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Professional Development Institute

# BA (Hons.) Community and Criminal Justice/ DipPS

# Introduction to Foundation Practice Module Guide

Professional Development Institute
De Montfort University

**BA (Hons.) Community and Criminal Justice**

**Diploma in Probation Studies**

**by Distance Learning**

# Introduction to Foundation Practice

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# Introduction to Foundation Practice

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# Introduction/ Overview

This guide introduces you to the concept of 'What Works' in relation to probation practice and provides you with the theoretical background to the four practice modules that you will be completing during the foundation practice period within your probation area. The four modules reflect the key concepts and tasks that you need to have understood and to have achieved a foundation level of competence in, prior to your commencement of the NVQ 4 in Community Justice in Part Two of the programme. The four modules are:

- **Working in a Team/ Group.**
- **The Responsivity Principle.**
- **The Risk Principle.**
- **Criminogenic Need.**

Your work for these four modules is assessed via a portfolio of evidence, and jointly marked by your PDA and tutor. The guidelines for the portfolio will be given to you at the Portfolio Workshop. You will be given an opportunity to work through these guidelines and to learn about the concept of 'evidence' and the production of good quality evidence, at the portfolio workshop that runs shortly after you have commenced foundation practice. You will be provided with a section of a 'mock' portfolio to give you an idea of what is expected when you produce your own portfolio. This is for guidance only and you should discuss with your PDA how best to compile your own evidence to meet all the learning outcomes.

## Recommended Reading

This Guide is to be used in conjunction with the Module Guide for the Foundation Skills and Methods (FSM) module. Try and locate as many of the recommended readings and web-sites prior to working your way through this guide, as you will find that you are invited to read certain chapters or refer to certain web sites as part of the activities to develop your learning for these four practice modules.

Recommended reading for the four foundation practice modules includes:


- Adair, J. (1986). *Effective Teambuilding*. Gower.
- Chapman, T and Hough, M. on behalf of HMIP (1998). *Evidence based practice: A guide to effective practice*. London: Home Office. Also available on line:

  http://www.homeoffice.gov.uk/hmiprob/ebp.htm.
- Egan, G. (1994). *The Skilled Helper*. Pacific Grove.
- Kemshall, H. (2003). *Risk in Criminal Justice.* Open University Press.
- McGuire, J. (1995). *What Works: Reducing Reoffending*. Wiley.
- Miller, W. (1991). *Motivational Interviewing: Preparing People to Change Addictive Behaviour*. Guildford Press.
- Nelson-Jones, R. (1988). *Practical Counselling and Helping Skills*. Cassell.
- Thompson, N. (2001) 3rd Edition. *Anti-Discriminatory Practice*. Basingstoke, Palgrave.
- Whitfield, D. (1998). *Introduction to the Probation Service*. (2nd Edition) Winchester: Waterside Press.

Recommended journal articles:

- Gorman, K. (2001). *'Cognitive Behaviourism and the Holy Grail: The Quest for a Universal Means of Managing Offender Risk'*. Probation Journal March 2001. Kevin Gorman argues that the claims of 'effective practice' are simplistic and over optimistic.

- Leach, T. (2003) *'Oh My Country, how I leave my Country': some reflections on a changing probation service*. Probation Journal March 2003. Tony Leach explores the impact of a range of recent reforms which he sees as being of particular importance to the future direction of the probation service.

- Mair, G. (2000) *'Credible Accreditation'*. Probation Journal December 2000. George Mair delivers a withering critique of the Prison Probation Accreditation Panel.

- Merrington, S. and Stanley, S. (2000) *'Doubts about the What Works Initiative'*. Probation Journal December 2000. Simon Merrington and Steve Stanley discuss a number of concerns about current approaches to effective practice.

- Shaw, M. and Hannah-Moffat, K. (2000) *'Gender, Diversity and Risk Assessment in Canadian Corrections'*. Probation Journal September 2000. Margaret Shaw and Kelly Hannah-Moffat critique the use of risk instruments based on data obtained from white populations.

- Barry, M. (2000) *'The Mentor/ Monitor Debate in Criminal Justice: What Works for Offenders'*. British Journal of Social Work October 2000. Monica Barry argues for the worker/ offender relationship to be accepted as influential.

# Learning Outcomes

## The Responsivity Principle

In order to demonstrate your understanding of the Responsivity Principle you must:

**a)** Demonstrate an ability to make links between policy/ practice guidelines and practice on Responsivity.

**b)** Demonstrate through written accounts of observations, discussions and own practice, an understanding of at least one theoretical perspective on the principle of Responsivity in practice.

**c)** Demonstrate evidence of anti-discriminatory practice in relation to Responsivity.

**d)** Identify, through practice, some of the key factors in gaining an offender's participation: for example, worker style, individual learning styles, legitimacy, pro-social modelling etc.

**e)** Demonstrate through your practice an understanding of at least two methods of interviewing e.g. motivational, person-centred, Egan 'the Skilled Helper', problem solving etc.

### Range

Your evidence must be drawn from:

**a)** Your own work.

**b)** Your work with colleagues.

### Evidence Requirements

1. The portfolio must contain evidence of the student being observed working with a minimum of 3 individuals with different personal circumstances. The observer should discuss with the student the student's perceptions of his/ her work and the reasons why she/ he acted in that way.

2. Feedback from colleagues.

3. Examination of work products.

## Criminogenic Need

In order to demonstrate your understanding of Criminogenic Need you must:

**a)** Demonstrate the ability to make links between policy/ practice guidelines on criminogenic need and practice. This should include knowledge of the current criteria within the agency for assessing criminogenic and non-criminogenic need.

**b)** Demonstrate through written accounts of observations, discussions and own practice, an understanding of at least one theoretical perspective on the principle of criminogenic need in practice.

**c)** Demonstrate evidence of anti-discriminatory practice, including evidence of an ability to support individuals experiencing difficulties.

**d)** Demonstrate a foundation knowledge of models of effective probation practice within the agency, including cognitive-behavioural and other methods and be able to identify the relevant research.

**e)** Demonstrate an ability to assist in the supervision, enforcement and review of sentences served in the community.

**Range**

Your evidence must be drawn from:

**a)** Your own work.

**b)** Your work with colleagues.

**Evidence Requirements**

**1.** The portfolio must contain evidence of the student being observed working with a minimum of 3 individuals with different personal circumstances. The observer should discuss with the student the student's perceptions of his/ her work and the reasons why she/ he acted in that way.

**2.** Feedback from colleagues.

**3.** Examination of work products.

## The Risk Principle

In order to demonstrate your understanding of the Risk Principle you must:

**a)** Demonstrate an ability to make links between policy/ practice guidelines and practice, including articulation through practice of the aims and objectives of the policy on risk within the agency.

**b)** Demonstrate through own practice an understanding of at least one theoretical perspective on risk.

**c)** Demonstrate evidence of anti-discriminatory practice in relation to risk.

**d)** Assist in the preparation of a minimum of 2 Pre-Sentence Reports using the relevant assessment framework within the agency (e.g. OGRS, ACE, LSIR, OASys) and produce a written supervision plan indicating the intensity and type of supervision programme required as a result of this assessment.

**e)** Demonstrate awareness of policies and practice in the prevention and management of abusive and aggressive behaviour.

**Range**

Your evidence must be drawn from:

**a)** Your own work.

**b)** Your work with colleagues.

**Evidence Requirements**

**1.** The portfolio must contain evidence of the student being observed working with a minimum of 3 individuals with different personal circumstances. The observer should discuss with the student the student's perceptions of his/ her work and the reasons why she/ he acted in that way.

**2.** Feedback from colleagues.

**3.** Examination of work products.

## Working as a Member of a Team/ Group

In order to demonstrate your understanding of Working as a Member of a Team/ Group you must:

**a)** Demonstrate an ability to make links between policy/ practice guidelines on team/ group working, and to locate own practice, including the concept of professional practice, within the context of probation service objectives.

**b)** Demonstrate through own practice an understanding of at least one theoretical perspective on team/ group work with colleagues.

**c)** Demonstrate evidence of anti-discriminatory practice in team/ group working.

**d)** Demonstrate an ability to work with other colleagues as a member of a team/ group, including contributing to the achievement of local objectives.

**e)** Demonstrate knowledge of CRAMS or ICMS, the use of information technology to further local objectives and an ability to record accurately.

**f)** Demonstrate ability to sustain effective working relationships with staff in other agencies.

### Range

Your evidence must be drawn from:

**a)** Participation in team/ local/ service meetings.

**b)** Participation in Action Learning Sets/ Skills Workshops.

**c)** Participation in inter-agency meetings.

## Evidence Requirements

1. Direct observation.
2. Feedback from colleagues and other staff.
3. Examination of work products.

# Section 1 - Introducing 'What Works'

## Objective

When you have completed your study of this section you will be able to give a basic but critical appraisal of the **'What Works'** principles of effective probation practice, giving practical illustrations of your key points.

First, you'll be introduced to the **'What Works'** movement and then to the ways in which the research has informed the development of a 'Continuous Improvement' cycle (to use management theory jargon) of **'Evidence-Based Practice'**.

## 1.1 'What works'

The phrase 'What Works' is taken from a much-cited article of that title by Martinson,[1] who believed that his work revealed a:

> ***…'radical flaw in our present strategies – that education at its best, or that psychotherapy at its best, cannot overcome, or even appreciably reduce, the powerful tendency for offenders to continue in criminal behaviour…'*** **(Martinson, page 49).[1]**

Writing at more or less the same time, Lipton[2] et al in the US and Brody[3] in the UK, showed a consensus of pessimism on two broad points:

1. Most research up to that time was plagued by **poor methodology** – wide variations in quality of experimental design made it difficult to draw any clear conclusions at all.

2. As far as any pattern could be detected, in the studies that *were* acceptably rigorous in design, there was no evidence that anything could be **consistently** relied upon to work.

Many people accepted this view as 'dogma' in subsequent years, but we now know that these reviews were partly flawed, and the conclusions drawn from them invalid. It highlights the need to be able to design effective research studies – an area of study to which you'll return in the Part Two **Research Methods module**.

Despite an accumulation of evidence that contradicts it, the belief that intervention is unlikely to be effective was still at the core of thinking of many commentators in the criminal justice field in the late 80s and early 90s and *"The pressures on the probation service over the last few years both to **improve** effectiveness and to **demonstrate** effectiveness have been intense…"* (Chapman and Hough, page 3).[4]

The sources of such pressures are described on pages 3–4 of Chapman and Hough.[4] However, before you read this section (which then leads into the topic **Definition of effective practice**) complete Activity 1.1.

### Activity 1.1

**Think about what 'Effective practice' means to you:**

1. **How would you define 'success' in working with offenders – what is the purpose of any work you undertake with them?**

2. **What criteria would you use to measure such success? For example, if you think the purpose of probation work is to deter the offender from further offending, then re-offending rates will be a key measure.**

   **Debate your ideas about the purpose of probation work with your action learning set.**

   **Discuss with experienced colleagues the ways in which they define and measure success in their work.**

   **Feedback on page 109.**

Since the mid-1980s, a statistical tool called 'meta-analysis' has been used to study findings from different experiments.

Meta-analysis:

- Involves side-by-side analysis of large numbers of experimental studies.
- Can incorporate adjustments for the fact that studies vary considerably in:
  - The degree of rigour of their experimental design.

- In detail – using, for example, different outcome measures or based on very disparate numbers of subjects.

Essentially, the procedure of meta-analysis requires recalculation of the data from different experiments in a new all-encompassing statistical analysis. Once the adjustments have been made it allows researchers to consider separate studies as one big study (which is more meaningful from a statistical point of view).

So what types of programme **do** work?

### Activity 1.2

**How familiar are you with the current range of programmes used in working with offenders?**

**If you have already have some probation experience, reflect on that experience now to come up with some preliminary theories of your own about:**

- **What types of programme tend to be most successful?**
- **What personal and situational qualities of the offender need to be taken into account when deciding which types of intervention to use?**

**If you don't have experience, move straight into reading some of the key 'What works' research findings, which are outlined on pages 14–20 of Chapman and Hough.[4]**

**Feedback on page 112.**

The rest of this section illustrates how the key principles outlined can be worked into a continuous improvement cycle of **'Evidence-based practice'**.

## 1.2 Evidence-Based Practice

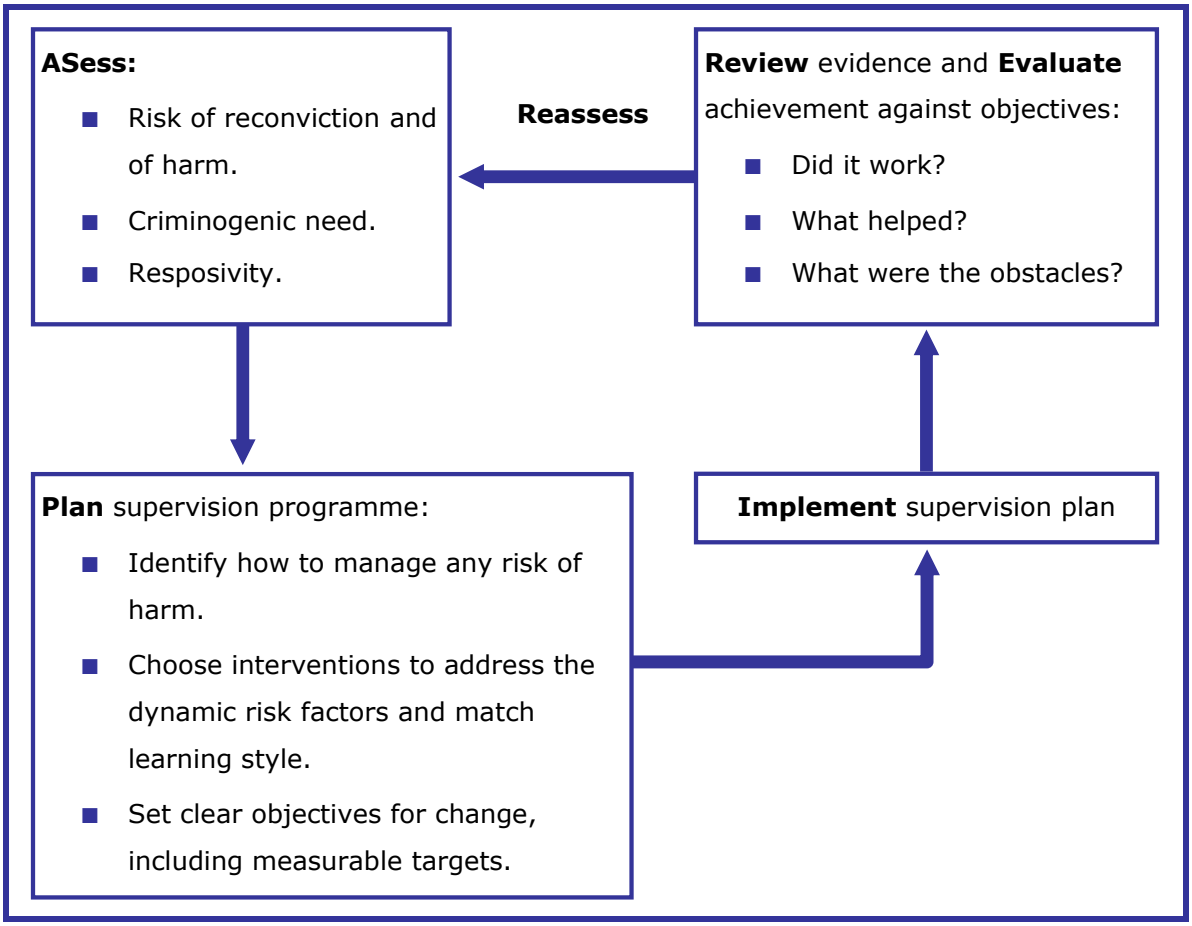
The purpose of 'Evidence-based practice' is to develop a more rigorous approach towards probation practice in which interventions with offenders are based on sound research evidence and are, in turn, monitored and evaluated to add to the collective data about 'What Works'. A useful mnemonic for such a continuous improvement cycle is **ASPIRE**:[a]

**AS**sess/ analyse, **P**lan, **I**mplement, **R**eview/ **E**valuate

This is outlined in Figure 1.1.

[a] The ASPIRE mnemonic is used in Sutton, Carole, (1999). *Helping families with troubled children*. Chicester: John Wiley,

**Figure 1.1, The Evidence-Based Practice Cycle.**




### 1.2.1 Assess

There are three main things to assess, because of the three main 'What works' principles:

1. The risk principle.
2. Addressing criminogenic need.
3. The responsivity principle.

## The Risk Principle

It's important that the risks presented by an offender (risks of re-offending and risks of causing harm to her/ himself and/ or others) are

accurately diagnosed and that the degree of service intervention is matched – at the plan and implement phases – to the level of risk. Higher-risk individuals should receive more intensive services, while those representing a lower risk receive lower or minimal intervention. You'll find a basic approach to risk in Section 4 - The Risk Principle on page 73 (this will help you with the Part One practice module **The Risk Principle**). You'll study it in greater depth at Part Two in the **Risk Assessment and Risk Management** module.

## Addressing Criminogenic Need

A large number of factors are regularly associated with offending behaviour, including personal and family relationships, education and employment situation, substance misuse, neighbourhood and financial circumstances.

Social work terminology – where the emphasis lies to the 'soft' end of McGuire's spectrum (See 6.1 Feedback to Activity 1.1 on page 109) – defines these as 'needs' of the offender that must be addressed by any intervention. In the current climate – which lies more to the 'hard' end of the McGuire spectrum – they are referred to as 'risk factors'.

Research indicates that it's important to:

- Distinguish between **criminogenic** needs – the factors that directly contribute to offending or are supportive of it – and **non-criminogenic** needs - those that are not directly implicated in the offending.
- Use intervention programmes that address the criminogenic needs.

Criminogenic need – the main focus of the practice module of that name – is covered in more detail in Section 5 - Criminogenic Need.

### Activity 1.3

**Debate with your action learning set the ethical considerations involved in addressing only criminogenic needs. For example, how concerned would you be about ignoring the housing and employment conditions of an offender if these appeared not to be directly related to offending patterns?**

## The Responsivity Principle

The 'What Works?' research showed that intervention programmes worked most effectively if they matched the learning style of the offender. Most offenders fall into the 'activist' group of learners and this requires active, participatory methods of working, rather than either a didactic mode (telling them what to do) on the one hand or a loose, unstructured 'experiential' mode on the other.

Programmes also work more effectively if you are able to match your own style of operation with that of the offender. Here is another reason for being fully aware of your own learning style and attempting to broaden your repertoire.

Responsivity is more than simply learning style, however. It is about a whole host of techniques for **encouraging an offender's active engagement in the change process** – choosing methods and techniques that match the offenders interests, motivations and attitudes towards offending – and you'll learn more about this in Section 3 - The Responsivity Principle.

To summarise, then:

| **Assessment - what is it all about?** | |
|---|---|
| **What are you assessing?** | ■ Risk (of re-offending and of harm)<br>■ Criminogenic need (the factors that are directly associated with offending)<br>■ Responsivity |
| **When do you formulate assessments?** | Formally – for reports:<br>At all stages of the probation process, including Pre-Sentence Report writing, initial supervision planning, reviews, at parole and pre-release stages for those given a custodial sentence and before/ during Home detention curfew orders.<br>Less formally:<br>In every conversation with an offender you should be reassessing to develop a fuller picture of her/ him and look for changes – both positive and negative – in attitudes, feelings and behaviours. |

| | |
|---|---|
| Why? | To determine the nature and level of supervision required:<br>■ Matching intensity of supervision to level of risk.<br>■ Targeting the most significant criminogenic factors when selecting programmes to 'address offending behaviour'.<br>■ Choosing programmes that are most likely to encourage active participation (response). |

### 1.2.2 Plan Supervision Programme

You will have read that the most effective programmes were found to be **'multi-modal'** – employing a variety of methods to address the variety of offenders' problems.

Once the risks, needs and responsivity have been identified, then it's important to:

- **Write objectives** for your work in a way that will allow you to test its effectiveness. Objectives should be **SMART** – **S**pecific, **M**easurable, **A**greed (with the offender), **R**ealistic and **T**ime limited (for example, *"By the end of June, Mary will have limited her alcohol intake to 10 units a week"*).
- Plan a programme of activities to address risk, need and responsivity, as you work toward those objectives. These may include individual one-to-one work in individual supervision, but may also involve periods of time spent on various standard

programmes delivered by the probation service or by other agencies (for example specialist drugs, alcohol or employment agencies). You'll find out more about about such programmes in Section 5 - Criminogenic Need.

In planning the most appropriate series of activities, case managers need to select the:

- **Delivery mode –** group vs. individual vs. family intervention – based on the principles outlined in 1.31, 1.32 and 1.33 of Chapman and Hough.[4]

- **Programme content –** identifying the skills that the offender needs to acquire – based on those listed in 1.36 of Chapman and Hough[4] and the activities that can be used in developing these skills and addressing criminogenic needs, as listed in 1.35 of Chapman and Hough.[4]

- **Delivery techniques –** bearing in mind that the most effective approach is to use the cognitive-behavioural approach as outlined in 1.37 of Chapman and Hough,[4] including:

  - **Challenging anti-social activities** and the values, attitudes and beliefs of the offender that support them.

  - **'Modelling' pro-social behaviour** by demonstrating respect, punctuality, reliability, warmth, honesty and openness in their dealings with the offender.

  - **Reinforcing pro-social behaviour** by offering praise and rewards when offenders exhibit these qualities.

- **Programme location –** which, as 1.38 of Chapman and Hough[4] points out, is best based in the community to promote community re-integration.

- **Dosage –** the duration, intensity, sequencing and spacing of the programme elements in accordance with 1.40 of Chapman and Hough.[4]

At this stage, you will make contributions to such decisions, based on your developing knowledge of theory and practice. However, you will be introduced to the decision making process in more detail at Level 2 of this programme.

### 1.2.3 Implement Supervision Plan

At this stage, the people delivering the various interventions need to put in place ways of monitoring progress towards the objectives. In addition, to count as a success, any behaviour change attributed to the programme has to be actively maintained for some time after it's been completed. So, the case manager will also need to put in place plans for after-programme monitoring.

This is also the part of the cycle where **programme integrity** comes into play – making sure that the programme is run absolutely consistently, in the way it was intended to be run. If everyone runs the programme differently there can be no effective measurement and no guarantee that the intended programme objectives are being met. This important concept is outlined in 1.47–1.56 of Chapman and Hough.[4]

### 1.2.4 Review Evidence and Evaluate Achievement Against Objectives (and feed results into next cycle)

The service has to know:

- **Whether** different supervision strategies achieve their intended outcomes:

  The case manager needs to assess the attitudes, values and behaviours of the offender involved in the programme, compared with the original objectives.

- **Why** a programme works (or does not work) – so that successes can be built on and failures not repeated:

  The case manager will need to reflect on potential reasons for the identified attitudes, values and behaviours and bring into play her/ his theoretical insights.

You will not be involved in making the key decisions by yourself in this initial year, but you should be taking every opportunity to identify this cycle in action and to refine your own ideas about 'what works'.

Your work in three of the practice modules will help you to do this. The following sections will introduce you to the theory underpinning these practise modules.

- Section 3 - The Responsivity Principle.
- Section 4 - The Risk Principle.
- Section 5 - Criminogenic Need.

The remaining practice module – **Working as a Team** – is the topic of the next section. This will introduce many of the interpersonal skills that are fundamental to working with offenders as well as colleagues.

Meanwhile keep this outline in mind as you are set tasks to do at work. (You might want to photocopy Figure 1.1 for quick reference.) Relate your work to the stage of the cycle and discuss with the colleagues you are working with:

- The theory and/ or experience that informs the questions she/ he is asking of an offender as she/ he refines her/ his analysis of the offender's responsivity, risk and criminogenic needs.
- The clues she/ he is using in interpreting an offender's responses.
- The techniques she/ he is using to come to decisions about objectives, programme content and delivery and definitions of success.

As you work through the practice modules, you should begin to:

- Contribute your own ideas; and
- Check the theory you read against what happens in practice.

# Section 2 - Working in a Team/ Group

## Objectives

When you have completed your study of this section, you will be ready to participate in the practice module of the same title. More specifically, you will be able to describe briefly:

- The role of the probation service and the ways in which national, local and team objectives are related to each other – and the way in which your own work contributes to these objectives.
- The ways in which probation records capture the information related to those objectives – and your own role in compiling such records accurately and completely.
- Techniques for building and maintaining effective relationships with probation staff and with staff in 'partner' organisations.
- The principles of effective teamwork.
- Techniques for recognising and challenging discrimination – towards other staff and towards service users.

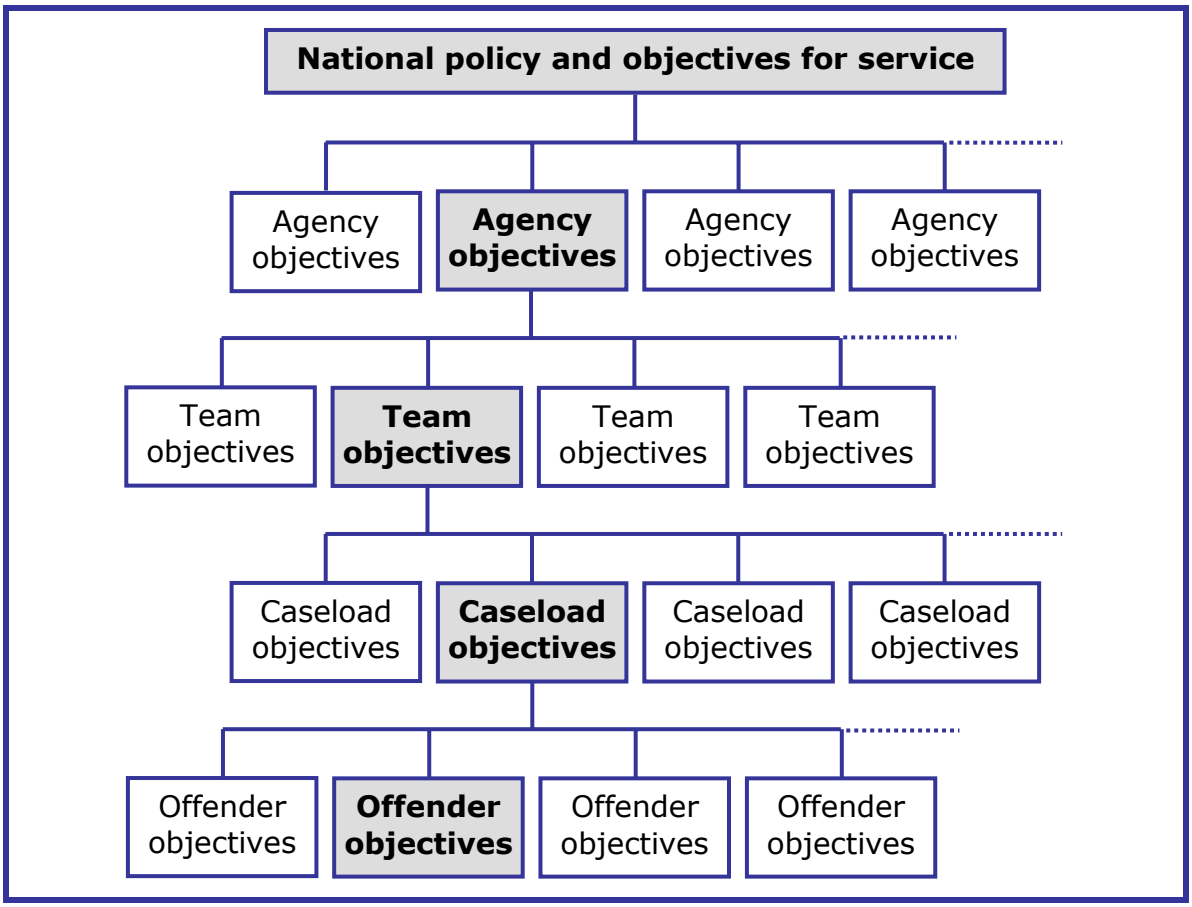
The headings for this section, then are:

- Your contribution to probation service objectives.
- Record-keeping in the probation service.
- Building and maintaining effective relationships.
- Effective teamwork.

## 2.1 Your Contribution to Probation Service Objectives

You've read, in section one under 'plan supervision programme', about the need to set SMART objectives for your work with an individual offender. This process is repeated at all levels of the probation service hierarchy – your objectives for an individual offender will be influenced by your caseload objectives, team and agency objectives and, in turn national policy for the probation service, as illustrated in Figure 2.1.

**Figure 2.1, The 'Nesting' of Objectives Set at Team, Agency and National Level.**




It's important, then, that you are familiar with the latest national requirements and with your agency policy and objectives. The detail of setting your caseload objectives will be dealt with in the Part Two module **Assessing and Addressing Offending Behaviour**. For now, take some

time to look at the purpose and structure of the service and its role within the criminal justice system, by reading the first two chapters of Whitfield.[5]

This will help you to put your work and that of your team into a wider perspective.

### Activity 2.1

**Tackle some or all of the following with your Action Learning Set:**

1. **Chapter 1 of Whitfield[5] describes a number of phases in the development of the probation service, illustrating different values about the purpose of the criminal justice service in general and the probation service in particular. How would you characterise the current government's approach to crime and what do you see as the strengths and weaknesses of it?**

2. **Debate the proposition 'Probation is a soft option for criminals'.**

3. **In Chapter 2 (pages 19–20 and 24 onwards), Whitfield[5] describes the structure of the modern probation service. Find out how your own service is organised and discuss with experienced staff the ways in which national and agency priorities are reflected in their own work.**

## 2.2 Record-Keeping in the Probation Service

Each system will have its own systems in use for keeping records, which allow staff to document the evidence for effectiveness:

- At each stage of the Evidence based practice cycle.
- At individual, team and service levels.

The two most common are CRAMS (Case Recording Administration and Management System) and ICMS (Integrated Case Management System).

Work is underway at the National Probation Directorate to develop a national IT system for case management, accredited programmes and OASys (the NPS assessment tool).

### Activity 2.2

**You will be given training in your own system on-the-job and, at this level, all you are expected to do is to ensure that you are accurate and up-to-date in your record-keeping. However, as you learn more about the purpose and processes of probation work, you should begin to treat this as more than simply a form-filling exercise. At Part Two level you will be using the systems as a backdrop to the negotiation – and monitoring – of personal and team objectives (in line with agency/ national objectives). As you become familiar with the systems, you could start thinking about other types of information/ other formats/ other ways of accessing information that might prove useful for evidence-based practice.**

## 2.3 Techniques for Building and Maintaining Relationships with Probation Staff and with Staff in 'Partner' Organisations

There are two key elements to this:

- Clarity about the roles and responsibilities of people in each of the agencies with which your service undertakes **joint ventures**.
- Developing the **inter-personal skills** that will allow you to communicate effectively with all staff – internal and external

(and which will underpin the more specialised interpersonal skills that you will need to develop to work with offenders).

### 2.3.1 Joint Ventures

There are two primary ways in which probation officers become involved in joint working arrangements with other agencies in the community:

1. Since the **Crime and Disorder Act of 1998**, probation have been required to work with the police, local authorities and other community-based agencies to identify the main causes of crime in their area and ways of reducing it (You'll be taking a closer look at this in the Part Two module **Assessing and Addressing Offending Behaviour**).

2. Since 1990, the probation service has been required to tackle the criminogenic needs of offenders and to devolve the addressing of non-criminogenic needs to other community groups (you will return to this distinction between criminogenic and non-criminogenic needs in Section 5 - Criminogenic Need). This is all tied in with taking on the private sector values of efficiency, economy and effectiveness – it is thought most cost-effective to concentrate on one's 'core' tasks and delegate those deemed less fundamental to one's work to other agencies (everyone sticks to what they are good at).

The more involved the probation service becomes in the first type of arrangements, the more opportunities it has to influence attitudes to offenders. The more links that it can build of the second type – with a wide variety of organisations – the better placed it will be to find community-based placements for offenders that are matched as closely as possible to their identified needs and interests. This, in turn, makes it

more likely that courts will accept a proposal for a community-based penalty, rather than a custodial sentence.

### Activity 2.3

**What other potential benefits can you think of, in either arena of joint working, and what do you think are the main pitfalls of inter-agency working?**

You'll find some feedback on page 112. You will be examining interagency partnerships in more detail in the Part Two **Assessing and Addressing Offending Behaviour** but, again, as you undertake your practice module you need to record evidence of your thinking and practice around these issues in your learning log.

## 2.3.2 Inter-Personal Skills

You will be undertaking interviewing and listening skills workshops with your PDA, but you may find it useful to have a brief overview of some of the key skills needed to oil the wheels of effective communication, including:

- Non-verbal communication.
- Active listening.
- Managing the flow of a conversation.
- Giving and receiving feedback.

(If you feel you've already covered this before, move to section 2.4 Effective Teamwork on page 47.)

First, a brief look at the three basic styles of inter-personal behaviour:

- **Aggressive –** this tends to be used when people are so keen on what they are trying to achieve, that they fail to take into account the needs or opinions of anyone else involved. They are so sure they are right that they want everyone to fall in with them. Typical phrases include: *"This is what we need to do", "This is the best solution".*

- **Assertive –** this is used by people who are concerned with finding the right solution, rather than with getting their own way. They are flexible enough to look at a variety of possibilities. The words might be "'*This is what we need to achieve. Does anybody have any ideas on how we might manage it?"*

- **Passive –** this reflects a person's desire, above all, to avoid conflict and please everyone else. This person might ask *"Do you think we could ….?"*

Although we all have a basic style of interacting we can adopt the others from time to time – depending on the person to whom we are talking, what the situation is, how important the outcome is to us (and how skilled we are at managing our interpersonal communication).

In most situations, assertiveness will be the most appropriate style to adopt. (In the Part Two module, **Professional development in the Organisational Context**, you'll be looking at variations on this theme, particularly in regard to conflict management.) If this is not your natural style you may need to practice a few new techniques until they become a natural part of your repertoire. For example, before potentially tricky situations, you might try to manage your 'internal dialogue' before proceeding. You should:

- Clarify in your own mind what you want to achieve from the situation – and allow yourself to respect that opinion (work on getting rid of that need for approval!).
- Be open to other ideas – accept that other people have useful suggestions too and that the purpose of discussions is to find the best solution rather than 'win' the argument (the best solutions to difficulties are those where everyone feels they have something to gain).
- Bear in mind that 'actions speak louder than words' – which leads us into…

### 2.3.3 Non-Verbal Communication

Whether we like it or not, we always project an image, which affects the way in which people respond to what we say. This image is made up of a variety of factors including the tone of our voice, the way we stand or sit and the gestures we make – our 'nonverbal' communication. There are two important lessons here:

1. Learning to interpret non-verbal signals in others can help you to adapt the way you are communicating. For example, if you recognise symptoms that people are uncomfortable with what

you are saying (downcast eyes, drumming fingers, tapping feet) you can pause to sort out the problem.

2. Learning to recognise (and manage) your own non-verbal signals can help you to come across more effectively, reinforcing the verbal messages you want to convey. For example, you might curb a natural tendency to smile when you want to convey a serious message. (Our non-verbal behaviour is said to account for over 60% of what is communicated – so the seriousness of the message is likely to be discounted if you smile).

Each of the three basic styles referred to in subsection 2.3.2 has its own set of non-verbal signals, including facial expression, voice, hand/ foot gestures and stance. For example:

An **aggressive** style is characterised – in some people's eyes – by:

- Facial gestures such as a frown, a set mouth, a piercing stare, throbbing temple pulse.
- A loud voice, harsh in tone, and a tendency to interrupt.
- Forceful hand/ foot gestures for example, a pointing finger, clenched fists, tapping foot.
- Standing too close/ leaning over someone who is seated rather than drawing up a chair to be at the same level.

An **assertive** style is characterised – again in the views of some – by:

- An open, relaxed facial expression and regular eye contact.
- A voice which is moderate in tone, pitch, volume and speed.
- Gestures, if any, which are used to illustrate a point rather than empty nervous or aggressive movements.

- A relaxed stance at a comfortable distance/height.

A **passive** style is characterised by:

- A wrinkled brow, an inability to look the other person in the eye, head lowered.
- Hesitant or hurried speech which is low in volume and/or high in pitch.
- Nervous hand gestures such as playing with hair, cufflinks, jewellery or putting a hand over one's mouth as if to take away what one is saying.
- A stooping stance.

However, it is vital to remember that **non-verbal communication has different meanings in different cultures**. For example the *Handbook on ethnic minority issues*[6] points out that in some cultures, individuals are conditioned from birth not to look authority figures in the eye, as this is a sign of disrespect. In this country a refusal to look someone in the eye is sometimes seen as 'shifty' and evasive.

Above all, it's important that what you are saying non-verbally is in keeping with what you are trying to put across in words. For example, **don't**:

- Contradict a verbal message of sympathy with a non-verbal hostile gesture.
- Express interest in what someone is saying while looking at your watch.
- Express disappointment while smiling.

### Activity 2.4

**Appendix 1 is a checklist for conveying assertive non-verbal messages, which you might use to observe conversations, at home and at work, and try to:**

- **Identify the message that the participants' non-verbal behaviour conveys.**
- **Note its impact.**
- **Work out what the speaker could have done to achieve a more positive response.**
- **Record your findings on the matrix.**

**Consider the difference between the way you behave when you are with someone you feel comfortable with and someone you find intimidating.**

**Experiment – see what happens when you deliberately alter any of your normal behaviours (what impact did this have on you and on your listener?).**

**Appendix 2 is a matrix for recording these observations of yourself and others in action. (Photocopying these two appendices will make it easier to undertake the exercise).**

## 2.3.4 Active Listening

Active listening is a cornerstone of successful communication. All too often, we only half listen to what people are saying to us, which means we risk:

- Missing key points.

- Alienating the person we're communicating with – closing them down to further information-giving.
- Active listening involves:
  - **Listening carefully**, to form an accurate picture of what is being said. This can help you to:
    - Pitch your own words at the right level for your listener.
    - Be confident that you understand their concerns/views.
    - Increase their motivation to share their concerns and ideas with you.
  - **Listening supportively** – demonstrating your interest in what the speaker has to say. This can help you to develop an atmosphere of trust in which people:
    - Are more likely to proffer information.
    - Will be more confident about asking for information or clarification.

## Activity 2.5

**On the basis of your experience, what would you say are the most important factors that can get in the way of your giving someone your full attention? To answer this, think about discussions (whether at work or in your private life) in which you:**

1. **Found it difficult to concentrate on what the other person was saying. You may have thought you were listening but couldn't remember, later, what the main points of the argument were or what you were meant to do as a result of the conversation.**

2. **Felt that someone wasn't really listening to you –**

   **What did the listener do or say to convince you that they weren't listening?**

   **How did this make you feel? Feedback on page 114.**

## Activity 2.6

1. **Use Appendix 3 as a prompt, as you:**

- **Watch conversations going on around you. You'll soon begin to recognise good (and bad) listening techniques.**

- **Monitor your own skills and practise some of the techniques. Notice the effects they produce in your communication with others.**

2. **Use Appendix 4 to record your observations.**

3. **As another form of practice, you might set up the following exercise:**

**Brief a person (colleague or friend) to listen to you, giving all the wrong signals – for example fidgeting, making no eye contact, looking impatient, taking mobile phone calls, interrupting you in the middle of a point and so on.**

**It's amazing how – even though you know you've set it up like this and it's not real – it's still very uncomfortable!**

## 2.3.5 Managing the Flow of a Conversation

Take a look at Appendix 5 now. The first three scenarios are all about ways in which you might bring people around gradually to a course of action you think appropriate.

**Suggesting ideas** and asking for ideas are usually more successful than giving your own opinion straight away.

By **building on their ideas**, adding modifications of your own you might be able to nudge them gradually in your direction. (Of course if you are acting assertively and recognise that their idea is better than yours, you'll not need these nudging techniques!) Building on ideas is relatively rare – people seem to find it easier to criticise new ideas than to improve on them.

Similarly, by allowing the other person to identify the weaknesses in their own position, you are more likely to nudge her/ him towards accepting an alternative. If you disagree directly you are much more likely to make the other person defensive and disinclined to speak further. Even if you don't agree it's worth trying to find something you can agree with, to keep the discussion open.

You may however, want to find out what reservations people have about your position, in which case you would speak your mind directly as you put forward your ideas.

The points outlined below show the use of different types of question for different purposes:

- **Closed questions** are useful if you want to shorten a conversation or close down more voluble members of a group.
- **Open questions** are useful if you want to open up a wider discussion.
- **Probing questions** are useful for delving deeper – don't forget to use active listening techniques to develop useful supplementary questions!
- **Hypothetical questions** are useful for checking out people's thinking processes.

Two more points about effective questioning techniques:

**1.** Don't ask more than one question at a time.

Sometimes, if we don't think a question through clearly before speaking, we can embellish it as we go along. Eventually, the listener isn't quite clear what she/ he is meant to respond to. Also, if you bombard people with one question after another, they don't have time to think over each one properly and are likely to give hurried and unconsidered answers.

**2.** Try not to use 'loaded' questions.

Sometimes the phrasing of a question can imply either that you expect a particular response, or that you would put a negative (or positive) value on the response you're expecting. For example,

*"Would you do XX?"* or *"How do you feel about doing XX?"* is neutral whereas *"I don't suppose you would do XX?"* is not.

### 2.3.6 Giving and Receiving Feedback

Most people feel uncomfortable about receiving feedback about their performance in any arena. It can stir up all sorts of mixed feelings, particularly in those who have problems around people in authority and/ or are dependent on the good opinion of others for their own self-esteem. It is easy to feel that we are being found wanting as a person, rather than being given information about how a particular aspect of our performance might be improved.

Badly phrased, criticism can stimulate feelings of guilt or aggression that are nothing to do with the current situation but unconscious 'leftovers' from personal attacks of various kinds in the past. These feelings make it hard to accept even valid elements of the criticism. However, well managed, constructive feedback is a valuable learning experience.

Think back to situations in the past in which you have been criticised. When has it been helpful/ motivating and when has it simply made the situation worse? Think about it before you continue…

### Giving Feedback

It is important to:

- Establish an atmosphere of trust, so that people on the receiving end of the criticism know that you genuinely have their best interests at heart, rather than being out to 'blame' them or 'put them down'.
- Give the feedback as soon as possible after the problem behaviour is spotted so that you minimise the risks of it

happening again (but wait long enough to do it in private – public criticism, however well phrased, almost always engenders feelings of humiliation).

- Make sure that any criticisms you make are about specific elements of behaviour, rather than a vague or general blaming of personal qualities. For example, if you were giving someone feedback on their listening skills, you might say *"You could have made more eye contact"* or "I didn't hear you reflect back what XX was saying" – but not *"You're not a very good listener"*.

- Try to sandwich negative elements of feedback between positive ones - *"I liked the way you did this but I think you might have made more of that"*.

- Invite the other person to give her/ his point of view of the situation (and use your active listening skills to make sure you agree on the diagnosis and potential solution).

## Receiving Feedback

Learning how to reflect constructively on people's criticisms is one of the most useful things we can learn. The only way we ever grow in competence or understanding is by facing up to our weaknesses and doing something about them. Since we cannot always see them for ourselves, it often falls to someone else to point them out to us.

Although constructive feedback should contain positives – commenting on your strengths, as well as your weaknesses – we tend only to hear the negative aspects, because of the feelings it arouses. It's important, then to take some time to manage your emotions, so that you can begin to identify which elements of the criticism are valid and which are not.

You might, for example, begin to identify recurrent messages – about grammatical mistakes or missing deadlines, say – that alert you to the fact that you do need some help with grammar or with time management skills. Conversely, you might work out that the person criticising you has got hold of the wrong end of the stick or is simply in a bad mood that day.

The assertive response is to:

- Calmly explain your own view of the situation.
- Invite comment.
- Listen actively to that comment, and
- Negotiate a way forward.

A checklist for giving and receiving feedback is provided in Appendix 6.

## 2.4 Effective Teamwork

As you work your way through this programme, you are likely be involved in a number of different teams or groups, including:

- Your Action Learning Set.
- Teams at work, for example colleagues running a group work programme.
- Partnership work with colleagues from other agencies.

To become a useful member of the teams in which you are placed, you need to be able to stand back from its work and reflect on/ analyse the group dynamics, with the help of your PDA. For example, you may find that some people are more approachable than others when you ask for help. Don't assume it's about you: think about their role in the team, their

position in the agency, the way change impacts differently on different people, the fact that they are not used to dealing with a trainee and so on.

If you have not already done so, as part of your 'Foundation Skills and Methods study', now would be a good time to take a look at the DMU study pack Working in groups. In particular, work your way through sections 3 and 4 to find out how groups work, including:

- The roles that are needed for a team to operate well (the starters, shapers and finishers for example).
- The jobs that need to be taken care of, by different members of a team, (such as chair, time-keeper, note-taker).
- The communication process and group dynamics (including why communication sometimes breaks down).
- The stages that a new group goes through before it begins to perform effectively.

### Activity 2.7

**1. Analyse at least one of the groups you belong to (your action learning set or work team for example) and identify:**

- **The roles performed by different members of the team.**
- **The SWOTs of the team and your own SWOTs as a team player.**
- **The stage of formation that it has reached.**

2. **If you have previously been a very active participant in team meetings – will the same apply now you are a trainee or will it be different Will you feel comfortable admitting you are a learner and asking naïve questions, or will you feel the need to prove your competence to the team right from the beginning?**

3. **Remember: this will be very useful material for your practice study on team/ group work for your portfolio - this is your opportunity to start building up your theory base for this study.**

Don't forget to use this work as the basis for an element of the **Team/ Group work** module of your Foundation Practice Portfolio.

# Section 3 - The Responsivity Principle

## Objectives

When you have completed your study of this section of the module, you will be ready to embark on the practice module of the same title. Specifically, you will be able to describe some:

- Factors that affect the 'responsivity' of an offender – the likelihood that she/ he will participate, actively in any work undertaken with her/ him.
- Techniques for increasing responsivity.

You have already learnt in Section 1 - Introducing 'What Works'– that the most successful supervision programmes are those that engage the active cooperation of the offender. Engaging the interest/ cooperation of offenders requires you to:

- Understand the ways in which behaviour patterns develop.
- Be aware that people go through a number of stages of change – and that each stage requires different techniques to move them along to the next stage.
- Choose activities that match the offender's learning styles and interests.
- Communicate in a way that builds rapport and encourages an open exchange of views and information.

In this section, you'll be introduced to:

- Some of the key principles of **cognitive-behavioural theory** (which helps to explain the motivations for offending and the ways of working on these).
- **Prochaska and Di Clemente's cycle of change** (which will help you to recognise different stage of readiness to change – and to identify the most appropriate change management techniques for that stage).
- **Gardner's multiple intelligences** (which, like Honey and Mumford's learning styles can help you to identify activities that might engage the offender's interests).
- **Motivational interviewing**.

## 3.1 Cognitive Behavioural Theory

***"Cognitive behaviourism describes a technique (or range of techniques) designed to assist someone to modify their thinking and actions. It was not developed nor is it used solely to deal with offending. Cognitive behaviourism is not a unified, distinct psychological theory, it draws on:***

***Behaviourism which stresses the role of external factors in shaping and reinforcing an individual's actions***

***Cognitive theory in which the importance of an individual's thought processes such as reasoning and problem solving are stressed***

***Social learning theory, which is derived from behaviourism but holds that while the environment is a key factor, learning may also occur indirectly, through observation of outcomes of the behaviour of others." (Chapman and Hough, para 2.47)***[4]

Cognitive-behavioural theory suggests that much of our behaviour is affected by the 'feedback' we receive – the consequences of our actions. This feedback might be:

- **Internal** (for example, the sense of satisfaction we get when we do something well); or
- **External** (for example, praise from someone whose opinion we value highly).

Nobody likes to receive negative feedback so we learn to:

- Repeat actions that have positive consequences for us (or allow us to avoid negative consequences).

- Avoid doing things that bring negative feedback.

Now you might think that regular tangles with the law are a negative consequence and that this would lead to a reduction in offending behaviour. However, to 'reinforce' a particular behaviour (cause it to be repeated) the consequence has to be immediate and obviously related to the behaviour in question. This is not the case in the offending situation – only 3% of offences lead to a caution or conviction.[7] Far more often, the crime is associated with a consequence that the offender does find desirable – be it recognition from a set of admired peers, short-term gains such as the money from burglaries, a personal 'buzz' or excitement, increased self esteem at 'getting away with it', or the discomfiture of an enemy.

Anti-social behaviour is also patterned by particular situational 'cues' or '**A**ntecedents'. You'll find that the occasions when an offender commits a crime tend to be characterised by a particular set of pre-offence conditions. This might be, for example, the presence of the group whose opinions are valued or it might be the availability of alcohol, which diminishes the capacity to make good decisions.

These two sets of factors lead to an **ABC** mnemonic in which:

**A** = Antecedents or Activating conditions.

**B** = Behaviour.

**C** = Consequences.

So… in the presence of particular **A**ntecedents, anti-social **B**ehaviour occurs, because the behaviour, under these conditions, regularly/ reliably has positive **C**onsequences for the offender (or allows her/ him to avoid negative consequences).

Let's take a look at an example of this **ABC** analysis:

**Andrew is an 18 year old youth who has been charged with assault on a police officer. He has been placed on a combination order and you are supervising the probation element. The incident – which happened outside a nightclub – took place as follows:**

**Andrew had witnessed his friend Mike being attacked by two other young men, who claimed that Mike had been chatting up the girlfriend of one of them. The police had been called and Mike had been arrested along with the two young men who had assaulted him. Andrew had felt justified in jumping on the back of one of the police officers to try and stop them placing his friend in their van. Andrew had then been arrested.**

### 3.1.1 Antecedents for Andrew

A careful analysis of the build up of events might lead to the identification of a number of 'triggers' for the offence, for example:

- The other people involved – for example:
  - Is he jealous of his friend, Mike, for chatting up an attractive young woman, when he himself had been unsuccessful?
  - Does he have any feelings of insecurity around his relationships with young women?
  - Does he feel the need to impress Mike?

- His previous experience of the police – did he assume that they would always pick on him and his friends?

- The place – a nightclub – for example, how much alcohol had Andrew consumed and had it affected his ability to think 'rationally'? (In other words, might he have behaved differently if he had been sober?).

### 3.1.2 Behaviour

You would need to find out:

- How involved Andrew was, initially, in the build up to the fight and the actual fight.

- At what stages he might have taken a different course of action and what might this have been.

- What force he used when he jumped on the police officer and what was in his mind as he did this?

### 3.1.3 Consequences for Andrew

It is vital to establish Andrew's potential 'What's in it for me?' What was the payoff, for him, in acting this way? Although he probably wasn't consciously weighing up the pros and cons before acting, for an offending pattern to be established there has to be a payoff that outweighs the obvious **negative** consequences, such as:

- Arrest and court appearance.

- Loss of job because of court case.

- Banned from attending the particular night club.

- Blaming his friend for getting him arrested – loss of friendship?

The **positive** payoffs might include:

- Establishing solidarity with Mike – this might be someone important in his life.
- Establishing a 'bravado' image of himself – with Mike and/ or the other two and/ or the two girls.
- Feelings of satisfaction at repaying an old score with the policeman.

In addressing offending behaviour, you might take a number of approaches, working on the:

**Consequences** – for example, by:

- Helping individuals to reappraise the situation and take a longer-term view of the rewards/ penalties balance so that they can re-evaluate the consequences of their anti-social behaviour.

  In the Andrew case study, you might work with Andrew to compare the actual payoffs (arrest, and so on) with the anticipated payoffs (the new image, the friendship group) in both the short and longer term.

- Rewarding pro-social behaviour (known as pro-social modelling) so that the offender learns new patterns of behaviour. It is important that you:

  - Identify the specific behaviours you want the offender to work on (Chapman and Hough, page 16).[4]
  - Are consistent with the praise you use to reward such behaviour.

- Choose consequences that are seen as rewarding by the offender.

Chapman and Hough also point out that it is important for you to model the behaviour you would like to see from them – for example: demonstrating respect for offenders by 'being punctual, reliable, courteous, friendly, honest and open'.

**Antecedents** – for example, once an individual is motivated to change, you might help her/ him to avoid the types of situation in which she/ he commonly offends.

In the Andrew case study, just discussed, you might work on the company he keeps, the nightclub he frequents (and the types of people it attracts), his drinking, his relationships with women.

### Activity 3.1

**1. In the case study below, what would you say are the main ABCs underpinning Tony's offending behaviour?**

Tony is a young person aged 18 who has not worked since leaving school. He lives at home with his mother and three younger brothers. His mother has threatened to turn him out because he does not contribute financially to the family and sets a bad example to his younger brothers. He spends most of the time with his mates, hanging around street corners. He has no contact with his father who left the home some 10 years previously. He remembers visiting his father in prison once, when he was about six. He feels bored and lethargic for most of the time. He now faces charges of burglary of a factory – items stolen include cigarettes and money to the value of £120.

**Feedback on page 117.**

2. **Look out for ABC examples in your own work and/ or ask colleagues to give you examples from their practice. Look at their case notes and discuss your own interpretation of the relevant ABCs with them. Discuss with them, too, the ways in which they have worked on the ABCs. Don't forget to log your discussion, learning and practice in your learning log and to collect evidence for your practice portfolio.**

Let's take a closer look at the concept of 'rewards for good behaviour' now.

### Activity 3.2

1. **What types of behaviour might you want to reward, to develop pro-social attitudes or behaviours?**

2. **There are many types of reward that are useful in reinforcing good behaviour. The primary requirement is that the 'prize' is something valued by the offender. For example, publicly praising some people is a real ego boost, for others it is mortifying.**

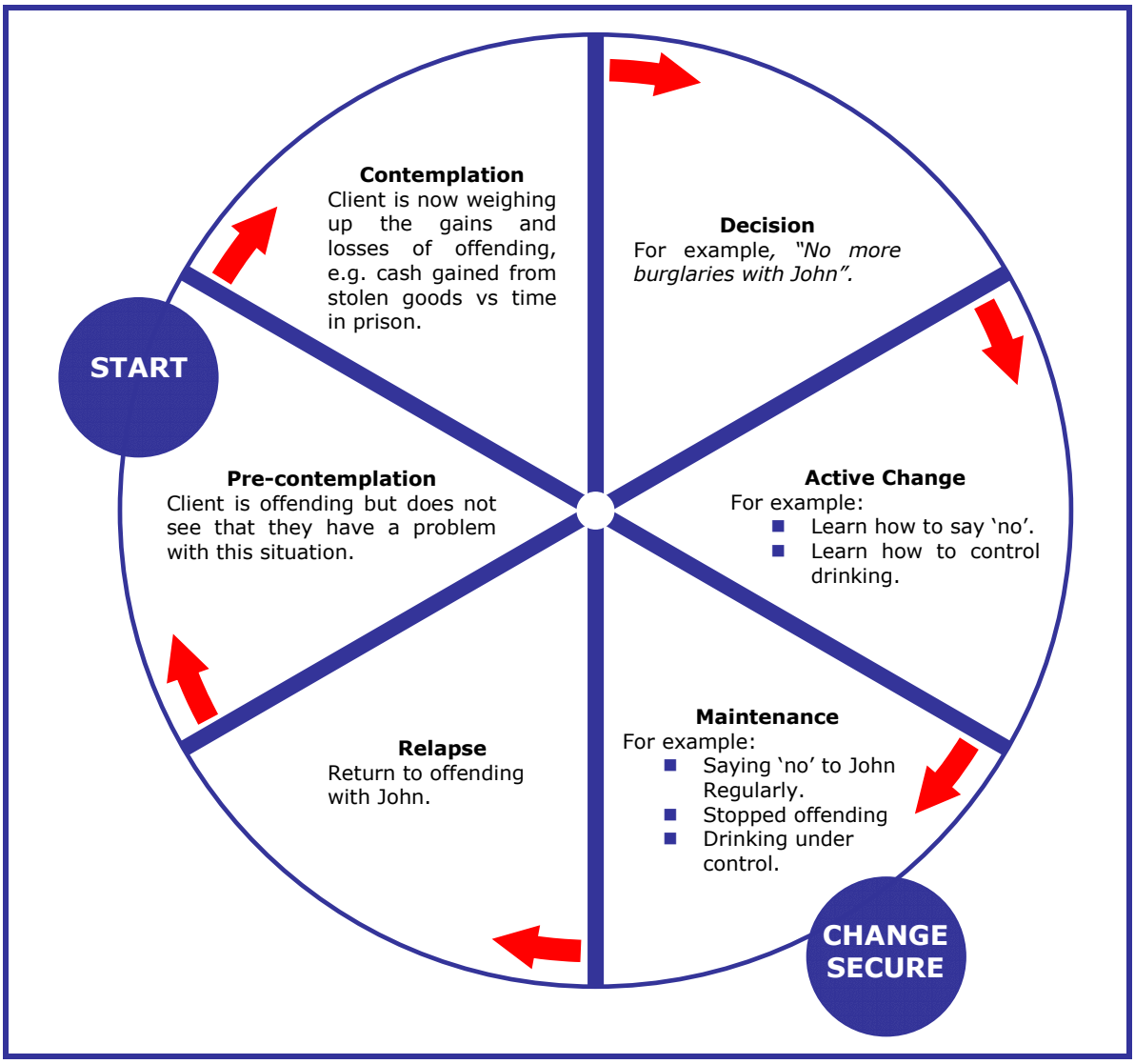
**What types of 'reward' have you seen in operation/ might you anticipate using to reinforce good behaviour? (Think about things that might motivate you to behave in a way that would please your line manager.)**

**Feedback on page 118.**

## 3.2 Prochaska and Di Clemente's Cycle of Change

One of the most important factors affecting responsivity is an offender's readiness to change. Two psychologists, Prochaska and DiClimente,[8] suggest that, whenever people try to adopt new ways of behaving, they move through a series of stages – as illustrated in Figure 3.1. (They were working primarily with people renouncing addictions but it does appear to hold true for offending too).

**Figure 3.1, The 'Revolving Door of Change', Adapted from Prochaska and DiClemente.**



The most important points to remember about this cycle are:

1. Because each stage involves a set of different attitudes towards the new ways of behaving, they require different tactics from the person encouraging the change. At each stage you will be encouraging the offender simply to move to the next stage, rather than trying to move from, say, contemplation to maintenance all in one move. Without this sequential and tailored approach, the change is unlikely to be successful.

2. The duration of each stage may vary – but the sequence does not.

3. In the assessment process you will be trying to identify the position of the offender in this cycle; when you work on addressing their offending behaviour, you will be using tactics appropriate to the stage of the cycle.

4. Change is rarely permanent – certainly first time around the change cycle. Rather than seeing relapse as a failure, it's important to accept relapse simply as the beginning of another stage in the cycle.[b] Explaining this can help those who get despondent when they feel they are not making progress.

So what is involved at each stage?

[b] There will be circumstances however, in which you need to accept that some people will never change. In these cases, your main priority is to limit the harm that the offender can do, whether by increasing levels of surveillance and supervision or by protecting the potential victim(s) in some way.

### 3.2.1 Precontemplation

At this stage, the offender will deny that their offending is a problem and this denial can happen at five levels:

1. **Physical –** the individual will pretend that she/ he wasn't involved, wasn't at the scene, or didn't do it.

2. **Psychological –** Individuals using this type of denial don't notice the difference between what they think they are and what they actually do. This is known as 'cognitive dissonance'. The signals are statements like *"I'm not that sort of person"*.

3. **Minimisation –** these individuals try to play down her/ his involvement in the offence. *"I was there but I didn't play a major role"*.

4. **Denial of seriousness –** In this case they minimise not their involvement but the seriousness of the offence – *"So what, it was no big deal"* or *"I did it but I didn't do anybody any harm"*.

5. **Denial of responsibility –** The individual will lay the blame on anything except her/ his own personal choice – for example, *"It was the booze"* or *"I was stressed out"*.

### 3.2.2 Contemplation

At this stage, the offender recognises that her/ his behaviour is a problem and is beginning to think about changing it. She/ he will begin to weigh up the pros and cons of offending and consider ways in which they might move forward.

### 3.2.3 Action

The offender has made the decision to change and is trying to resist temptation.

### 3.2.4 Maintenance

The changed behaviour becomes 'normal' and, if successful, the offender will exit the change cycle and move into a new way of life that does not involve offending.

**Activity 3.3**

**What techniques do you think might be appropriate at each stage? Try to imagine yourself in the offender shoes. How might the worker best offer you a way forward, in a way that you might be willing to accept?**

**Precontemplation**

**Contemplation**

**Action**

**Maintenance**

**Feedback on page 119.**

## 3.3 Gardner's Multiple Intelligence

As you have already discovered in the context of your own learning, it is important to try to find techniques or activities that match the individual's learning style (though you would also be pushing the learner to develop new ones). You can recap Kolb from your 'Foundation Skills and Methods guide' – and offenders are usually 'activists' (which means that you need to work in an active participatory fashion), but in this subsection you'll also be introduced to another model.

Many people have suggested that we have a wide range of intelligences, rather than the three traditional aptitudes – logical, linguistic and spatial. Gardner,[9] for example, suggests there are eight (possibly nine) and that we each have a different pattern of strengths in each area of intelligence.

His eight (and their significance for appropriate learning opportunities/ activities) are outlined in Table 3.1.

**Table 3.1**[c]

| Intelligence | People with this intelligence… |
|---|---|
| Interpersonal | Are interested in how others think and feel.<br>Are sensitive to others' moods and reactions.<br>Enjoy teamwork, discussing and co-operating with others. |
| Linguistic | Enjoy language in all its forms – books, conversation, reading and writing – and learn from most traditional learning methods. |
| Logical-mathematical | Like logical explanations.<br>Arrange tasks in a sensible, orderly sequence.<br>Look for patterns and relationships between things.<br>Enjoy solving problems. |

[c] This table is based on one in Merton, Bryan, Napper, Rosemary and Jackson, Carol (2000) *Getting Connected: Curriculum framework for social inclusion.* Published by NYA and NIACE.

| | |
|---|---|
| Bodily-kinaesthetical | Like to be moving, doing or touching something.<br><br>Remember what they have done more than what they have seen/ heard/ read.<br><br>Like to deal with problems 'hands on'. |
| Visual/ spatial | Are observant – see things that others don't notice.<br><br>Can see things clearly in their minds eye.<br><br>Enjoy films, slides and videos and are at ease with the use of charts, diagrams and maps. |
| Intrapersonal | Like to imagine, fantasise.<br><br>Appreciate privacy and quiet for working and thinking.<br><br>Consider the relevance of what they are doing and learning<br><br>Enjoy doing things independently. |
| Musical | Enjoy hearing and/ or making music which may well be relevant when trying to organise activities to which musically inclined offenders will respond well. For example, song lyrics as a lead into developing literacy. |
| Naturalist | Are interested in nature, plants, gardening, astronomy, evolution and the origins of the universe. When you are considering opportunities for projects with offenders, environmental projects may go down well. |

The first four, as you may have noticed, bear some relation to Kolb's activist, reflector, theorist and pragmatist.

### Activity 3.4

1. **Identify your own natural learning intelligences and discuss with colleagues the potential use of Gardner's types in identifying appropriate learning opportunities for offenders.**

2. **Services are adapting a range of learning styles inventories to identify the needs of offenders. Find out what your service is doing and ask experienced staff about their experiences in using these tools.**

3. **Get into the habit of discussing with experienced staff the ways in which they take account of responsivity when identifying appropriate interventions to use with offenders.**

## 3.4 Motivational Interviewing

To encourage offenders to engage with you, you will need to bring into play the interpersonal skills you have already come across in the previous section of this module including:

- Managing your own body language and interpreting that of your interviewee.
- Listening actively.
- Managing the flow of a conversation.
- Giving and receiving feedback constructively.

With an offender, you are likely to need to make much more effort in building rapport and establishing an effective working relationship. In this last part of this section, you'll take a look at:

- The principles of motivational interviewing.
- The promotion of 'legitimacy'.
- Helping individuals to address their offending behaviour.

## The Principles of Motivational Interviewing

There are four main principles:

1. Avoid labelling.
2. Encourage individual responsibility.
3. Acknowledge that the impetus for change must come from the offender.
4. Develop cognitive dissonance (as discussed on in section 3.4.4 on page 70).

### 3.4.1 Avoid Labelling

It's important that no 'labels' are used – either by the offender or by you. Sometimes, you'll need to use a label to get resources – for example, 'persistent offender', 'an alcohol problem' and so on. But it is not helpful to use these terms in an interview with the offender. The individual may be sensitive to the issue – which might lead to resistance. Alternatively, she/ he might use it as a form of 'denial' (I can't help it, It's just the drink that does it). As with any form of constructive criticism, it's a case of identifying the specific piece of behaviour, attitude or thinking that is

causing problems rather than criticising the whole person or putting a label on her/ him.

> ***"I have a problem with your doing XX"*** **rather than** ***"You are an XX type of person".***
>
> ***"I believe that (piece of behaviour) is harmful"*** **rather than** ***"You're a real no-hoper".***

### 3.4.2 Acknowledge that the Impetus for Change Must Come From the Offender

Only change made from personal choice or 'internal attribution' is likely to endure. You should emphasise, then, that the decision to change rests with the individual and not with any external source – nobody is 'making' her/ him change. This does not stop you, however, from encouraging the offender to talk about the pros and cons of behaving in the way in which she/ he does and to weigh up the short and long term consequences.

### 3.4.3 Encourage Individual Responsibility

It's important that you recognise and respect the offender's capacity to make her/ his own decisions about what issues to work on, how to work on them and what paths to follow. Your job is to make sure that she/ he is making these decisions from an informed position and to bolster her/ his confidence that she/ he does have the capacity to change.

Beware the role of expert – an enthusiastic interviewer may give the impression that she/ he has all the answers. The offender is then nudged into a passive role, with little opportunity to explore and resolve ambivalence to change. Rather than trying to 'fix things' for the offender,

stimulate her/ him to identify her/ his own solutions. The more you try to impose your agenda, the more resistance you are likely to encounter.

### 3.4.4 Develop Cognitive Dissonance

When the individual becomes aware that her/ his behaviour doesn't match what she/ he professes to believe in (for example, wanting to be healthy but drinking in a way that damages health) this is assumed to provoke the individual into change. Your role here is to highlight and increase the dissonance and to help the individual to identify positive change strategies to resolve the dissonance (in this scenario, to stop the drinking rather than give up the motivation to be healthy).

## 3.5 The Promotion of 'Legitimacy'

> ***"… probationers are motivated by the (workers) legitimate moral authority. Those who act legitimately towards individuals are likely to inspire more compliant behaviour. Reasonableness, fairness and encouragement can engender a sense of loyalty towards supervisors and motivate (probationers) to participate even if not convinced of its effectiveness."*** **(Chapman and Hough, page 58).**[4]

So what exactly does legitimacy involve? A list compiled by the (Leicestershire and Rutland Probation Centre) suggests the need to provide:

- Opportunities for the offender to participate in making important decisions.
- A consistent approach.

- Impartiality.
- Competence/ accuracy.
- The right to complain and appeal against decisions.
- An ethical base which assures respect and dignity.

Staff who:

- Are optimistic about the rewards of living within the law.
- Believe that you can learn anything.
- Are well-balanced, optimistic and positive.
- Believe that there are no right decisions but that all decisions have consequences.
- Have a wide repertoire of responses.

### Activity 3.5

**As you sit in on assessment interviews, observe the interactions between experienced colleagues and offenders and identify the approaches that seem to work/ the extent to which they marry up with the principles of motivational interviewing and legitimacy. (Preparing yourself a checklist for this observational task will help to reinforce your learning of the principles.)**

### 3.5.1 Helping Individuals to Address their Offending Behaviour

First you need to help the offender understand her/ his behaviour and then to help her/ him to change it.

Much of the groundwork for helping the individual to understand her/ his offending behaviour has been done in this section. Once you have experienced a large number of assessment interviews, you will begin to recognise the underlying reasons for offending behaviour so that you are ready, for example, to:

- Encourage individuals to reflect on their behaviour, its consequences and the risks attached to it.
- Talk about aspects of behaviour that concern them and help them identify their priorities for change.
- Offer information and advice about the advantages of change in a way that is relevant to their interests and recognises the complexities of the situation.
- Explore with them ways in which they might make changes.
- Encourage them to value themselves and to recognise their capacity to change.
- Help them to set realistic goals, choosing options to which they can be committed.
- Provide appropriate support and constructive feedback, helping them reflect on progress and learn from it.

You'll find out more about the factors that influence offending behaviour in the following section.

# Section 4 - The Risk Principle

## Objectives

When you have completed your study of this section, you will be ready to embark on the practice module of the same name. In particular you will be able to describe, briefly:

- The major factors associated with a risk of re-offending and a risk of harm to self/ others.
- The policy and practice of risk assessment and risk management in your service.
- A range of risk management techniques, including techniques for:
  - Protecting individuals from abuse and victimisation.
  - Preventing and managing abusive and aggressive behaviour.
- The techniques used in Pre-Sentence Report (PSR) writing in your service.

(Note: The Part Two module **Risk Assessment and Risk Management**, looks at this subject in greater depth).

Effective risk assessment is at the heart of the current probation officer role. You will need to identify:

- The level of risk that the offender will re-offend.
- The level of risk that the offender will harm either her/ himself or others.

- The risk factors that need to be addressed in order to reduce both types of risk.

Working with this knowledge, you will then need to put in place measures to manage the risk factors and minimise the risks. When you are able to do so, you'll be ready to write the risk analysis section of a PSR. In this section, then, you will be introduced to:

- **The major risk factors.**
- **Risk assessment tools.**
- **The principles of risk management.**
- **The structure and function of PSRs.**

## 4.1 The Major Risk Factors

### Activity 4.1

**1. Based on your current experience, what would you say are the main factors in an offenders life or lifestyle that would lead you to suspect that she/ he presents a risk of either kind (harm/ re-offending)?**

**Feedback on page 122.**

**2. When you have read the feedback, try to apply it to offenders with whom you are familiar – how many risk factors can you recognise in their personal and social characteristics? How 'risky' would you say they are, in each dimension of riskiness?**

It's important to look at these factors from a number of angles, however, including:

- **Taking account of the stage of the criminal 'career'.**
- **Taking account of cognitive-behavioural theory.**

### 4.1.1 Taking Account of the Stage of the Criminal 'Career'

Briefly, its important to recognise that changes in an offender's personal characteristics and social situation can occur in either direction – positive and negative. At the beginning and towards the end of a criminal career risk tends to be lower than in the middle, though perhaps for different reasons. Chapman and Hough[4] point out that:

Many **low risk** offenders, early in their career, are likely to demonstrate criminogenic needs such as:

- Limited family relationships and/ or support.
- Education or employment problems.
- Lack of constructive leisure pursuits.

However, they will probably not:

- Have anti-social identities or attitudes.
- Associate with predominantly anti-social peers.

**Persistent** or **high risk** offenders are likely to demonstrate the same criminogenic needs as the low risk group, plus:

- Personal factors such as:
  - Anti-social motivation and associates.
  - Distorted thinking and definitions of situations which support and maintain offending.
  - Deficits in cognitive skills such as problem-solving and critical reasoning.
  - Deficits in interpersonal skills such as empathy, self-control and conflict resolution.
  - Mental health problems.
  - Addictions, including alcohol, drugs and/ or gambling.
- Social factors such as:
  - Marginalisation from pro-social relationships, resources and activities.
  - Unemployment and low income.
  - Homelessness.

Persistent offenders are not always high risk though – eventually, they may come to a point at which they want to stop offending. In this case they are likely to:

- Accept responsibility for their behaviour – and acknowledge it as a problem.

- Be motivated to develop:
  - The self-awareness and skills necessary for a law-abiding lifestyle.
  - Pro-social relationships and activities.

Although the risk factors, looking at past offending patterns, may appear to be high, their responsivity is also high, which increases the chances of success of change management programmes.

### 4.1.2 Taking Account of Cognitive-Behavioural Theory

You have read about the ABC sequence of behavioural patterning in Section 3 - The Responsivity Principle and walking the offender through the ABC sequence of an offence is often a useful component of a risk assessment interview:

#### Antecedents

1. The offender is asked to walk the probation officer through the **immediate** antecedents – what happened just before the offence took place – bringing out what she/ he was **doing**, how she/ he was **feeling**, what **thoughts** were going through her/ his mind.

2. It's also important to establish the more **distant** antecedents, putting the current situation into the context of any previous offending. The aim here is to try to establish four types of variables, which might be categorised with another mnemonic – **'PEST'**:
   - With which **People** do these anti-social behaviours, attitudes and feelings occur?

- In what places – or **Environments** do they occur?
- Are there common circumstances or **Situations** that give rise to the behaviour/ thought/ feelings?
- Are they associated with any particular **Times** of day?

Since **past behaviour is the most reliable predictor of future behaviour**, information about such patterns will allow you to identify not just the likelihood of reoffending but also the pattern of likely offending (when and where and with whom it is most likely to happen).

## Behaviour

Now the offender is asked to describe exactly what happened, including the main trigger for the offence and, again, what she/ he was feeling and thinking as well as what she/ he did.

It's important, too, to establish what she/ he thinks about the victim's feelings at the time of the offence, to establish the extent to which she/ he is able to empathise with the victim. One technique is to ask her/ him to retell the story from the other person's point of view.

## Consequences

And finally, the offender is asked to assess the outcomes – to describe the impact of the offence on her/ himself, the victim, their respective families and anyone else involved in the short- and longer-term. What you are after here is the 'payoff' or 'reward' that keeps the behaviour in place. What does this person get out of behaving in this way? What do you think is the primary motivation (whether conscious or unconscious)?

Identifying the extent to which there are any feelings of remorse which will help you to identify the stage that this offender has reached in the

change cycle (as discussed in Section 3 - The Responsivity Principle) and refine your assessment of her/ his potential responsivity.

When the interviewer is clear about the sequence of events, she/ he might then repeat the story in a freeze frame technique, asking at key points: *"Is there anything different you might have done here?"*, *"What might have happened if you had…?"* This follows the principles from the last section about recognising the offender's capacity to change and exploring potential avenues.

### Activity 4.2

**You'll not be conducting such interviews yourself for a while but, even in an observer capacity, you might find that such accounts fill you with horror or disgust. If you indicate this in either your verbal or non-verbal behaviour you will inhibit the storytelling and, hence, the process of gathering information. It is OK to have such feelings, but you need to be able to minimise the effects.**

In addition to discussing ABCs with experienced colleagues, discuss the techniques they use to deal with these feelings in a way that allows them to manage their verbal and non-verbal communication most constructively.

## 4.2 Risk Assessment Tools

A variety of risk assessment tools has been developed.[d] These usually comprise a 'checklist' for conducting the interview with varying amounts of advice for interpretation and scoring of risk. The Offender Assessment System (OASys) is now being implemented across the National Probation Service. Your PDA will arrange for you to be trained in its use. You will be analysing the various tools in detail in the **Risk Assessment and Risk Management** module in Part Two of this programme. In the meantime, go through Activity 4.3.

[d] A new tool – OASys (Offender Assessment System) –became mandatory, for both prison and probation staff, in August 2000 (reinforcing the joint-working initiative for the two services). OASys is designed to assess the risks of reconviction and of serious harm and to help with supervision and sentence planning by identifying the needs factors, linked to the offending, that need to be addressed.

## Activity 4.3

1. **Take a look at the risk assessment tool used by your own service, now and crosscheck the various sections against the list of risk factors mentioned in the feedback to Activity 4.1.**

2. **The checklist allows staff to ask questions of the offender in a structured way, ensuring that all the major risk factors are covered. However, discuss with experienced colleagues:**

   a) **Their experiences of using the tool.**

   b) **The advantages/ disadvantages of working with a prescribed checklist as opposed to traditional interviewing (in which the conversation moves direction in response to what the interviewee is saying, rather than by moving through a list of topics).**

3. **It's not just the questions you ask that are important, but the way in which they are asked. You have already taken a look at some of the main interpersonal skills that you need to develop. When you sit in on risk assessment interviews, observe the interviewer – and listen to her/ him – carefully, to identify any ways in which you think she/ he might have communicated more effectively, either verbally or non-verbally.**

### 4.2.1 The Principles of Risk Management

There are three main components to risk management:

1. Protecting potential victims (for example, having a rapid response helpline for those at risk of repeat victimisation, particularly in cases of violence).

2. Limiting opportunities for the offender to engage in 'risky' behaviours (perhaps by increasing surveillance, ensuring a high **level of supervision** in any supervision plan).

3. Ensuring that the **type of supervision** chosen:

   - Addresses the most important risk factors ('addressing offending behaviour' programmes are covered in Section 5 - Criminogenic Need).

   - Is likely to engage the active participation of the offender (based on your analysis of responsivity as covered in Section 3 - The Responsivity Principle).

Points 2 and 3 reflect what you learnt in Section 1 - Introducing 'What Works'; that the most effective supervision programmes are those in which the level and type of supervision match the level and type of risk. Take a look at the diagram on page 32 of Chapman and Hough,[4] which suggests how interventions might be matched to risk and responsivity.

In Section 3 - The Responsivity Principle you learnt about the likelihood of relapse in any change management strategy. It's important, then, to be on the lookout for the danger signals – and to have in place mechanisms for supporting offenders through times of increased stress, when they are likely to become more vulnerable to relapse.

## Activity 4.4

**In the following case study:**

1. **What are the risks?**

2. **How could you manage them?**

Sammy is charged with attempted theft, and criminal damage to a motorbike. He was caught loitering in the grounds of a primary school, peering through the windows and watching the children. When confronted by a teacher, he initially panicked and ran away, returning later to try and steal the bike. In the course of pushing it, the bike fell over and was damaged, and the cost of repair was £13Sammy appears to have a strong interest in young children although has never been know to harm a child. He lives at home with his elderly mother. He has no previous convictions.

Feedback on page 123.

3. **As you work alongside colleagues in the assessment and management of offending behaviour, keep asking questions about the reasons behind proposed interventions – and developing your own ideas about how you can recognise:**

   - **Indications of progress and decline in motivation.**
   - **Tactics to use in kindling or rekindling motivation.**
   - **Potential environmental 'triggers' for relapse (for example, does the offender appear to be renewing contact with the members of the group in which her/ his offending behaviour usually occurs).**

4. **What agency systems and procedures are in place to guide people in their risk management decisions? How easy is it for people to prove that they:**

   a) **Collected the appropriate information.**

   b) **Made the right decisions on the basis of the information available?**

(You'll be learning how to make 'defensible decisions' of your own in the Part Two module **Risk Assessment and Risk Measurement**).

As part of your risk management strategy, you will need to be able to manage offenders who are exhibiting risky behaviours, including:

- Contributing to the prevention and management of abusive and aggressive behaviour.
- Contributing to the protection of individuals from abuse.

### 4.2.2 Prevention and Management of Abusive and Aggressive Behaviour

At this stage of your career, you will primarily be acquainting yourself with your agency's guidelines for managing abusive and aggressive behaviour – and acting within them. However, to develop your skills in this area further you need to be able to:

- Understand what violence and aggression is all about – this will help you to:
  - Identify potential triggers to aggressive behaviour for the offenders with whom you are working so that you can try to reduce these.
  - Take constructive action to defuse aggressive behaviour.
- Build on the **communication skills** you have already learnt, in an attempt to develop and/ or maintain calmness and safety for all concerned.

*What is violence and aggression all about?* is the title of one of the sections in the article from 'Probation Practice'. In many ways, this reaffirms a key ADP principle of 'Don't make assumptions about a person's behaviour – communicate with them to identify what is going on for them.' Only then can you take appropriate steps to help defuse the situation, or to reduce the risks to yourself and others should that not prove possible.

### Activity 4.5

**First of all, take a look at situations in which you have lost your temper and were impressed with the way that the person on the receiving end handled it. What were the main elements of that helpful response?**

**Feedback on page 124.**

## 4.2.3 Protection of Individuals from Abuse

Individuals at risk from abuse include offenders who may be abusing themselves (through the use of substances or self-harming behaviours) in addition to those at risk of abuse (whether physical or psychological) from others.

Risk Management comprises a number of approaches including work with:

1. Potential perpetrators, to minimise the occurrence of abuse.
2. Victims – to minimise the effects of any abuse that does occur.
3. Potential victims – monitoring for signs of possible abuse.

In working with potential perpetrators it will be important to work on your communication skills, as discussed in Section 2 - Working in a Team/ Group, so that, eventually, you will be able to:

- Help individuals to examine the ways in which their behaviour may be abusive (remembering to show respect for the individual even when you are pointing out unacceptable behaviours).
- Move them towards the next stage of the change cycle.

- Remain calm and use assertive, non-confrontational techniques to divert abusive behaviour and find win-win solutions to conflict situations.

### Activity 4.6

**Take some time now, then to find out:**

1. **The main symptoms of abuse so that you can begin to monitor potential victims.**
2. **The personal/ social factors that underpin abusive behaviour so you can watch for evidence of these in any interviews/ conversations with potential perpetrators.**
3. **Situational factors that can trigger abuse – so you can hope to minimise them.**

You might discuss these topics with colleagues or turn to At Risk Youth: A Comprehensive Response, by J.J. McWhirter, B.T. McWhirter, A.M. McWhirter and A.H. McWhirter (Brooks/ Cole Publishing Company, 1993). This is an American text, but does provide some very helpful indicators of young people at risk, ranging from youth suicide, school drop-outs, delinquency, teenage pregnancy, child abuse and AIDS. For more detailed indicators of children at risk of abuse, you should refer to one of the many key tests on Child Abuse available in the De Montfort University library, and consult your service policy on child protection.

## 4.3 The Structure and Function of PSRs

Chapter 3 of Whitfield[5] includes a section on PSRs, which outlines their structure and purpose and gives a worked example, so this is a good introduction to the topic.

As Whitfield points out:

> ***"It is important to note that all information provided to courts by way of a PSR or otherwise occurs against the background of the statutory sentencing framework introduced by the Criminal Justice Act".***

You will be studying this legislation in the Part Two module **Legal and Policy Framework**. At this stage, take a look at pages 49-50 of Whitfield,[5] which summarises the key points.

To complete a PSR, you'll need to be able to devise a supervision plan, which will schedule the series of interventions chosen to address the criminogenic needs (and is, accordingly, covered in the following section of this module). You will find out more about effective practice in this area in the Part Two **Legal and Policy Framework** and **Assessing and Addressing Offending Behaviour** modules.

However, you will be expected to write up a minimum of two PSRs during Foundation Practice in Part One. On the basis of what you have learnt in this section – and once you have observed a few risk assessment sessions in action – you should soon be able to contribute suggestions.

Take a look at the National Standards for the Supervision of Offenders in the Community, 2002 now, to check the latest requirements. (This document is available on the National Probation Service website, www.probation.homeoffice.gov.uk). How confident do you feel about

contributing to the sections on Offence analysis, *Offender assessment and Assessment of the risk of harm to the public and the likelihood of reoffending?*

### Activity 4.7

**The following case study is taken from the Pre-Sentence Reports Learning Programme.**[10]

1. **What are the the key points that relate to:**
   a) **Offence analysis.**
   b) **Offender assessment.**
   c) **Assessment of risk of harm to the public and likelihood of reoffending.**
2. **Which sections of the National Standards apply?**
3. **What questions might you need to ask Mr Jones and significant others in order to address the three headings mentioned in Question 1?**

Mr Jones is a 19 year old white man in custody on remand charged with burglary (house) and TWOC and Driving whilst disqualified, and 7 TICs (offences taken into consideration). You have been asked to prepare a report for the Crown Court pre-trial.

The burglaries took place during the night time hours and involved the theft of high value items, including theft of a television, CD player and video cassette recorder. The items were recovered.

Mr Jones has no fixed abode, moving between the houses of friends. He has a history of drug misuse and an absence of any family or community ties. He has lived at various addresses including lodgings found for him by the probation service, but he became involved with other young men who abuse drugs and committed offences to finance the habit.

He has previous convictions for vehicle taking and related matters. His offending started relatively recently and related to a troubled family history.

**You might also refer back to the supervision planning section of Section 1 - Introducing 'What Works', to see how you might take it further, considering appropriate interventions. However, before you do so, you might like to read the following section.**

# Section 5 - Criminogenic Need

## Objectives

When you have completed your study of this section of the module, you will be ready to start the practice module of the same title. You should be able to describe briefly:

- The stages involved in formulating an assessment (commenting on the extent to which your own agency procedures reflect this process).
- The range of programmes (at individual and group levels) that are used in working with offenders.
- The principles and procedures followed for allocating offenders to these programmes and supervising, enforcing and reviewing their progress.

In Section 1 - Introducing 'What Works', you looked at the four stages of the Evidence Based Practice cycle of continuous improvement. Now that you have taken on board the principles relating to team work, responsivity and risk assessment/ risk management, you are in a position to look at the remaining elements of this cycle in more detail and to review the ways in which your own agency manages them. (You might want to take another look at Figure 1.1 on page 20, if you didn't photocopy it at the time.)

Your first step, in this section, will be to review the whole process of **formulating an assessment** with particular emphasis on the third element of the 'What Works' triumvirate – criminogenic need. Next, you'll move on to consider supervision planning (with particular reference to addressing criminogenic need). A case manager will take responsibility for

implementing the supervision plan – coordinating the different elements – whilst your role will involve assisting in the delivery of individual- and group-based programmes, so that's the next stop on this whistle-stop tour of the cycle. And finally, you'll investigate the ways in which your agency undertakes reviews of progress.

## 5.1 Formulating an Assessment

Assessment is a *"continuous, dynamic process"* (Chapman and Hough,[4] p24), which – in a parallel to the Kolb cycle – involves:

- Collecting data about the **actions** (attitudes, values and behaviours) of the offender.
- Taking time for **reflection** on the significance of these and similar actions in the past (along with the corresponding situational factors) to identify the main patterns of behaviour.
- Bringing your theoretical knowledge into an **analysis** of the situation (for example, applying criminological theories – which you'll come across, in Part One, of the **People, Organisations and Society** module and, in Part Two, of the **Criminological Perspectives on Probation** module) to come up with theories of your own about:
  - Why this offender has behaved in this way on this occasion.
  - The risk that she/ he will do so again.
  - The circumstances in which any re-offending might occur.
  - The stage of the change cycle which she/ he has reached.
  - Her/ his criminogenic needs (the risk factors that appear to be most closely connected with the offending and which are,

therefore, most likely to lead to a reduced risk of re-offending and/ or harm if addressed).

**Note: The most common criminogenic needs are listed in Figure 2.4 on page 27 of Chapman and Hough.[4]**

**Planning** a supervision programme, including:

- A risk management plan to protect the public from potential harm.
- An appropriate level of supervision to minimise the risk of re-offending whilst serving the sentence.
- Objectives and programmes that tackle the most significant criminogenic needs, to reduce the likelihood of future offending.

Before this series of steps though, there is the **preparation phase** in which you will:

- Look at the information you already have available.
- Draw up a plan for collecting other information, both from the offender and from other significant players – who will be able to verify (or not) what she/ he tells you.
- Plan the interview schedule (in some interviews you may be working with a 'tool' of some kind, which will structure the interview for you. In others, you will need to plan in advance what you want to get out of it and what is the best way of going about this).

## Activity 5.1

**In the following case study:**

1. **What information might you try to collect at this stage – before you interview Michael?**
2. **What might be your first hypothesis about his offending?**
3. **What are the potential areas of discrimination you might need to take into account?**
4. **How would you prepare for the interview?**

Michael Moore has appeared before the Magistrates Court on two charges of assault causing actual bodily harm against his partner, Elaine. The court papers indicate that he:

Had been drinking heavily at the time of the offences; and

Has a previous conviction (12 months ago) for an assault on a woman in a chip shop, who had refused to serve him because he was drunk. He was fined for this offence.

Michael is unemployed and available for interview at any time. He lives with Elaine and her daughter, Sally, from a previous relationship.

Feedback on page 126.

Let's just take a brief look at some of the other elements of this process of formulating an assessment…

### 5.1.1 Collecting Data

In the interview stage, you will need to bring into play the interpersonal skills that you have come across already in Section 2 - Working in a Team/ Group and Section 3 - The Responsivity Principle using conversational techniques that:

- Will help you to build rapport (choosing a style appropriate to the person involved).
- Encourage engagement with the assessment process (matching the offender's position in the cycle of change).
- Are free from discrimination and oppression.

You will need to take care of the **structure** of the interview, as well as the **process** elements. As you can see from the associated performance standards, it's important to start by explaining:

- Your role and responsibility.
- The information you already have.
- The information you need.
- Why you need this information, what it will be used for and who will have access to it.

In a formal risk assessment interview, you would also explain the nature of the risk assessment tool – what it is and a brief outline of what you will be covering.

Similarly, if you are using the ABC technique, discussed in section 3.1 on page 53, you should give a brief explanation first, of what is involved.

People like to know the boundaries of the interview – having a simple agenda (not necessarily titled that) on the table, enables Michael to judge where you are at and what is still to come.

**Activity 5.2**

1. **Do you recognise here some of the elements of pro-social modelling – being open and honest in your dealings with each individual? What else do you think you could do, before moving into the interview proper, to fulfil some of the principles of motivational interviewing and legitimacy?**

2. **What do you think are the key components of a well-managed, evidence-based interview?**

**Feedback on page 128.**

### 5.1.2 Reflection on the Significance of the Data

Once you are familiar with the interview tools and techniques you'll probably begin this phase during the interview itself – it will help you to develop further questions, in response to what the offender has been saying.

What you are trying to do is to sift through all the information you have collected (and verified) to identify the patterns of offending behaviour and, in particular the ABCs/ PESTs for this offender.

(In further phases of the iterative process, you'll be using the interview to identify symptoms of either positive or negative change in these factors.)

**Activity 5.3**

**Thinking back to the data management systems you investigated in Section 2 - Working in a Team/ Group:**

1. **How easy is it for you to compare your data with that collected by others (or with that you have collected in other interviews)?**
2. **What arrangements are in place for protecting confidentiality?**

### 5.1.3 Analysis of the Data

And finally, you will use your theoretical knowledge to identify the significance of the data you have collected. Howe[11] argues that you should be able to answer five basic questions, shown in Table 5.1.

**Table 5.1**

| Question | Purpose |
|---|---|
| **1.** What is the matter? | Recognise and identify the problem. |
| **2.** What is going on? | Assess, interpret and explain the situation. |
| **3.** What should be done? | Your assessment should enable you to agree objectives and set targets for change. |
| **4.** How is it to be done? | Now you need to agree on methods for achieving the objectives. |
| **5.** (At the next stage of the process). Has it been done? | Monitoring and evaluation. |

Which leads us into the process of supervision planning.

## 5.2 Supervision Planning

You learnt, in Section 1 - Introducing 'What Works', that it's important to have access to a variety of interventions (multi-modal provision) – either directly or through inter-agency partnerships – so that you can:

- Tackle a variety of criminogenic needs.
- Work with offenders both on a one-to-one basis and in groups.

You'll find a list of the main components of an effective supervision plan on page 25 of Chapman and Hough.[4] You've already looked at the need to plan for risk management and for learner styles in Section 3 - The Responsivity Principle and Section 4 - The Risk Principle so here you're going to concentrate on identifying the programmes appropriate for identified criminogenic needs and on the process of supervision planning. If you are using OASys, then your plans for supervision will be triggered by the various sections of the assessment. At this stage, you will not be making the decisions yourself – that is the province of the case manager – but you should be able to contribute to the decision-making process, which means that you need to know about:

- The range of programmes available.
- The criteria used to allocate offenders to a particular type of programme.
- The process of supervision planning.

### 5.2.1 The Range of Programmes Available

The various programmes that can be used in working with offenders range from specific, individual-offence-focused programmes to broad based, generic, community focused programmes. Roberts[12] classifies them into four main categories, which are, starting from the most specific end of the spectrum:

1. Those with a **direct offending** focus, working with offenders on addressing their specific offence – be it violence, burglary, or motoring offences.

2. Those with an **indirect offending** focus – these would include, for example, social skills training, self management courses, assertiveness training, alcohol or drugs courses and victim empathy courses.

3. Those with a **problem focus** – including family problems, budgeting, employment, literacy, numeracy or accommodation problems.

4. Those with a **community reintegration focus** – for example getting the offender to:

   **a)** Take part in arts, sport and leisure activities (pro-social, rather than antisocial).

   **b)** Identify training opportunities (e.g. TEC, NACRO or adult education centres).

   **c)** Access local resources such as advice centres, law centres and support group for, say, women, black people, gays and lesbians.

Categories 1 and 2 deal with direct criminogenic needs, while categories 3 and 4 address other problems that the offender has to deal with.

(Probation staff are expected to deal with criminogenic needs and devolve the rest to partnership agencies.)

For a domestic violence offence for example, the supervision plan might include: a group programme around 'addressing violent behaviour, individual work on self esteem skills, and programmes intended to 'reintegrate the offender into the community' perhaps (for someone with poor employability) through access to training opportunities.

The HMIP model of effective service provision also has four layers – as indicated on page 54 of Chapman and Hough.[4] It has similar categories, but reverses the order of Roberts' top two layers.

*Probation Circular 64/ 1999* laid out a 'core curriculum' of programmes designed to reduce offending behaviour. All services are expected to deliver these accredited programmes (as suited to the area offender risk/needs profile) and national training is provided for staff delivering them. Other 'pathfinder' projects have been commissioned to fill identified gaps in the core curriculum.

*Probation circular 43/ 1999* announced the appointment of the new Joint Prison Probation Accreditation Panel, which is intended to:

- Give the courts tangible evidence of the effectiveness of the work of the Prison and Probation Services with offenders.
- Align the work of Probation Services more closely with that of the Prison Service – forming part of the programme of joint service delivery outlined in 'Joining Forces to Protect the Public'.
- Promote those methods of intervention proven to be successful in reducing re-offending. It will initially concentrate on the pathfinder programmes, and on any prisons accreditation work still to be resolved, and will go on to consider new applications.

To be accredited, a programme must meet a range of criteria set out in the circular. They must use either predominantly cognitive behavioural methods or, if using other methods, propose a plausible combination of theoretical argument and analysis of research to justify their use with the particular type of offender, to reduce offending.

### Activity 5.4

**Ask your line manager or PDA where you can find copies of the two probation circulars in your office. Read them and discuss their contents/ application with experienced staff in your agency. For example:**

1. **What are the main benefits and drawbacks of joint working with the prison service?**
2. **Which of these accredited programmes are run in your area and what is the general opinion of their use/ success?**

**You will be looking at the programmes in more detail in the Part Two module Assessing and Addressing Offending Behaviour but try to observe at least one of these groups in action (perhaps by watching the video of a session), noting examples of some of the qualities discussed in earlier sections of the module including:**

- **Interpersonal skills such as active listening, effective questioning, non-verbal communication.**
- **'What works' requirements such as pro-social modelling, legitimacy and programme integrity.**

### 5.2.2 The Criteria Used to Allocate Offenders to a Particular Type of Programme

In the Part Two module **Assessing and Addressing Offending Behaviour** you will be expected to make your own decisions about which programmes are most suitable for a particular offender, based on:

- Offence seriousness.
- Assessment of risk, need and responsivity.
- Anti-discriminatory practice.
- Programme availability/ quality.

At this stage, this information is provided as context for your 'shadowing' work placements, allowing you to reflect on your own work in different types of programme/ environment – and that of the colleagues you are shadowing. You will then be in a position to give some time to an analysis of 'what works' for different types of offender in different types of environment.

## Activity 5.5

1. **Look at pages 15 and 16 of Chapman and Hough,[4] which describe the relative advantages, for different situations of:**

   a) **Group work.**

   b) **Individual work.**

   c) **Family work.**

   d) **Experiential learning.**

   e) **Work on skills acquisition.**

2. **Whenever you are taking part in any element of a supervision programme, take time to:**

   a) **Discuss with staff why this is the best type of provision for the offender**

   b) **Reflect on the potential difficulties of placing, say, women, black people, older people gay people in a group programme which primarily comprises young, white, heterosexual males. What issues does this throw up for placement and assessment?**

**(At review stage, you will then need to consider whether any negative outcomes are because the programme:**

- **Doesn't work.**
- **Doesn't work for a particular type of person.**
- **Doesn't work for that type of person in a particular – perhaps discriminatory – situation?**
- **Identify the implications for future provision and placement strategies)**

**c) Critically compare the way in which different programmes are operated so that you are beginning to develop your own theories about 'best practice'.**

**d) Consider the benefits and problems of working in partnership with other agencies.**

## 5.2.3 The Process of Supervision Planning

To be able to evaluate effective practice, it's important that the supervision plan articulates clearly:

- The starting point (A).
- What is to be achieved (B).
- Which interventions are to be used to get from A to B.
- Which factors are thought to be involved (and which should, therefore, be monitored on a regular basis throughout the implementation phase).

At this stage you might want to review Section 1 - Introducing 'What Works' which outlines the content and purpose of the supervision plan. You'll be going into the subject in more depth in the **Assessing and Addressing Offending Behaviour** module in Part Two of this programme.

## 5.3 Assisting in the Delivery of Either Individual or Group-Based Programmes

For managing **individual** interventions (which is probably all you are likely to do at Part One level), you have already covered the main skills in the responsivity section – for example:

- The use of cognitive behavioural techniques to address the As and/or Cs of the offending behaviour (as covered in section 3.1 on page 54 and section 4.1.2 on page 77.
- The use of Prochaska and Di Climente's change cycle to help identify the offender's stage in the change process and select appropriate techniques to use to move her/ him forwards (as covered in section 3.2 on page 60)
- Choosing activities that relate to the offender's various types of 'intelligence' and which are, therefore, more likely to motivate her/ him to participate (as covered in section 3.3 on page 64).
- Using motivational interviewing techniques (as covered in section 3.4 on page 67).
- Helping individuals to address their offending behaviour (as covered on section 3.5.1 on page 72).

You are more likely to get involved with **group programmes** at Part Two level, but it's worth taking a look at standard D308 *(Deliver externally*

*validated evidence-based programmes)* to see what you are aiming for. This will help you to start planning ahead to gain appropriate experience and to identify, in other aspects of your work, the knowledge and skills that will be useful in this context. You'll see there are three main parts:

- D308.1 - Prepare for externally validated programmes.
- D308.2 - Implement externally validated programmes.
- D308.3 - Contribute to the monitoring and evaluation of externally validated programmes.

### Activity 5.6

**For training/ educational purposes, it might seem odd but it is best to start with the review stage and move forwards. It is easier to identify key points in someone else's behaviour than to practice those skills. It is easier to practice a specific skill than to plan ahead for a range of potential eventualities. Choose a programme that you are interested in and find out about its aims and objectives. Try to:**

**Attend a review of a programme session – this will alert you to:**

- **Indicators of good practice, as people review what went well.**
- **The types of problems that can arise, as people review what didn't go so well.**
- **The ways in which people plan to minimise the occurrence of such problems.**

**Attend a programme session of the same type and see if you can identify:**

- **Changes (positive or negative) in the behaviours of the group members (concentrate on one person to start with).**
- **Good practice in session staff (check for motivational skills, programme integrity, methods of giving feedback, anti-discriminatory practice).**

**Attend the review for the session and see what other people have come up with/ contribute your ideas (don't forget to include this in your portfolio of evidence!)**

**Consider what might need to be done next time round.**

## 5.4 Reviews of Progress

At this stage, you will compare your results with your original objectives and identify:

- Whether or not your intervention(s) have worked.
- The potential reasons for any failures and successes.

You'll be going into this in more detail in the Part 2 **Assessing and Addressing Offending Behaviour** module.

At this stage, find out what experienced colleagues in your service do to monitor progress on a regular basis – and take appropriate action in the light of the review.

# Section 6 - Feedback on Activities

## 6.1 Feedback to Activity 1.1

### The Purpose of Working with Offenders

Your views probably lie somewhere on a continuum, as described by McGuire[13] which ranges from:

- The *'hard'* represented in the media mythology of crime and punishment as the 'realists' who believe that offenders should be punished and given their 'just deserts'. The people at this end of the programme are also responsible for the change of emphasis in probation work as 'punishment in the community' rather than rehabilitation. The major emphasis is on the protection of the community.

- To the *'soft'* – represented by the media as the 'do-gooders' – well-meaning but muddled and idealistic. Their permissiveness is blamed for the deterioration in law and order. The major emphasis of this camp is on helping the offender.

From the beginning of this century until the early 1970s the probation service was firmly in the latter camp – with the premise that staff should *'advise, assist and befriend'* offenders. It has moved, through a series of reincarnations, toward the 'harder' end of the spectrum at least to the extent of being concerned with:

- Managing the potential risks that the offender presents to her/ his community.

- Actively addressing her/ his offending.

- Taking the views of the victim on board.

You will be taking a closer look at the historical developments in Part Two of this programme, as you further clarify your values around the purpose of the service – and learn to use these insights to manage the possibility of bias in your decision making.

McGuire[13] takes as his starting point the assumption, that a **principal goal** of working with offenders should be to **reduce the likelihood that their illegal or anti-social behaviour will be repeated**. He goes on to argue that there is now a substantial body of research that cuts across the hard/ soft spectrum. This research demonstrates the possibility of reducing offence behaviour by taking constructive action of specific kinds – rather than by punishing offenders or befriending them.

The probation service does not have an impressive history of evaluating the results of its befriending approach but McGuire has pointed out that punitive measures have done little to stop the increase in crime and have little deterrent effect. Research indicates that, to be effective, punishment has to be inevitable, immediate, severe and unmistakably linked to the offending behaviour. None of these conditions are present in the case of imprisonment after an offence: the criminal justice process is slow and unpredictable and studies of offending decisions show that the prospect of capture plays little active part in an offender's thinking.

## Criteria for Measuring Success

> ***"The outcome the public expects the service to deliver is a person who does not offend and who is contributing positively to the community".*** **(Chapman and Hough, page 5).**[4]

The Home Office has suggested that the key measures of success are:

- Reduction/ cessation in offending.
- Completion of court orders to national standards.

Ultimately the outcome expected of community supervision is in relation to offending – the commission of less offences or less serious offences than could be expected from the offender's previous history, attitudes and situation. However, you might have thought of other measures that indicate a step in the direction of reduced offending, for example:

- A reduction in drinking by someone who has a number of convictions for drink-related offences.
- The adoption of pro-social attitudes, beliefs and behaviours.
- Regular attendance on – and completion of – the programme to which the offender has been allocated.
- Improvements in social circumstances (for example, getting a job or some qualifications, breaking away from a group known to have anti-social attitudes and behaviours) which are associated with a reduced risk of reoffending.

## 6.2 Feedback to Activity 1.2

The results of meta-analysis can be summarised as follows:

**What does <u>not</u> work:**

- **Classical psychotherapeutic models**, including individual casework counselling:
  - At best, their value emerges as questionable. They may be effective for problems in other areas, but there is little evidence of useful outcomes in terms of re-offending.
  - More structured work, including task-centred or behaviourally-based methods have been more encouraging.
- **Medical models including medication and dietary change:**
  - In the absence of psychosocial components, these models are unlikely to have any lasting impact on re-offending.
- **Punishment – including shock incarceration, intense surveillance and similar approaches:**
  - Punishment appears to worsen rates of recidivism. In Lipsey's reviews[14], punishment-based programmes, on average led to a 25% increase in re-offence rates as compared with control groups.

## 6.3 Feedback to Activity 2.3

**Advantages** of partnership:

- Better service provision – if all agencies concentrate on doing what they do best, devolving the tasks that are not 'core' to their aims and objectives.

- Cost benefits of avoiding duplication of effort (additionally, time spent on fighting agency boundaries can be spent more profitably on responding to the needs of the offender).
- Learning from each other's approaches and methods.
- Greater clarity of purpose, in the way you present the options to offenders (you can point them more knowledgeably in the direction of the most appropriate agency for their needs).
- Improved staff training, benefiting from variety of experiences and viewpoints.

**Disadvantages** of partnerships:

As with all joint ventures, such partnerships can involve conflict if aims, objectives and approaches of participating members do not 'mesh'. Some people might:

- Waste time in moaning about the inter-personal tensions and rivalries, rather than finding ways through them.
- Blame other members of the partnership (or feel subjected to blame) if the outcomes of offenders' placements are below expectations. It's important to try to develop a no-blame culture in which findings can be shared openly, with all partners trying to find reasons (rather than pin blame) and identify ways forward.
- Try to 'pull rank' if they feel that their agency is the major partner, causing resentment from the 'minor' partners.

Joint partnerships can create new demands without generating extra funds. For successful inter-agency working, then, it's important that:

- Agencies understand the approaches taken by the other groups.

***"Interagency working should not be seen as an end in itself... but should proceed from a desire to solve mutual problems."***[15]

- There are mechanisms in place for addressing cultural/ political differences.
- Each project has clear objectives – which are agreed by all members of the partnership.
- There are clear procedures for (for example) referral, sharing of information (confidentiality agreements), monitoring progress, taking action when problems arise.

## 6.4 Feedback to Activity 2.5

The main points about active listening are summarised in Appendix 3. The first question in the activity was intended to help you think about **listening accurately** and the key points – in the top half of Appendix 3 – are explained in a little more detail below.

### Minimise distractions

If there is a lot going on round about you, then it's almost impossible to listen accurately. It's also more likely that you'll be interrupted if you talk in an open/ public space. So, for important conversations, try to find a quiet place to talk and arrange for potential interruptions to be diverted. (Leave a note on the door and the answerphone on, for example.).

You may also have thought of physical distractions such as temperature and lighting. If you're busy thinking about how hot/ cold you are or how you can stop a light flickering, this reduces your attention to the speaker. Again, optimise conditions whenever possible.

## Summarise what has been said/ seek clarification

Summarising what has been said, on a regular basis, has a number of functions. It:

- Breaks up the information-giving into manageable chunks – reducing the tendency for the mind to wander when listening to a long 'speech'.
- Helps you to check your understanding of what is being said – by phrasing your summary in terms such as:
  - 'So, do you mean that...'
  - What you seen to be saying is that…
- By clearing up misunderstandings straight away you can save time wasted by straying into unhelpful areas, missing more fruitful areas of enquiry. This is particularly important if you are interviewing someone from a different background or culture and contributes to anti-oppressive practice.
- Ensures you haven't missed any important points.
- Lets the person know you are taking notice of what they say – motivating them to give you more information.

## Concentrate on the content, not the speaker

Did you make a note of situations where you were put off by the speaker's mannerisms or attitudes? Sometimes it's all too easy to let your own thoughts and opinions take over. Your internal soundtrack is going: *"If he points his finger at me one more time, then…"* or *"I don't agree with that, I think…"* or *"If that is the case, then…"* so that you miss what comes next

and run the risk of drawing hasty conclusions on partial information. Again, summarising will also help you to listen, rather than evaluate.

## Take notes

If you make notes as you listen this helps you to be accurate – and to show that you are taking the person seriously. However, don't become so engrossed in making notes that you forget to be a good listener!

The second question in this activity was intended to help you think about listening supportively. You might have thought of situations in which people gave you unsupportive:

- **Verbal messages**, such as interrupting you to talk to someone else, expressing their own opinions without referring to anything you have said, butting in before you have had a chance to finish what you are trying to say or even making no comment on what you have said.
- **Non-verbal messages**, such as letting their eyes wandering round the room, or fixing them on something other than you, looking bored, turning away from you.

These messages may have made you feel angry or frustrated; that you were wasting your time speaking to this person. The chances are that you would be more reluctant to take the discussion further or get involved with them again. Good listeners will express interest both verbally and non-verbally, using techniques such as those listed in the second half of Appendix 3.

## 6.5 Feedback to Activity 3.1

### Antecedents

- Lack of income.
- Boredom.
- Peer influence.
- Frustration – (with home situation).
- Father provides 'anti-social' role model.
- Potentially some anger with father for 'failing to care'.
- Ease of access to factory? Poor security?

### Behaviour

- Impulsive.
- Collaborative.
- Exciting/ risky.
- Neutralises fears about risk of being caught/severity of likely punishment.

### Consequences – positive

- Short term gratification – has cigarettes and money.
- Kudos/ status in eyes of mates.
- Enjoyable activity that countered the boredom.

- Money to pay his mother for board.

## Consequences – negative

- Court appearance.
- Risk of custody.
- His mother perhaps turning him out/ being very angry.

## 6.6 Feedback to Activity 3.2

**1.** Qualities/ Activities that you might want to encourage include:

- Listening to what's being said.
- Meeting objectives you have set them.
- Taking a positive attitude.
- Meeting deadlines.
- Cheerfulness.
- Taking responsibility for their actions.
- Willingness to ask questions.
- Communicating.
- Volunteering.
- Politeness.
- Taking initiative.
- Enthusiasm.
- Showing care and concern.
- Punctuality.

**2.** Potential rewards include:

- Giving additional responsibility (but only if this is valued by the individual – if it's felt to be a chore it will demotivate).

- Giving positive feedback – being specific about what it was that was good.
- Providing resources for requested activities.
- Putting her/ his ideas in to action.
- Showing a positive record sheet/ appraisal.
- Giving her/ him time and support.
- Sending a card, note or email.
- Informing their line manager so that she/ he can also provide praise/ positive feedback.

## 6.7 Feedback to Activity 3.3

### Precontemplation

It's important not to challenge the individual too early. Remember that your goal is to move them to the next stage rather than to get them to stop offending in one fell swoop. If the individual is denying that she/ he is an offender, or at any rate a serious offender, then your immediate goal is to get them to admit that they are. The more you try to push someone at this stage into change, the more you will encounter denial or other forms of resistance. (And the more the offender hears her/ himself arguing against change the more she/ he will believe it!).

In all cases, you should use:

- Open questioning to elicit as much information as possible information.
- Closed questioning to pin down the facts.

- Active listening techniques to ensure you notice the important points and support disclosure.
- Reflecting back to question any inconsistencies.

You might ask offenders who minimise the seriousness of the offence to put themselves into the victim's shoes, to see whether this changes their views.

For offenders who do not take personal responsibility, you need to present the scenario as a series of choices. You might ask the offender to think of other outcomes to the offence scenario: *"Was there any other way you might have acted there?"* or *"What might have happened if…"*.

## Contemplation

It's important to explore the advantages and disadvantages of offending – but the individual must define these. It is no good your defining what the benefits are, since these might not be considered motivational by the offender. Working from the offender's view has two benefits:

1. It will increase her/ his motivation to change.
2. It will help you to identify what does motivate the offender – which will help you to devise appropriate 'rewards' for pro-social behaviour in the next phase.

Another technique is to exploit the 'cognitive dissonance' – pointing out the differences between what she/ he says about her/ his values and what she/ he does.

At all stages, you must recognise and respect the offender's right/ capacity to make her/ his own decisions.

## Action

Now you need to affirm the choices that have been made and to confirm that change is possible. You will need to ensure 'rewards' for changed behaviours – a major tenet of the cognitive behavioural approach is that behaviour which is rewarded is more likely to be repeated. This does not necessarily mean material rewards, but it must be something that the person values (rather than what you would value). Many offenders are low in self-esteem, so praise is usually a good motivational technique – though this must be genuine – as well as a way of bolstering that self-esteem in the hope that this will help her/ him to break out of the offending cycle. You will still need to:

- Acknowledge and work on any signals of denial.
- Work at reducing the opportunities to reoffend; helping the offender to avoid risky situations and helping the offender to rehearse tactics for managing risky situations if they do occur (you'll be finding out about risk in the next section).

It is also appropriate to start challenging unhelpful beliefs, attitudes and behaviours, using the interpersonal skills covered in section 2.3.2 on page 35.

## Maintenance

Once again, it's a case of helping the offender to identify ways of reducing opportunities to offend/ triggers for risky behaviour (as discussed in the section on risk). You should also help her/ him to:

- Anticipate – and develop strategies for coping with – new issues and triggers that arise from the changed behaviour.

- See any relapse as a learning experience – another stage of the cycle – rather than a failure (and treat it as such yourself, too).

## 6.8 Feedback to Activity 4.1

Risk factors fall into a number of groupings, for example:

1. **Personal qualities and skills**, including learning difficulties, anti-social attitudes and feelings, poor interpersonal skills and decision-making abilities, lack of self-control and self-management skills (no rehearsed plan for managing risky situations). There may also be a lack of belief in the legitimacy of relevant areas of law or criminal justice.

2. **Strong ties to and identification with anti-social/ criminal 'models'** including family, friends and acquaintances – with leisure activities centred around offending (and, conversely, **lack of ties with pro-social 'models'** and little or no reward for engaging in pr-social activities).

3. **Addictions**, including gambling and dependency on alcohol and drugs.

4. **Adverse social or family circumstances**, including poor housing (or homelessness), unemployment, poverty, living in a high crime area, social isolation, a history of poor family relationships.

5. **Poor physical and/ or mental health.**

6. **Educational under-achievement** and low levels of literacy/ numeracy.

7. **Situational factors** (for example young men who spend a lot of time in bars are more at risk of getting involved in offences of assault).

You may also have included factors such as age, gender and criminal record. These are certainly important risk factors and will form a part of any risk assessment that you undertake – for example:

- Young males are statistically more likely to re-offend.
- Those with the most convictions are most likely to reoffend.
- Those whose convictions started at a young age are even more 'risky'.

However, they are 'static' factors – there is nothing you can do to change them, so they are less important in risk management than the 'dynamic' factors listed first.

## 6.9 Feedback to Activity 4.4

Sammy's risk of reoffending is low, on the basis of this being a first offence, with no previous behaviour of a similar nature. However, the context and antecedents pose some worrying questions about the reasons for his offending, which would need further exploration.

You'll be introduced to the range of programmes available in Section 4 - The Risk Principle, but you need to ensure an adequate level of supervision and to address the offending behaviour in the most effective way.

Sammy might benefit from joining a programme that would help him think through his impulsivity, lack of forethought and consequences of his behaviour. (A core offending behaviour programme).

However, if his underlying motivation is connected with an abnormal interest in young children then clearly his risk to others increases dramatically. A core offending behaviour programme might be quite inappropriate in this case, and focused, one-one to work would be needed. Sammy may also, himself, be at risk from others suspicious of his reasons for hanging around a primary school and he could be the target of vigilante action.

## 6.10 Feedback to Activity 4.5

The recipient of your anger probably did some of the following:

- Let you air your grievance without interrupting you.
- Kept calm.
- Listened carefully to what you had to say.
- Acknowledged the reason for your anger 'yes i can see how you might think that'.
- Asked you for suggestions as to how to resolve the situation.
- Negotiated a way forward with you – and made sure the plan was implemented.

(You may have thought of others – share them with your ALS and bear them in mind when you are involved on the receiving end of an angry outburst).

## 6.11 Feedback to Activity 4.7

The National Standards for the Supervision of Offenders in the Community states that every PSR shall contain an offence analysis, which shall:

- *Analyse the offence(s) before the court, highlighting the key features in respect of nature and circumstances in which committed.*
- *Assess the offender's culpability and level of premeditation.*
- *Assess the consequences of the offence, including what is known of the impact on any victim, either from cps papers or from a victim statement where available.*
- *Assess the offender's attitude to the offence and awareness of its consequences, including to any victim.*
- *Indicate whether any positive action has been taken by the offender to make reparation or address offending behaviour since the offence was committed.*

These standards provide you with clear guidance on what you should include in this section. For Mr Jones's PSR you would need to have detailed information about the nature of the burglaries. For example:

- Was the owner in the property at the time?
- Was damage caused to the property etc.
- Was Mr Jones taking drugs at the time of the offence and if so what was his physical and mental state at the time?
- How much planning had he undertaken for the offence, on his own or with others?

- Who are the victims and what do you know about the impact on them of these offences?
- How aware is Mr Jones of the impact of his offending on the victims?

If you have not already done so, now go through National Standards B7 and B8, and consider what questions you would need to ask of Mr Jones and of others (which others?) in order to address these two further headings.

## 6.12 Feedback to Activity 5.1

**1.** Information collection pre-interview. You might try to find out:

- More details about the previous conviction and CPS information about him.
- If there are any case records (for example, did someone write a PSR for him last time?)
- Identity details – race, sexuality, disability for example – and the implications of this, for example:
- Race – might you need an interpreter?
- Disability – might you need someone who can use sign language?
- Literacy – might you have problems communicating by letter?

  If he is known to social services – is the child at risk? What information can they give you about him?

**2.** Is it possible to make a tentative hypothesis at this stage? If we go on first impressions of a person we have not met, what

assumptions/ stereotypes might creep in? What assumptions did you make about Michael? What are your feelings and beliefs about men who abuse women? How might you suspend these feelings when interviewing Michael?

**3.** Would Michael's race, class, unemployed status, educational abilities affect your view of his offending? If so then, again, how might you suspend these feelings during the interview?

**4.** Interview preparation – you need to:

- Consider the venue: as a violent offence, you may feel safer if the interview is office-based, though if there are child-care issues, you might like to interview at home.
- Decide whether or not to interview Elaine.
- Read all the relevant papers.
- Have a list of questions/ areas to be covered during the interview.

If you are on your own territory, arrange the room to provide as congenial a venue as you can. For example, it's usually helpful to arrange the seating in a relatively informal manner – not across a table, which can be intimidating, but perhaps at adjacent sides of it. You should arrange for distractions to be kept to a minimum – turn off your mobile phone, request that you are not disturbed, make sure the lighting and heating are adequate for comfort and so on.

It's important to remember that assessment is not a one-off but an iterative process. Every time you see the offender you should go through this preparatory phase, reassessing what you know about her/ him and setting yourself objectives for the interview ahead – whether it is a formal 'assessment' situation or not.

## 6.13 Feedback to Activity 5.2

**1.** You could:

- Ask him how he would like to be addressed. Some people prefer to keep it formal (Mr Moore); others like you to use their first name. Some might have a nickname by which they are always called and would prefer you to do the same. The main rule is 'don't make assumptions'.
- Outline the importance of her/ his taking responsibility for what goes on in the interview and for her/ his future behaviour.
- Invite her/ him to comment on the accuracy of the data you have already collected – and her/ his interpretation of these facts.
- Ask if she/ he understands what's required and how she/ he feels about the situation.

**2.** For evidence-based practice, it's important to record what you **intended** to get out of the meeting and what you **actually** got out of it – so that you can reflect, later, on what you might have done better. You need to take effective notes – so that you can verify the data later – but not to the detriment of good conversational skills – effective eye contact, relaxed/ open posture, reflecting back/ summarising, and so on.

# Appendices

## Appendix 1, Checklist for Non-Verbal Communication.

**WARNING – These are based on a standard British culture. You will need to clarify, with people from other cultures, the significance of their mannerisms. Don't make assumptions.**

### Face/ Eyes

- Relaxed, open expression (check for set mouth, frown, wandering or downcast eyes).
- Regular eye contact (but don't stare – can be seen as aggressive).
- Make sure your expression supports your message (For example, a smile can diminish the impact of a serious message, but otherwise can be used to express interest in what the speaker has to say).

### Voice

- Relaxed, with moderate tone, pitch, speed and volume - (It helps to take a deep breath before speaking).

### Gestures

- Keep arms/ hands open, palms upwards.
- Develop a firm handshake.

- Curb a tendency to play with hair or rings, look at your watch, hide your mouth, point aggressively or clench your fists.
- Keep feet still

## Stance

- Relaxed open stance, keeping a respectful distance.
- Face the person you are speaking to.
- Try to maintain the same height as the person you are speaking to.
- Sitting at adjacent sides of a table, rather than on opposite sides can reduce the barrier.

(Add your own once you've started to notice what makes you feel good/ bad in others' company).

## Appendix 2, Record of Observations on Non-Verbal Behaviour.

| | Example | Impact | What would have been better? |
|---|---|---|---|
| **Face/ eyes** | | | |
| **Voice** | | | |
| **Gestures** | | | |
| **Stance** | | | |

## Appendix 3, Checklist for Active Listening.

# Listen Accurately

- Minimise distractions.
- Summarise, from time to time.
- Seek clarification.
- Concentrate on the content, not the speaker:
  - Listen, rather than evaluate.
  - Keep an open mind.
  - Try to ignore any mannerisms.
- Take brief notes.

# Listen Supportively

### Express interest

Verbally:

- Make supportive comments and noises (I see, uhuh, 'OK' 'Carry on') to show you are still listening.
- Repeat key words/ phrases to show that you are listening accurately/ taking them seriously.
- Build on their contributions, to show that you have understood and are thinking about what's been said (but don't try to take over the conversation).

- Asking for clarification also serves to show the listener that you want to understand and know more about what they're saying.
- Non-verbally (as covered in checklist in Appendix 1).

(For more details about each of these points see the feedback page 114).

## Appendix 4, Record of Observations on Active Listening.

| Scenario | Indicators of active listening (or not!) | What would have been better? |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

## Appendix 5, Techniques for Influencing the Flow of a Conversation.

| If you want to: | Use this Technique |
|---|---|
| Gain support for a change. | **Suggest or ask for ideas** (rather than giving your own). *"What do you think about XX"* or *"Do you have any ideas for XX"* rather than *"I think we should XX".* |
| Gain support for your own ideas. | **Build on other people's ideas**. *"Yes that"s a good idea and we could also…"* |
| Explore potential difficulties in a positive way. | **Ask for suggestions** rather than give them: *"If you did XX, what are the implications"* rather than *"But if you did XX then this might happen".* |
| Identify reservations. | **Put forward your own ideas.** |
| Elicit a specific piece of information. | **Ask a closed question** – one that requires a one word answer *"Have you completed the training?"* |
| Wind down a conversation. | **Ask closed questions** – *"Is that all?"* rather than *"What else do we need to talk about".* |
| Encourage people to share information. | **Ask open questions** - the type that begin with Who, What, Why, Where, When or How.<br>**Agree with the speaker.**<br>*"Yes that sounds good – tell me more…".*<br>**Ask for clarification.** |
| Identify underlying attitudes and skills. | **Ask** supplementary, more **probing questions:**<br>*"What is the rationale for XX?"*<br>*"Why are you keen on XX?"*<br>*"What is the most difficult part of XX?"* |
| Widen people's thinking. | **Ask hypothetical questions**: *"What would you do if… ?"* |

## Appendix 6, A Checklist for Giving and Receiving Feedback.

# Giving Feedback

1. Try to give the feedback as soon as possible after the event, but check whether or not it's a good time to talk (and if not arrange another time to suit you both).

2. Manage your 'internal dialogue' – think positive, remind yourself that, done well, criticism is helpful, not hurtful.

3. Plan your words in advance:

   **a)** Clarify what you want to achieve from the discussion.

   **b)** Concentrate on the facts and be specific ("*I would like you to do…"*, " rather than "*You are so useless at…"*).

   **c)** Make sure the problem is something the listener has control over/ responsibility for.

   **d)** Tackle one problem at a time.

4. In delivery:

   **a)** Keep calm.

   **b)** Manage your non-verbal behaviour.

   **c)** Listen actively – accurately and supportively.

   **d)** Separate the facts from the emotion in the response you receive.

   **e)** Deal assertively with both elements.

## Receiving Feedback

1. Recognise what might be happening for you and for the other person – separate the feelings from the facts.

2. Use active listening techniques to establish the facts.

3. Acknowledge any valid criticism and agree an action plan for follow up.

4. Deal assertively with invalid criticism – explain your own perceptions of the situation calmly and assertively.

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