

# The conveyor belt of criminal justice: the Sonnex case, risk, and de-skilling in probation

Wendy Fitzgibbon explores recent high profile probation cases.

*The murder of two French students last year by Dano Sonnex is the latest of several recent cases involving murder committed by an individual on parole licence for previous violent offending. Some of the key issues have already been given a public airing: resource pressures in probation, and the failure of multi-agency and risk assessment procedures.*

Coming so soon after the high profile 'Baby P' case in Haringey, the Sonnex case has, despite the differences (a social services child protection issue, where none of the adults concerned were on parole), inevitably reinforced a popular image of institutional failure. As with Baby P, the high profile ministerial response forced the resignation of senior managers. Justice Secretary Jack Straw claimed probation was not using its resources effectively and threatened David Scott, Chief Officer for the London Probation Area with a 'performance capability review' (Straw, 2009). Scott resigned and hit back accusing Straw of hiding behind lack of clarity about what was an acceptable workload for individual probation officers.

The London Borough of Lewisham where Sonnex was supervised was found to be in 'meltdown' and severely lacking in resources. Sonnex was supervised by a probation officer who was inexperienced, and only qualified for nine-months, with a caseload of over 127. Ten years ago the caseload for such an officer would have been around 30-35. Moreover only one out of the 22 probation officers in

Lewisham had more than two years experience. The official inquiry reports into the Sonnex case noted high sickness rates due to stress and anxiety and missing risk assessments in 650 out of the 2,500 cases supervised by the Lewisham office.

There was confusion over the risk of harm levels regarding Sonnex. He was placed as a tier three (i.e. medium) risk when on probation supervision. This assessment should in hindsight have placed him at a higher level of risk as some other databases (OASys – Offender Assessment System) consistently assessed his behaviour as a high risk. This had implications for resource allocation and the progress of the Multi-Agency Public Protection Panel (MAPPA) referral. This panel is made up of interested agencies (probation, social services, police, mental health services) who meet to discuss and manage cases referred to them on the basis of assessment of high risk of harm to others. Although referred to MAPPA this case was not followed up due to administrative errors and the level of assessed risk (medium) recorded. Neither were other incidents, which should have changed Sonnex's risk level, notably his attack on a pregnant woman and her partner to extort money. These were not included in the risk evaluation due to the charges being dropped but, as it later transpired, this was due to victim intimidation. Finally, when the order did go out for a recall to prison, the police delayed acting on it and a police officer has been disciplined for this.

But if the discussion remains at the level of case loads and inter-

agency risk assessments, important as these issues are, more systemic problems indicative of a more general malaise in the probation service will remain unexamined. By far the most important of these is the issue of deskilling of probation officers combined with an automated 'tick box' approach to risk assessment.

Sonnex was in fact in many ways a model client – his attendance at supervision meetings was punctual; he was well-turned out and co-operative. He ticked all the boxes. Problems might have been identified earlier if he had been more closely scrutinised by a more experienced probation officer. But the combined effect of resource constraints and the new division of labour in the probation service, has led to a concentration of skilled and experienced probation officers on very high risk cases while low or medium risk offenders (80 per cent of all offenders) are (according to the goals elaborated in Home Office circular PC08/2007) to be supervised by the newer grade of semi-skilled Probation Service Officers (PSOs).

This allocation of cases on the basis of tick-box risk assessments continues despite research by Ansbro (2006) and Craissati and Sindall (2009) showing that low/medium risk offenders can go on to commit serious further offences and that risk is a dynamic evolving phenomena. The predominance of 'tick-box' risk assessment tools such as OASys sustains management belief that risk assessment and the management of the majority of offenders on probation can be effectively undertaken by deskilled operatives.

Robinson and Burnett (2007) found that older skilled staff felt marginalised: like 'dinosaurs'. They were trained to deal with the offender as a whole person in contrast to the correctional model in which the new recruits to probation are trained. Experienced, long-serving staff felt alienated from their role and distanced from the values of the new management bureaucracy.

This anxiety and stress is compounded by the concentration of work with high risk offenders within the more qualified staff group. This

was also shown, in a small research study I recently undertook, (Fitzgibbon, 2009 forthcoming) to have a detrimental effect on a group of highly qualified probation officers. Asked to identify the most difficult part of working in a public protection team they all indicated the intensity of workload and pressure of scrutiny. The National Probation Audit in 2006 found that a third of sickness in the probation service was due to stress and anxiety. Oldfield and Grimshaw (2008) found that main grade staff on average worked five hours extra per week to get work finished! A clear example of this practice was the fact that the overworked probation officer supervising Sonnex had to go into the office out of hours to complete the recall papers in time, despite, ironically, the police failing to arrest Sonnex when the papers were submitted.

Oldfield and Grimshaw (2008) showed that a fall of 9 per cent in qualified staff in probation over a five-year period was accompanied by a 35 per cent rise in workload. They also found that there had been a 77 per cent increase in the recruitment of unqualified staff, and a parallel 70 per cent increase in management grades during this period.

Qualified staff feel that their 'professional territory' has been encroached upon by unqualified staff. They were overwhelmed by 'change fatigue' regarding the pace and number of changes their role as a probation officer has been subjected to (Robinson and Burnett, 2007). This has led to rapid staff turnover. Lewisham is an example of this with their high proportion of inexperienced staff.

The lack of morale and professional identity is heightened by

confusion regarding the future of probation training and the probation service in general. The drawing up of the proposed new probation training qualification has been a complex and lengthy process, which many fear will either lead to a shortening of the training or a reduction of the academic content or both. Already Treadwell (2006) feels the 'core curriculum' is too narrow and not academically focused enough.

Justice minister Claire Ward in July 2009 said the rate of serious further offence convictions was low at 0.3 per cent last year, and paid tribute to frontline officers. She said this was due to 'hard work and dedication of probation officers, who deal on the frontline with some of the most dangerous and unpredictable people in our society' (Ward, 2009). This was following the publication of official figures showing that criminals on probation committed more than 1,000 serious crimes over the last two years, including nearly one murder a week in England and Wales.

The vast majority of serious further offences are committed by offenders given a community order by the court having been convicted of less serious offences. *In most cases, nothing in their previous offending histories has indicated that they would be capable of such serious offences.* (my italics). (Ward, 2009)

This final statement would again support the fact that having unqualified or inexperienced officers supervising offenders of medium to low risk is inadequate and fails to recognise research and statistical findings.

When I conducted interviews with newly qualified probation officers in 2008 I found them to be more concerned with managerial processes, targets, and tasks than with the offender or their relationship with the offender. Again this could indicate distancing of practitioners from their offenders, allowing the possibility of not accurately reading or following up worrying risky behaviour or seeing risk in a contextualized way.

More cases like Sonnex may just be waiting to happen. ■

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## References

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