proving perhaps that change doesn’t have to be big, government led or even institutional – all it takes is for a practitioner to think and act a little differently.

## Notes

- 1 As a consequence they may not be the most up to date publication – more recent ones may be behind a paywall or in the form of a book which is not easily accessible.
- 2 This drew on analysis of data from an evaluation of voluntary sector services for young adults with convictions and those at risk (of a system, situation, or place) causing or likely to cause criminal behaviour.
- 3 (of a system, situation, or place) causing or likely to cause criminal behaviour.

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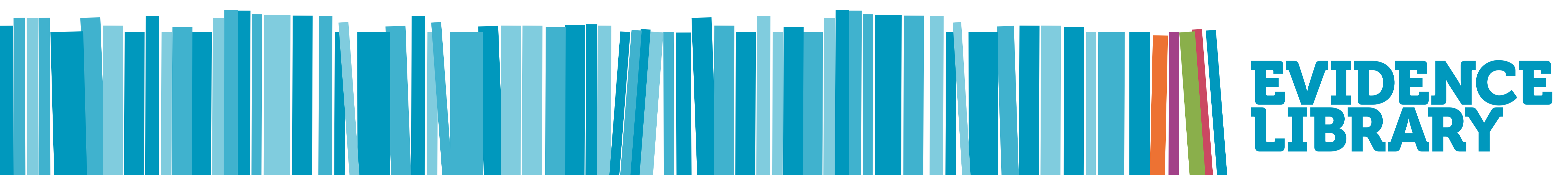
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- 1 To increase the extent to which the voluntary sector bases its services on the available evidence base
- 2 To encourage commissioners to award contracts to organisations delivering an evidence-based approach.

Each article has been written by a leading academic with particular expertise on the topic in question. The topics are selected by Clinks' members as areas of priority interest. Clinks intends to build a comprehensive directory of the best evidence available across a wide range of criminal justice topics within the next three years (2020-2023). The online evidence base is co-ordinated by Russell Webster on behalf of Clinks.

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