

A RISKY BUSINESS:

EXPLORING VARIATION IN PROBATION RISK ASSESSMENTS AND FACTORS INFLUENCING CLINICAL ASSESSMENTS.

FINDINGS

Probation Officer risk assessment varies by;

- how officers interpret risk factors.
- middle manager influence and local practice.
- faith in tools and time to use them.
- perception of service user trust and honesty.
- familiarity with service user and offence.
- fear of getting it wrong.

INTRODUCTION

Probation officer risk assessments are used to make key criminal justice decisions and to allocate resources. To ensure validity and reliability, they must be based on factors proven within empirical research to link to recidivism and undertaken with a transparent approach. This study aims to explore whether risk assessment judgements vary between groups of practitioners and what factors influence probation decisions about risk. The research questions were explored by discussing constructed vignettes in focus groups across six locations. The study adds to the conceptual understanding of risk in probation practice. The findings have led to recommendations for further research and suggestions for probation policy and training.

INTERPRETAION OF RISK FACTORS

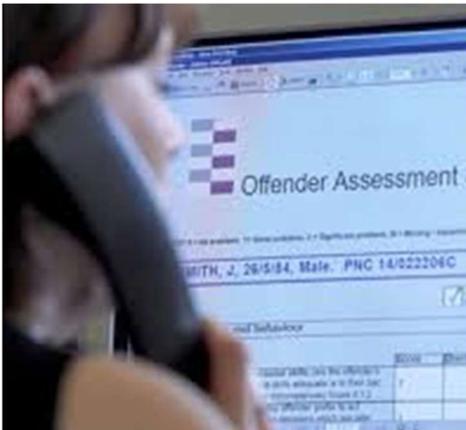
There was a commonality in the risk factors considered across the groups but the interpretation of how the factors impact on risk was different. Factors meant different things to different practitioners. The offence detail carried most weight in assessing risk, meaning practitioners assess the offence and not the offender. Generic risk factors were considered, rather than information specific to the individual. Crucially, psychological factors were not considered at all.

LOCAL PRACTICE

Variation of outcome was found across an individual and an office level with demographics of assessors and office location being possible contributory factors to risk assessment. All focus groups felt middle manager influence had the ability to dominate assessments. Regardless of a probation officer making a trained assessment, collating and analysing data, it can be altered by a middle manager. Ultimately leading to someone who has not met or interviewed the offender making the decision on the risk category. This authority to change assessments was viewed negatively by practitioners.

ASSESSMENT TOOLS AND TIME

Ultimately the participants expressed a distrust in static scores suggesting they do not use them to form their final risk assessment. By not recognising the strength of such tools, probation officers are conducting assessments based entirely on individual, clinical judgements. Practitioners stated they avoid reviewing assessments due to time available, so the recorded risk and the actual assessed risk may be different. All officers stated time impacted on their assessment. In practice this meant practitioners could find more information to verify a high risk assessment. The number of high-risk cases appears to be dependent on the amount of time an officer has to spend on an assessment. In policy resource is specified to follow risk, but in practice risk may also follow resource.



TRUST AND HONESTY

The consistent starting point with all groups was; risky until proven otherwise. The focus groups did not talk about the reciprocity of trust. By viewing trust as a one-way interaction, probation officers may, therefore, be limiting their value in the desistance process. Honesty was unique to other considerations in this study as it was viewed as a personal betrayal against the probation officer. The offenders were not just seen as breaching rules, they perceived as lying to the individual officer. Probation officers expected interactions to be meaningful and engaging. Silence was presumed as guilt and a factor which increased risk. Probation officers increased risk if an offender was not open and transparent in their interactions. In certain scenarios, this extended to the offender's family. The relationship between offender and probation officer was a factor which influenced risk assessments. As the relationship between offender and probation officer may affect compliance and engagement, compliance and engagement affect probation officer risk assessments.

FAMILIARITY

Risk assessments were influenced not just by offence type, but also by the officers' familiarity with assessing that offence type. The more familiar with an offence type an officer felt, the lower the risk. Probation officers anchor, or hold on to, previous behaviour which lead to a high-risk assessment. In making current assessments they show a bias towards this anchor and interpret current information to have similar characteristics. This resulted in an aversion to depart from a high-risk assessment. Reluctance to reduce risk was echoed across all focus groups. The reason for this was specified as a fear of being wrong.

FEAR OF GETTING IT WRONG

All the focus groups discussed a sense of responsibility and a moral duty to get their risk assessments right. The pressure from public and professional scrutiny was discussed in all groups. The probation officers commented that they felt personally accountable and this influenced their risk assessments making them more risk averse, for fear of being dismissed. This factor was distinctive because probation officers consciously knew they changed risk assessments due to fear. The change was always in one direction, making them more risk averse.

Q: Do risk assessment judgements vary between groups of practitioners?

A: Yes, risk assessments vary. Office location, age of practitioner and experience of practitioner impacted on the risk assessments of the sample. Some officers and some probation teams were more risk averse than others. One of the reasons for this appeared to be familiarity with making assessments on certain offence types. Where an office perceived an offence to be more frequent, risk was assessed as medium. Where an offence was considered unusual, officers allocated a higher risk category. However, all focus groups showed an a conscious, tendency to inflate risk assessments due to a fear of being wrong and being subjected to scrutiny. They described this anxiety as a relatively recent phenomenon in their practice with is growing over time.

“We up [increase] our assessments because we are so nervous about being hauled over the coals.”

Q: What are the factors that influence decisions about risk?

A: The most critical risk factor in assessing risk across all focus groups was offence details. There was a complete lack of psychological risk factors being used. Generic risk factors, such as substance abuse, were used to assess risk even when there was no apparent association to the specific offender being assessed. Trust and honesty were defined in a consistent way by probation officers, but the duration required for an offender to prove trustworthiness varied. Risk was increased to secure resources. There was a commonality in the risk factors used but variety in the interpretation of whether a risk factor increased or decreased a risk.

“We have no shared accommodation, so increase the risk to high to get an AP. Or put to high risk at a recall to avoid a 28 day walkout.”

IMPLICATIONS FOR PRACTICE

The study has highlighted a training need for probation officers regarding the importance of assessing psychological factors, how to interpret risk factors and whether they increase or decrease risk. A disregard of actuarial tools resulted in statistical evidence proven to assess risk being missed from assessments, possibly leading to a reduction in accuracy. Training could be provided to increase probation officers' knowledge of such tools to increase their perceived legitimacy and subsequent use. Training completed at a local level may reinforce local practice, which has contributed to variation. As such, training which has participants from multiple office locations may be beneficial. Middle manager influence was found to both undermine probation officers and result in assessments being completed without any contact with the offender. Policy regarding the value of this may wish to be considered, as could training for middle managers.

This research has highlighted a developing practice of defensive decision making for fear of being wrong. To prevent this, more is required than merely training to increase accuracy. To challenge this fear, probation officers must feel confident that they are viewed as professionals making skilled decisions and supported if it goes wrong. But it must be recognised that they cannot predict the future. Policy makers may wish to consider this in developing processes for reviewing serious further offences and messages communicated about such incidents. Structured professional support may be required in the aftermath of a serious further offence to mitigate against the nervousness of scrutiny and error. Clinical supervision may allow time for probation officers to reflect and refine their skills. This supervision is best placed away from middle-manager influence.

“Ultimately, I will get the sack if I get it wrong. For my own ass covering I leave them as high”

CONCLUSION

This research illustrates the individuality and subjectivity of assessing risk and that this can result in variations. The study found that probation officer risk assessments vary in both method and outcome. How, where and who undertakes an assessment can impact on the outcome by considering or interpreting factors differently. This variation provides an unequal provision of service, or justice by geography. As a member of the public, a politician or service user, there may be an expectation of fairness and legitimacy in risk assessment practice. This cannot be realised if two practitioners, in two different locations make different assessments given the same information. Probation officers do not consider all risk factors defined in empirical evidence and have a mistrust of some tools. The implications of this, is increased subjectivity, inconsistency, reduced accuracy and diminished legitimacy. What became apparent during this study was an overarching, and conscious, practice of defensive decision making by probation officers. The fear of getting it wrong was developing a risk averse culture. Probation officers spoke passionately, mostly knowledgeably, sometimes not so knowledgeably, and professionally about how to assess risk and, worryingly, how they feel under impossible pressure to predict the future. It is hoped that this study will encourage additional research, training and support to ensure probation officers make accurate, legitimate and defensible assessments.



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