



# Making sense of maturity

A snapshot of how probation practitioners used T2A's 'Taking account of maturity' practice guide between 2013 and 2015

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**T2A**  
Transition to  
Adulthood

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## About the author and Centre for Crime and Justice Studies

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The Centre for Crime and Justice Studies is an independent educational charity that advances public understanding of crime, criminal justice and social harm. Through partnership and coalition-building, advocacy and research, it works to inspire social justice solutions to the problems society faces, so that many responses that criminalise and punish are no longer required.

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## About T2A Alliance and Barrow Cadbury Trust

The T2A Alliance is a broad coalition of organisations, which evidences and promotes the need for a distinct approach to young adults (18-24 year olds) throughout the criminal justice process. Barrow Cadbury Trust is an independent, charitable foundation, committed to bringing about socially just change.



Convened and funded by:



[www.t2a.org.uk](http://www.t2a.org.uk) [www.barrowcadbury.org.uk](http://www.barrowcadbury.org.uk)

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# Introduction

## ASSESSING THE MATURITY OF YOUNG ADULTS IN THE CRIMINAL JUSTICE POPULATION

Since 2008, the T2A Alliance has sought to build an evidence base of effective criminal justice interventions for young adults aged 18-25. It has found that this group, which accounts for around a third of the criminal justice caseload, is the most likely group to commit crime, but with appropriate intervention is the most likely group to permanently desist. Driven by an evidence base from neuroscience, psychology and criminology, as well as financial pressures to do better with less and prioritise what works, a number of policy and practice developments in recent years have supported the implementation of a distinct approach to this age group. Most of these have focused on the concept of 'maturity' as the underpinning factor for professionals to take into account when working with young adults (e.g. NOMS commissioning intentions guidance; CPS Code of Conduct requiring prosecutors to take account of maturity in decision-making; adult sentencing guidelines including 'lack of maturity' as a mitigating factor; reviews including Lord Harris' review of deaths of young adults in custody and the forthcoming report of the Justice Select Committee Inquiry on Young Adult Offenders) (T2A 2016).

At the same time, there has been a decline in young adults in contact with the criminal justice system: between 2010 and 2015, the number of 18-20 year-olds subject to detected offences fell by 40 per cent while the number of juveniles detected fell even further. Sociologically, the nature of adulthood is shifting, with key markers of adulthood (such as employment, independent living, marriage, children) all happening later than they once did. This delayed transition to adulthood, combined with evidence from neuroscience that shows how key parts of brain development are not complete until the mid-20s, contributed to the variable maturation of this group, and build the case for a distinct approach.

For males the peak age of offending is also on the rise, now close to 20 (Bateman 2015). Given this drop in the criminal justice population of young adults, it is important for professionals to assess and respond fully

to the key features of maturity relevant to the groups currently in criminal justice settings such as probation. For example, in 2008, almost half the young men under the age of 21 who had come into contact with the criminal justice system had a care experience. As this report will show, professionals are aware of particular social milestones, linked to lower educational achievement and experiences of the care system, that young adults in probation have missed.

It was in this context that the T2A programme, convened by the Barrow Cadbury Trust, set about the task of providing a resource to help probation practitioners make informed decisions about young adults, and as part of this to take better account of their maturity. *Taking Account of Maturity: A Guide for Probation Practitioners* (The Guide) was produced by the University of Birmingham and published in 2013 (T2A 2013). Beginning with a general overview of maturity and criminal justice, it focuses on the OASys assessment, going systematically through questions and considerations that might be explored. Such analysis is meant to inform assessment, proposals and sentence plans.

The Guide was intended to be a practical document, with implications for assessment and reporting. The implications of using the Guide were therefore a subject of this research.

The aims of the research were:

- to assess the process by which the Guide was being used in developing the practice of frontline probation practitioners,
- to identify other related effects (such as emerging responses of partner agencies and sentencers),
- to provide a template to assist probation organisations and their partners to identify and monitor further use of the Guide,
- and to scope out directions for future guidance for probation and other agencies.

The research problem is a classic issue in applied social studies: how is practice changed by research? What are the means by which new concepts and knowledge can be inserted into a given practice? (Walter et al. 2004). The investigation was based on the assumption that embedding research into practice depends on the

actions of a network of stakeholders and requires a cycle of innovation, review and readjustment. In relation to maturity considerations, the T2A Alliance is a facilitator of the embedding process and the Guide is intended to influence frontline practice in assessment and recommendations to sentencers.

It was suggested that the Guide's influence would depend on the way it could be used in a dynamic practice environment. The research was intended to explore several interconnected questions:

- How far is maturity an important concept for practitioners working with young adults?
- What practice changes have occurred in relation to maturity?
- How far can these changes be attributed to the Guide? How influential is the practice environment – peer attitudes, support, training, and supervision – in shaping responses to the Guide?
- How far does length of probation service influence responses?
- What evidence is there that use of the Guide has influenced courts and other agencies?
- How can this evidence be captured in the future? How have young adults under supervision responded?
- What part can the Guide play in sustaining practice resilience and innovation at a time of structural change in probation?
- What are the suggestions of practitioners and managers about future development and guidance?

### THE CASE STUDY AND INTERVIEW METHODS

Case studies are useful for close analysis of significant innovation projects when there are few accepted standard benchmarks and constant adaptations are taking place. The study focused on how the Guide was treated as one of a number of elements of practice, as revealed by the interviews, rather than attempting empirical generalisation across many organisations (Yin 2003).

Interviewing under conditions of confidentiality seeks to elicit responses which represent the way professionals frame their understanding of a topic, which may not be readily predictable. The aim was not to assess the degree of 'content learning' but instead to

assess the extent to which principles recognised as applicable to work were implemented. The focus group was seen as a valid way of identifying responses in a practitioner context, as distinct from purely individual opinions. In groups, particularly, practitioners may be emboldened to discuss areas of their practical experience that they see as important, not necessarily those envisaged by the researcher. The interview guide appended below was meant to encourage such developments, but not to influence their directions. As far as possible, quotations are left unedited except where the sense is unclear, or where particular names have been removed.

The following sections indicate how strongly the practice environment affected the use and application of the Guide. They discuss the process of implementation and indicate monitoring methods that could be utilised in the future. As a result of the issues raised by interviewees, they set out some considerations that should flow into a specific vision of what maturity means for the young adult population under probation supervision.

### THE STORY OF THE RESEARCH

When the research was mooted it was envisaged that four probation areas could take part. The areas were identified as having practical commitments to the maturity agenda; however, as the fieldwork began to be planned, managers were clear that the imminent approach of Transforming Rehabilitation (TR) reorganisation in the middle of 2014 made undertaking research logistically difficult. Initially, only one focus group took place in one area despite extensive recruitment attempts. As time went on, attempts to revive the research more widely met with little success. Further research had to wait till agreement was reached with organisations in a third area, where copies had been individually distributed accompanied by briefings about the Guide. The unprecedented change in probation was a dominant factor in accounting for interviewing gaps and delays which meant that the field research commenced in May 2014 and ended in December 2015.

It is important to note that fieldwork took place during a period of great change for probation, and that some of

the data was both place- and time- specific. Therefore, this study cannot be seen as representative of what may have been happening across probation as a whole. It is also possible that since the fieldwork was conducted, the maturity agenda has moved much further forward in some areas, while in other areas it may not feature.

The practitioner focus groups comprised: one group of probation staff interviewed as TR changes started; three Community Rehabilitation Company (CRC) groups and one National Probation Service (NPS) group interviewed at least a year later – involving a total of 25 individuals in all. The average years of service in the groups ranged from 6 to 22 years.

Management interviews included: the equality and diversity leads with specific interests in the subject of young adults' maturity, respectively for NPS and CRC; and four team managers (2 CRC, 2 NPS).

# Section 1: Findings

## RESPONSES TO THE GUIDE

There was a consensual agreement among practitioners that they would recommend the Guide to another practitioner; by the same token, each manager interviewed said they would recommend it to another manager.

For a team manager with specialist experience of young adult needs, the Guide was clear, useful and relevant to probation tasks.

### Team manager – CRC

*“We had a Guide that practitioners could quite easily familiarise themselves with, because it’s not particularly long or complex. But when they come to do a piece of work in OASys, it’s there as a reference. And that for me is just absolutely brilliant, because it stands the test of time then, it’s a reference tool, and it’s constantly kind of available. And it’s not an addition is it? You’re not saying you need to manage doing an extra bit of an OASys, or you need to do a longer OASys. It’s saying you’re doing an OASys anyway; you may as well read this guide because it will help you pick out the relevant points.”*

The proliferating culture of guidance manuals meant that only a usable document would be well-received.

### Team manager – NPS

*“...they were thankful that it wasn’t a huge overbearing 50 page, you know, a 100 page thing, because that’s often what we are faced with in probation. We have drawers full of thick laminated spiral mountains of manuals.”*

The rapidity of change within NPS was acknowledged as the organisation sought to standardise its processes.

The Guide was seen as an influence on thinking about needs in more specific ways. It could be used to argue for a community sentence and to restructure a delivery proposal.

### Offender manager – CRC

*“Before I went over to CRC I used the manual to do a couple of PSRs and it was useful. Arguing why not to give a young person, for example, a Thinking Skills Programme, and why not to send them to prison, because the way we work, if you score a particular amount, if it’s a programme, and the idea is that you go on the programme and what I did was use the manual to talk myself out of giving them a programme and deliver the work on a one to one basis.”*

While there was evidence that the Guide was well-regarded, the priority given by NPS to risk assessment led to some reservations about the Guide among the NPS group.

### Practitioner – NPS

*“There’s nothing about risk in here. And do you know what risk is just like, NPS say risk is everything. So sometimes you might be making reference to this, but actually somebody will go, ‘Well, risk overrides all that’, and you need to be able to have a bit of evidence or backing to say, ‘But we can combine them both’, if you know what I mean.”*

Comments referred to the stimulus that the Guide could give to thinking.

### Practitioner – NPS

*“And, as we all know, OASys, you can put as much or as little information in as you want. And if you don’t know what to put in it, you know, I think for me you can look at this and think ‘Yes, that triggers this thought process.”*

However, there were comments that suggested that the Guide was seen as a ‘back-up’, or a way of strengthening existing intuitions.

There were acknowledgments that the Guide was helpful to new OASys writers; by the same token, to experienced practitioners in a specialist young adult team, the issues were felt to be already familiar.

## THE OUTLOOK FOR DEVELOPMENTS IN POLICY AND MANAGEMENT

The intensive work conducted by a specialist young adult service inspired suggestions for wider policy change that would tackle underlying social issues so that the risks of young adult transitions could be better overcome.

### Offender manager – CRC

*“We’re not talking about massive amounts of resources; we’re talking about the basic fundamentals which every individual should be entitled to. Every individual should be entitled to the ability to go out to earn money, to get a house, to rent a house, to have security and to have safety and that’s all it is, because once a person becomes vulnerable, that person is then able to be influenced by outside... and that’s the situation.”*

However, there was a perception that partner agencies had suffered the effects of cutbacks in recent times.

Progress in implementation of the Guide led to confidence in future management initiatives.

A probation manager in the CRC emphasised that the Guide gave report writers a language and an evidence base for identifying maturity issues.

The Guide had been positively received by all CRC managers in an area and more strategic support was forthcoming to implant it in practice.

### Probation manager – CRC

*“100% of all my managers felt that it had been useful, although there was a need identified that it had to be embedded slightly more into our day-to-day practice. So as a result of that we’ve taken action. We’ve developed a practice development session that all managers can run in their teams, which links it to the new model that we are just about to start piloting here in my CRC.”*

Good reactions from managers were similarly reported by the NPS lead who also valued practitioner forums as a way of monitoring practice.

It was envisaged that the Guide in future might only be used with new CRC staff, so strongly were its principles to be progressively implanted in daily practice.

For any CRC with no experience of the Guide, strategic leadership was a key recommendation.

### Probation manager – CRC

*“I think, in terms of, if I was going to a CRC that hadn’t had this and was starting afresh, you’d want to have a form of lead responsibility for it, so they could really push the agenda. But you’d want that at all levels.”*

As this CRC formed part of an ownership cluster, the lead spoke of the potential for extending similar initiatives on maturity across several CRCs.

Equally the NPS area had been able to extend the implementation of the manual across the whole of the region rather than limit it to just one metropolitan area.

## IMPORTANCE OF STRATEGIC BUY-IN FROM SENIOR MANAGEMENT

Where senior management and strategic decision-making within probation had clearly identified maturity as important, there were examples of practice development that were well suited to the adoption of the guide. For example, one area had developed a specialist young adult service that already drew on the evidence for taking account of maturity, and, in the words of the service manager, the Guide had ‘put meat on the bones.’

### Probation manager – CRC

*“We have made the decision as a CRC that maturation is clearly important. We’ve always recognised that with our (specialist young adult service) model, and this guide has only cemented that and allowed us to roll it out on a much wider platform.”*

In this area, the Guide was adopted as a practical tool, rather than simply an educational text. Moreover, this strategic thinking was carried over into discussions with a range of partner agencies.

### Probation manager – CRC

*“So when I go and sit on the strategic meetings that I do, as you can imagine a whole wealth of executives from mental health to learning disability and difficulty, women, etc. I take the maturation and maturity agenda with me. So when we are developing work or services or looking at commissioning structures in those areas, I’m championing, as are my colleagues, that maturation needs to be considered within those agendas.”*

Briefings from organisational leaders were a key route to embedding the Guide in practice. One group highlighted the importance of briefings as crucial to effective dissemination. Without them take-up had been weak. Some members of this group had not received copies.

Where support from managers for the maturity agenda had not been forthcoming it was perceived that the usefulness of the Guide had been undermined.

A key suggestion here was to make sure that everyone in an office had a copy and that The Guide was explained to new recipients.

In contrast, briefings elsewhere were systematic. Briefings to one group of CRC staff had been delivered in the first quarter of 2015. Significantly they had also included partner agencies working with the same age group. In the NPS, local managers delivered a briefing to their teams between March 2015 and May 2016. By September 2015, it was expected that 55 probation staff in the area would have had the guide for three months.

However, one practitioner who worked in a general (rather than young adult specific) team reported that despite attending a briefing and having been given a Guide about a year ago, they had not used it. Interestingly, this lack of use was attributed to a small caseload of young adults due to the work of a specialist team which steered young male adult cases away from other staff. Female cases were dealt with at a women’s centre. Hence the caseload distribution influenced application of the Guide.

Those professionals who worked as part of a specialist young adult service were said to have an advantage in grasping the Guide’s content at briefings. One manager working in a general team reported undertaking briefing sessions on the guide, but thought that the specialist

team may not have needed to, as they were already up to speed on the material and using it in their practice:

### Team manager – CRC

*“I have delivered a briefing on that for the cluster that I work within and briefings have been done across other clusters. [The specialist young adult] team may not have because they’re well ahead. Other practitioners that work within [the specialist team] that came to the briefings were well ahead of the others.”*

In the National Probation Service, ambitious attempts to disseminate the guide across the whole region were reported rather than only in the area that had pioneered its use when previously a Probation Trust. Its extension across the whole region has been promoted through young adult offender leads who were responsible for transition services, the subject of a recent national inspection (Her Majesty’s Inspectorate of Probation 2016). In addition equality leads were participants in dissemination.

### Probation manager – NPS

*“As well as the youth [transition] leads we’ve got the equality leads involved, and they’ve all had the manual and are liaising with the youth [transition] leads about it [as well as] other opportunities to promote it, like through the PQF training...”*

Direct promotional activity was perceived as key to successful take-up.

### Probation manager – NPS

*“I’ve definitely found that if you get people in front of you and tell them about it, and pass it around it’s much more effective than just sending it out.”*

The travel distances across the NPS region meant that face to face dissemination had to be organised through extensive networks, rather than a direct personal campaign by a single lead person. This enabled specialist leads to promote in their own areas.

In a recent analysis and overview, it was suggested that guidance on assessment of maturity is not actively disseminated from the higher echelons nor pursued by practitioners (Judd and Lewis 2015). The evidence of this study suggests that, where it has been coordinated, determined strategic support can make a difference.

## THE INFLUENCE OF EXPERIENCE

When asked to talk about changes in their thoughts about maturity, practitioners tended to refer to their experience of practical contact with young people as a key influence.

### Partnership practitioner – CRC

*“I recently came.... from working with prolific offenders and you notice the prolific offenders tend to be younger age group and as they get older the amount of offending starts to decrease as well and engagement is different again as they get older – and the compliance levels. They start to realise slowly but surely over time that there’s a cycle of going in and out of jail and they’re wanting to try and cut that.”*

Experience of working with teenagers within a youth offending context was also instructive for working with the young adult group.

### Offender manager – CRC

*“...when I first started I worked at unpaid work with young offenders and they got treated a bit differently, because I used to work with 16 to 18 year olds, so they used to do college and ...recreational things which the adults didn’t do.”*

Similarly a key probation manager in the CRC had a background in youth offending services and the regional NPS lead has been involved in the specialist young adult service prior to TR. A NPS manager suggested that perhaps it was the less experienced offender managers who learned more from the Guide.

The evidence suggested that professionals’ practical understanding was rooted in experience rather than merely reading, and several practitioners who had used the Guide had not accessed other research materials related to T2A’s evidence base.

## TR REORGANISATION

At the time of the research, there was considerable uncertainty within probation about its future. At the start of the data collection, announcements had only recently been made about plans to split the caseload between high risk cases to be managed by a new national service (NPS) and medium and low risk cases to be allocated to 21 Community Rehabilitation

Companies. By the end of the fieldwork the implementation of TR was taking hold, but was still far from settled. Early uncertainty about how the processes of allocation of transition cases to the new organisations would work was a matter of concern. There was also concern that expertise in young adult transitions could end up being a legacy left solely to the CRC, that NPS and CRCs would not share information, and that NPS would not have time to complete adequate reports. In these anxious weeks and months, practitioners felt it was vital that escalation in assessed risk, which should trigger case transfer to NPS, was informed by awareness of young adult need.

### Offender manager

*“I think we need to have link officers between NPS and CRC. I don’t think it should be just our SPO who just says, ‘Right, this case is coming to you’. I think we need to have, you know, that you are the specialist, so you and I can have that discussion. ‘I’m the lead in NPS, you’re the lead in CRC from your team’; we should be having that conversation.”*

There were some indications, from CRC and NPS sources interviewed later, that some of this partnership working had not been realized, such as, for example, not all court report writers were sufficiently aware of the CRC’s specialist young adult service. However, as the changes bedded in, these were issues which a number of managers were confident that the CRC and NPS working in partnership would be able to resolve.

## SENTENCING AND REPORTING

Changes to sentencing guidelines had recently introduced ‘lack of maturity’ as a mitigating factor in sentencing adults. In one area, where a specialist young adult sentencing offer had been developed, it was felt by practitioners that this was well-received by sentencers.

There was also a perception that the new Rehabilitation Activity Requirement as part of a community sentence presented an opportunity for the offender manager in the CRC to adapt the conditions to the young adults’ maturity. Probation input post-sentence, not just pre-sentence, was therefore increasingly important.

One NPS lead noted that, for them, the sentencing of young adults was the crux of the matter, with sentencers expecting high quality advice and recommendations from NPS and in the main welcoming this input. However it is true that ultimately the judiciary can choose not to follow the advice of probation professionals in their sentencing decision-making.

### **Probation manager – NPS**

*“And then there’s our relationship with sentencers, because we’re only part of the picture.”*

Although there is good evidence of a significant concordance between probation pre-sentence report recommendations and the decision-making by judiciary, it was stated that concordance could vary among courts. One practitioner reported past experiences that reduced their confidence that a young adult-specific focus in reports would make a difference.

### **Practitioner – NPS**

*“I think the difficulty I’ve had in the past is the courts already pretty much know what they’re going to be sentencing to, and then they ask you, ‘Right, do this pre-sentencing report.’ [In] the courts I’ve worked in, it’s a done deal. So you’re just going through the motions, however you phrase it, or whatever you recommend.”*

In one group there was a perception that sentencing to unpaid work was particularly unresponsive to the needs of young adults.

### **Offender manager – CRC**

*“It just seems that every young male is given unpaid work of 300 hours. It’s totally unrealistic. They are not going to get up every day to go and do unpaid work and do 300 hours. It just seems that that’s the only option people know, give them 300 hours. It’s terrible.”*

Ministry of Justice proposals in 2015 for a mandatory maturity assessment were welcomed (National Offender Management Service 2016). At the same time, closures of courts as well as changes to the delivery of reports were viewed as potential challenges to practical dissemination and to effective use of the Guide.

### **Probation manager – NPS**

*“My concern, I think, remains around the court and PSR aspect of things. Now if the government are going to say that a maturity assessment needs to be in a PSR, that gives us a way in. And once we’ve got a probation instruction that says that, it’s a much better opportunity.”*

## **COMPLIANCE WITH CONDITIONS**

Research suggests that the risk of non-compliance with order conditions is increased by the young age of the person (Gyateng et al. 2010). It has been found that practitioners seek to manage issues of compliance creatively in order to deal with organisational rules (Phillips 2016). Hence the subject of compliance is significant for practice with this age group.

In the specialist young adult service, compliance was dealt with in a team context and, if there was a breach proceeding, the maturity question was explored with the court. There was a pilot scheme ensuring that all compliance issues for this age group be managed by a specialist who would assess communication needs. Hence working practices were being adapted to bring expertise and experience in maturity.

There was a suggestion on the NPS side that, despite work to nurture maturity, the management would favour risk management considerations. On the CRC side, there was a perception that sections of the organisation dealing with unpaid work or programmes were less ready to accept adaptations responding to maturity.

## **MATURITY AS A PROFOUND SOCIAL AND INTERDISCIPLINARY ISSUE**

The drive towards recognition of maturity needs has, from the outset, been concerned to highlight social transitions in general (Social Exclusion Unit 2005).

Experience in the specialist young adult service drew attention to a whole cluster of social and personal markers of adulthood that had been ‘missed’ by many young adults they had supervised, not by accident, but through social processes that marked these young adults as different.

### Team manager – CRC

*“So maturity is fundamental, it’s absolutely fundamental. About 30% of our young people have been in care. 50% of them didn’t finish school. Out of the 50% that did, only 5% got a formal qualification. So the rites of passage that you would normally associate with teenage growth and maturity, they just haven’t hit those milestones. So it’s absolutely fundamental, it ties in with everything. Their ability to manage accommodation, to form relationships, to maintain relationships, to budget, to manage, to emotionally regulate, to not do things in excess like drugs and alcohol, or even do them at all. Their attitudes, their ability to trust agencies and authorities. It’s the backbone of everything we do.”*

The service was therefore facing the task of helping them negotiate not simply probation supervision but also a whole range of difficult social pathways, which partnerships could in principle make accessible.

There were mixed views about the awareness and effectiveness of partner agencies. Some reported that there were different perceptions of what substantive financial help could be obtained for careleavers. Though CRC practitioners could bring individual cases of concern to interagency discussion meetings, partners did not necessarily respond well to maturity issues.

### Practitioner – CRC

*“I don’t know whether maturity is taken in enough, in terms of other agencies, I think especially social care.”*

Some agencies were helpful in offering services like mentoring, but others, for example, in housing, were less understanding.

### Practitioner – CRC

*“...if there’s a young man who’s very immature and struggling to live a non-chaotic life, it’s much harder to then encourage, say, some housing providers to support that man and the immaturity that they show, because you expect a certain level of maturity to be a good resident. I suppose that’s just an example of different organisations with their priorities and their objectives.”*

On the other hand, partners could be seen as more positive than probation itself.

### Practitioner – NPS

*“I think some of our partnerships are quite ahead of the game compared to ourselves...”*

The state of partnerships was therefore a tangible test of probation’s commitment to support social maturity, embracing more than supervision (CLINKS et al. 2015).

## IMPROVEMENTS AND CHANGES TO THE GUIDE

In a focus group there was a suggestion that proposing a possible maturity issue in each and every section appeared to be repetitious and hypothetical, rather than offering concrete analytical guidance. A key CRC manager, on the other hand, praised the Guide’s coverage of a maturity issue in each section of OASys but questioned whether dynamic needs associated with maturity could be properly handled in the OASys framework, itself due for revision by CRCs who would be considering whether this was the best tool to use in future for their organisations. Changes might also help probation to engage with partner agencies which did not use OASys.

It should be noted however that there were and are no plans in the NPS to desist using OASys and so the manual would continue to be of direct use to NPS practitioners.

### Probation manager – CRC

*“I feel that the T2A guide would be more beneficial and useful, and could seek a wider audience, if it actually divvied up the sections via area of dynamic and static need rather than try to nail them to the old OASys categories that will no longer be used. I don’t think it’s a substantial redesign. I think it’s more about changing the headings. Nationally there’s some other big changes that I think T2A would affect its influence.”*

These comments touch on how far the OASys framework has facilitated a good understanding of maturity. The CRC manager also stressed that a revised Guide could do more to address dynamic issues and enable assessments to take account of underlying developmental needs such as learning difficulties and communication skills and to ensure that the unequal treatment of BAME young people was rectified.

### Probation manager – CRC

*“Now not only is it a disproportionate number of young men sent to custody who are black and Asian, they also have a disproportionately bad experience in the criminal justice system. We are failing these individuals and we need to do more about it. I feel the T2A really should contain a section on the specific impacts that being black or Asian and 18 to 24 could have. So this includes but isn’t limited to experience of culture, identity, the risk of radicalisation and extremism, vulnerabilities, that is not only important in terms of giving the guide the full influence that it could have, I actually think it’s quite dangerously remiss to leave out that bit about the risk of radicalisation.”*

In addition, it was argued that the needs of young women, likely to have experienced abuse and to have suffered trauma, should be addressed by the Guide. A similar concern about addressing diversity and discrimination came from a practitioner. The importance of linking work around maturity with related concerns about ethnicity, gender and careleavers was echoed by a probation manager in NPS. Addressing communication competence was similarly endorsed. Rather than simply identifying their needs the opportunity for young adults to be listened to in a process of co-production was felt to deserve greater emphasis and articulation.

There was an expectation that the current OASys would be revised anyway and therefore an opportunity lay ahead to influence such changes.

There was also some interest in ensuring that risk issues were more specifically addressed. The new context in which NPS report writers handed on work to the CRCs would benefit from attention. Other suggestions for improvements tended to be practical, such as adding illustrations and examples. In the context of partnerships, etc. a case was made for providing more local resource guidance in the form of a directory.

## UNDERSTANDING, COMMUNICATION AND VALUES

A strong theme in the interviews was the importance of understanding the viewpoints of young adults and finding practical and respectful ways of properly communicating and working with them.

Major pitfalls were perceived to lie at the report stage when young people would agree to proposals, without understanding what they meant.

### Practitioner

*“I think the other thing to remember is, when they are at report stages, a young person will agree to anything to keep them out of prison. So yes, they’ll sit down and say, ‘Yeah, I’ll do 300 hours’ unpaid work’, without taking into account... the reality of it, (which) is that you are going to have to get up every morning and go and do unpaid work four days a week and I don’t think it’s fully explained. They don’t fully understand what they’re actually getting themselves into.”*

Communication was ideally founded on an awareness of different learning styles.

### Offender manager

*“A lot of them that I supervise, their literacy is quite low and so if you come in with papers and you say, ‘Well fill these out, or’, they’re not going to admit that they can’t read or they don’t understand it, so it’s about how you approach them.”*

## INVESTING OR WASTING TIME?

How practitioners’ time is allocated and used has been a theme in the literature (Judd and Lewis 2015). Time was seen as a scarce resource yet it was described as critical to establishing an effective interface with young adults so they could learn to understand and cope with probation supervision, deal with setbacks, and manage their lives generally.

### Offender manager – CRC

*“You can’t have a ten minute appointment with a young lad. You could have a young lad who you’ve seen for six months and you think is all fine, he’s got his job, he’s got, he’s working. But they will always come in with a massive disaster in their life, which again I guess also could demonstrate immaturity, that they come in with what they perceive to be massive problems, but actually you sit down with them and say, ‘This is the solution, all you need to do is, say, ring that agency or fill in this form’, and they’re like, ‘Oh is that it? Oh Fair enough’.”*

Realistic steps forward could be planned, based on a detailed understanding of how exactly immaturity manifested itself.

### Offender manager – CRC

*“It’s about trying to set little tasks with them, so maybe if they don’t answer the phone, if they don’t want to speak on the phone and you’re advocating on behalf, maybe speak for them the first time but build on that in terms of, maybe ‘Why don’t you use the phone? And I’ll support you with it and if it gets a bit too much..’, and it’s always it’s like baby little steps to basically get to where the best that they can be really. It’s difficult.”*

The time spent meant that trust could be developed with young people whose attachment needs were significant.

### Practitioner

*“A massive issue of building trust because they just won’t open up to you...; you might be the fifth or sixth worker they’ll have worked with. They’ll have had social workers, health workers, lots of different people who they then see have let them down or gone out of the picture. As I say, you’re number five or six and you have to work really hard.”*

There was a perception that how much time was invested was sensitive and that practice could change depending on the priorities of policy-makers.

### Practitioner – NPS

*“I think ...you’ve got to be quite realistic and look at what the constraints are on us as practitioners, and the influences from the top in terms of the government, the policies that are coming out. In five years’ time a government might be in place who just don’t agree with this sort of working practice...”*

So questions, for example, about the time needed to produce a pre-sentence report about a young adult case could also be perceived in this context.

## YOUNG ADULTS’ RESPONSES

Comments on young adults’ responses to approaches that addressed maturity revealed significant insights.

Respectful communication dictated that judgements of immaturity should not imply childishness, stupidity or lack of self-reliance. Among the caseload were young people who had had to fend for themselves. Young adults’ attitudes could be read in terms of, for example, an alternative theory of gendered masculinity.

### Practitioner – NPS

*“I’ve got a young lad and I’m talking about levels of maturity with him. He’s going to put up his shield straightaway, ‘I’m not immature, I’m a bloke; don’t talk to me about that sort of stuff’. So I think to be aware of the other factors influencing people as well is important, so that it doesn’t seem like the client is being threatened and their whole makeup is at threat due to talking about immaturity. I was quite cautious of that when I was doing the reports.”*

It was through developing a mutually shared language that practitioners and young people could begin to recognise maturity needs and start to address them progressively. A panel of young adults who had experienced the specialist young adult service had been able to give feedback. Its manager commented that young adults giving feedback recognised their own immaturity and welcomed an understanding approach from probation.

The sensitive work required to understand and communicate effectively with young adults thus called for substantial inputs of time. At stake was what was perceived as a binary set of responses.

### Offender manager – CRC

*“I think with the [specialist service] you either get one of two responses. You don’t really get people in the middle. You either get those that really engage with it, hit the ground running, do their requirements, realise because it’s an alternative to custody they sort of realise, ‘Bloody hell, I was that close to going to prison, I need to sort my life out’, or you get lads that just think, ‘Oh I don’t like this, I’ll just go to prison for a few months’. And that I think is the biggest indicator of immaturity when they say ‘Oh, I’d rather go to prison for a few months, it’ll be easier than this’. Seeking the easy way out, not having to have that responsibility, I think is a massive indicator of immaturity.”*

## MONITORING IMPACT OF THE GUIDE

A number of probation managers with an interest in monitoring suggested that impact could be explored in relation to organisational indicators such as compliance and completions. The CRC had also set a target for reducing the number of young men in custody.

According to a source in NPS, more direct evidence could be obtained by examining references to maturity in a sample of cases. A snapshot had shown that, in general, concordance with proposals made by the NPS in terms of final disposals could vary from area to area; with some areas having better concordance rates than others. What had not been established was whether the final disposal was more or less favourable than the proposal, and this was a question which the NPS would consider further. Any changes in the relationship between proposals and disposals in the court could also be an indicator of the effect of maturity-inspired recommendations.

A suggested way of shedding light on the impact of using the Guide was to measure changes in OASys assessment scores over time.

At a greater distance from the present, outcomes such as reconviction, housing and employment were perceived as significant. The specialist young adult service manager saw reduction in reconviction index offence seriousness as a suitable target.

The implications of practice for specific groups such as women and minority ethnic groups were said to be significant issues for monitoring by some probation managers.

Young adults' feedback from focus groups and MOJ-sponsored surveys of probation users formed another monitoring suggestion.

Team managers could also use staff supervision and appraisals as a means of monitoring the Guide's use.

Hanging over this discussion was the influence of government mechanisms and priorities over what got measured.

### **Probation manager – NPS**

*“I suppose it depends what government drivers are given to us, and what the priorities are set for us.”*

Indeed, an NPS source anticipated that a corollary of mandatory attention to maturity would be an increase in community sentences. In this context, the work of the T2A Alliance in lobbying for change was perceived as a boost and a vindication of the approach taken at a practice level.

### **Team manager – CRC**

*“In terms of some of the work that T2A, Barrow Cadbury Trust have done, that there was almost a round of applause when we had the information at the end of last month ... that maturity will now be a factor that has to be considered in sentencing in the PSR, and people were really excited about that and really pleased about that.”*

# Section 2: Discussion and next steps

## NEW WAYS OF MONITORING THE GUIDE'S IMPACT

When considering what impacts to monitor, there was some tendency for those interviewed to reach for large, organisationally recognised outcomes such as compliance, reconviction, etc. Certainly such outcomes are poorer for young adults than other people on probation (Gyateng et al. 2010). These are complex to investigate and not easy to attribute to a particular practice, never mind a single tool. However, they figured as part of an organisational discourse in which the guidance would attain importance if it could help meet key objectives. The adoption of offender cohort models will increasingly mean that subgroups such as young adults can be targeted (National Offender Management Service 2014).

The more immediate impacts of the Guide could be explored in other ways through practitioner forums and sampling of reports.

A template for the monitoring should therefore prioritise the following:

- Prevalence of access to a working copy of the Guide
- Frequency of key terms in reports ('immature/mature'; 'maturity'; 'development', etc.)
- Plans that respond to maturity needs ('developing trust'; 'mature communication skills'; 'foresight'; 'independent decision-making'; 'educational progress'; 'flexible compliance management', etc.)
- Implementation of plans within stated timescales ('full'; 'partial'; 'none')
- Baseline data on young adult outcomes
- Identification of cohorts with relevant maturity plans
- Comparison of cohort outcomes with the baseline set
- Review and revision of implementation.

Such a proposal would need to be further developed; however the research suggests that the elements above could offer a foundation for a workable template agreed between T2A and probation organisations strategically committed to the maturity agenda.

## IMPLEMENTATION

The working environment of probation was shown to be a key context for implementation of the Guide. It is

clear that where local practice strongly called for a tool such as the Guide, then it has been supported and implemented. The official endorsement of the Guide suggests that the strength of official approval will continue to be influential (NOMS 2016).

Organised practice, whether in the form of special teams or particular schemes, like the specialist young adult service, increased the chances of the Guide being used.

Specialisation, whether in the court process or in particular delivery schemes, increased the use of the Guide, but in some instances meant that the relevance of the Guide to non-specialists was problematic, especially if there remained parts of the young adult caseload that lay outside the reach of specialist schemes. How were 'low caseload' practitioners to be encouraged to take full advantage of the Guide?

The research was conducted in a period coinciding with the initial implementation of TR, and issues of consistency across the new probation divides were raised by the interviews. Concerns about the specific impacts of TR reorganisation were voiced by experienced staff as the changes began to take effect and this is to be expected at such a time of change. The new arrangements have been in place for over two years at the time of publication of this report and it is to be hoped that such concerns will have been acknowledged and addressed.

The importance of an integrated approach across NPS and CRCs emerged as a theme in interviews. There is other evidence that practice around maturity since Transforming Rehabilitation came into effect remains inconsistent despite the existence of better local initiatives. In a recent national re-inspection it was found that insufficient progress has been made in ensuring good transition arrangements from youth to adult services. Only one-third of plans in the adult services were judged to be adequate. NOMS and the YJB were said to be failing to coordinate. An example of local guidance citing the T2A Guide was, however, commended (Her Majesty's Inspectorate of Probation 2016).

Whatever the limitations of a pragmatic environment, responses to the Guide itself tended to be positive.

Nonetheless, the critique of the Guide by one probation manager at a CRC raised questions about how far the sectional organisation of OASys facilitates a clear analysis, since maturity is by its nature a cross-cutting influence which highlights underlying needs, and cannot be easily compartmentalised into separate orthodox risk factors. Comment from NPS also reinforced the sense in which probation reorganisation puts an onus on the NPS as well as the CRCs to address dynamic factors more specifically and with greater attention to communication styles, ability, and ethnicity (Livingstone et al. 2015).

It was important for probation organisations as a whole to come fully to terms with maturity issues and to make possible ways of assessment and working that reflected the range of needs. Otherwise assessments would fail to lead to action and change. The investment of time and effort in establishing communication and building trust emerges as an important part of effective assessment, planning and delivery. Such findings echo recent evidence from Scotland about criminal justice practitioners' values, emphasising relational processes and the investment of time in supervision (Grant and McNeill 2015).

### **MODERN 'RITES OF PASSAGE'**

Despite the recent finding that young adults subject to probation supervision are more likely to be included in 're-offending' statistics, further analysis of many 'criminogenic' factors has not shed a great deal more light on the significance of age in explaining how patterns of criminal justice involvement evolve (Wood et al. 2015). What stands out from this type of research is the characteristic cohort grouping whereby the typical risks of an adult being involved in criminal justice, including drug and accommodation needs, etc., are skewed towards younger people. It is the accumulation and concentration of factors associated with criminal justice involvement among the young that is striking.

The focus of the specialist young adult service on employment and disadvantage highlighted the social challenge of maturation – what one manager described as 'rites of passage'. It is important to understand this process in contemporary terms, against a moving social

background (Pruin and Dunkel 2015). Probation staff seemed to be describing a highly unequal social nexus of development in which the prevalence of 'street' norms, in contexts of disadvantage and interrupted family care, revealed the underlying remoteness and difficulty of the standard maturational paths towards stable employment and committed relationships.

The disruptions experienced appeared to differ from the experience of other contemporaries. But at the same time the demands of the criminal justice system bore down on young adults with its threat of imprisonment. No wonder the nexus is experienced in a binary mode, with some ready to accept imprisonment as the price of failure and others more motivated to climb the steep path to approved social respectability. The challenges are therefore about progressing a social journey, not simply making cognitive or attitudinal changes. Partner agencies were necessary to strengthen the delivery and effectiveness of such a complex undertaking. It is this context that the Guide glosses as 'the individual's wider real life experiences' (p.15).

If 'criminogenic needs' are seen as the immediate context for probation intervention the evidence reveals wider developmental challenges for young people which underlie their levels of immaturity: problems of neurological damage and impaired relationships form part of a much more fundamental analysis of why these particular young people remain bound up with criminal justice.

Certainly, social and psychological immaturity makes effective choices more difficult but developmental pathways are also heavily constrained by blocked social opportunities. In impoverished and disadvantaged environments educational progress is socially impeded by inequality, linked to discrimination, and derailed by the priorities of surviving on low and unreliable incomes. Continuous and intrusive policing adds to the pressure on young people (Graham and Karn 2013). It is this set of daunting environmental and institutional pressures that helps to create a cohort of multiply developmentally challenged young people and keeps them inside the web of criminal justice intervention.

Probation history has embodied tensions between addressing mainly social, or mainly psychological,

needs (Burnett et al. 2007); maybe it is time to put these to one side. The logic of the analysis is that interventions should be shifted increasingly outside criminal justice towards health, ETE and youth transition services that can open new pathways promoting individual development over the long term and are not confined or compromised by the priorities and timescales of criminal justice. The hope and optimism implied by a focus on maturity is that a cluster of developmental challenges can be overcome with the right investment of time and support, a prospect that goes beyond the narrower focus on 'risk' reduction.

For probation, the task should be to build partnerships with such agencies and to lever resources for these interventions, effecting handovers of responsibility wherever possible, and certainly at the end of the sentence. Unfortunately the material and resource outlook for young adult services has rarely appeared more problematic and uncertain (CLINKS et al. 2015): for those concerned to expand them, policy advocacy will be more and more important as an avenue of progress.

### **REFRESHING A POLICY CONSENSUS AROUND ASSESSMENT**

Anticipations that mandatory assessment will make a difference to report writing, sentencing and services appear to depend on a number of powerful forces actively supporting, rather than passively expecting, change. Over and above making guidance available to the teams of report writers, and monitoring their work, there are several key tasks: providing staff with opportunities to learn from shared experiences as well as textbooks; establishing common strategic understandings among sentencers, NPS and CRCs; adapting tools that can speak consistently to both NPS and CRC at their routine digital reporting and assessment decision points; ensuring that workloads are adequate for staff to undertake complex assessment and to communicate successfully with young adults.

T2A should seek to identify leaders in NOMS and in probation organisations in order to discuss and agree strategic approaches which take the initiative with government, the inspectorate, and key CRC consortia. Otherwise there is a risk that policy may be dragged off-course by other government directives or by a

resource-driven lip-service to the new requirements. The evidence of this research is that a locally integrated strategy can be effective in raising the profile of maturity, but such innovation would fail if strategic coordination were to be ceded in the face of a tide of other changes. Above all, there should be a commitment to raise the achievements and assets of young adults who have been failed by social injustice and to recognise that achieving maturity means embracing a social goal and not simply 'improving' attitudes.

# Appendix

## INTERVIEW

### PLEASE INTRODUCE YOURSELF

Three main questions:

- Who do you work for?
- What is your role?
- How long have you worked in Probation?

### TO ALL

Important that you all have your say.  
One person speaks at a time.

### LET'S START WITH MATURITY

- How important do you think the concept of maturity is for probation practice with young adults?  
(GO ROUND)
- Have your thoughts on this issue been much the same since you started working in probation or have they changed in significant ways? Please explain.  
(GO ROUND)

### GUIDE

- How long have you had access to a Guide?
- How long since you began to use it?
- Did you have any specific training? In what form?
- What were your first impressions of the Guide as a tool?
- So... has it had any influence at all on your practice?

### IDENTIFY 'YES' GROUP

- If so in what main respects? (new Q and As to explore in OAsys; new use of resources and services; new elements in PSR proposals?)
- How could you evidence this change? (Language of reports?)
- Why do you think it has been influential? (own merits? other people? training?)

- How supportive were other people in your organisation? (colleagues, senior staff)
- What have been responses from people outside? (sentencers or partner agencies)
- What have been the responses from young adults?

### TURN TO THE 'NOs'

- If not why do you think that has had little or no influence? (flaws in the document, lack of training, responses of colleagues, senior staff, sentencers/partners, young adults)

### SO BACK TO EVERYONE

(at 40 mins)

### TO ALL

- Do you think that it might have more influence or less influence in the future, say, over the next year or so?
- In what way and why? (new requirements, organisational uncertainties, etc.)
- Would you recommend the Guide to another probation practitioner?
- Is there any other T2A resource that you have used since you read the Guide?
- If you were writing a Guide for practitioners on young adults what would you want to say?
- What would you want to emphasise, or say differently from the way it is written in the Guide?
- Anything to add?

### FINISH AND THANKS

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