

# Horizontal and vertical responsabilisation in the resettlement field

## Abstract

### Purpose:

The Offender Rehabilitation Act (ORA) 2014, extended post-release supervision to individuals serving short prison sentences while introducing an extended array of actors into the resettlement field. This article explores the barriers that prison practitioners and community probation workers faced in their attempts to provide resettlement support, and how in response to these barriers, these practitioners enacted particular responsabilisation strategies.

### Methods:

This empirical research features the perspectives of 19 prison, probation and third-sector actors within a case-study area in England. Qualitative interviews were carried out, alongside observations and field notes of daily practice.

### Findings:

Findings indicate that despite the promise of additional support, practitioners face significant barriers inhibiting their ability to provide effective resettlement assistance. The three specific barriers identified are; institutional, temporal, and political-economic. In response, practitioners enacted particular responsabilisation strategies, shifting blame vertically down to service users, and horizontally towards the other actors involved in managing these individuals.

### Originality:

These findings help to expand our understanding of the responsabilisation literature, particularly how responsabilisation operates at a practitioner level, and how barriers become refracted and reframed into responsabilisation strategies. This article also draws on the 'mass supervision' literature to demonstrate how the introduction of multiple agencies obfuscates individual responsibility for resettlement and large caseloads erode supervisory practice.

### Practical implications:

This article concludes with a brief overview of the latest iteration of resettlement practice, before exploring how a desistance-focused approach by practitioners may improve resettlement outcomes.

Keywords: Responsibilisation, resettlement, short sentences, Transforming Rehabilitation, through the gate, mass supervision

### Introduction: The resettlement field under Transforming rehabilitation

Introduced as a part of the *Transforming Rehabilitation (TR)* reforms<sup>1</sup> (Ministry of Justice (MoJ), 2013a), the Offender Rehabilitation Act (ORA) 2014 extended post-release supervision to individuals in England and Wales serving short sentences of less than 12-months<sup>2</sup>. Previous to these reforms, this cohort faced significant neglect within the criminal justice system and were released unconditionally at the halfway point of their sentence, with no statutory support or supervision from the probation services. Architect of *TR* – Conservative Justice Minister Christopher Grayling – justified this extension of probation intervention on the basis that individuals serving short sentences have the highest re-offending rates within the adult system (MoJ, 2014).

Alongside the introduction of the ORA 2014, another central tenet of *TR* involved the part-privatisation of the probation services, splitting probation trusts into two distinct organisations; a publically-owned National Probation Service (NPS) and community rehabilitation companies (CRCs), which consisted of a mixture of third-sector and private companies. Service users were split according to the logic of risk, with high risk of harm cases allocated to the NPS and medium and low-risk cases to the CRCs (MoJ, 2013a). CRCs were responsible for most – but not all – individuals subject to a short sentence. CRCs were ostensibly introduced in order to form innovative ways to reduce re-offending for the short sentence cohort. This set CRCs with a particularly challenging task, as previous research outlines that this cohort often encompasses the most prevalent multi-systemic issues in comparison to longer prison sentences (Stewart, 2008; NAO, 2010). Furthermore, practitioners and service users alike, find short sentences to be unproductive and even detrimental to desistance (Trebilcock, 2011; Armstrong and Weaver, 2013).

The ORA 2014 reforms mean that everyone released from custody on a short sentence, now receive 12-months post-release support and supervision in the community. This has been translated on the ground into a sentence with three distinct parts. Firstly, the custodial sentence. Under the *TR* reforms, ‘local’ prisons where individuals are often transferred to after sentencing, were re-designated as

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<sup>1</sup> A full overview of the rise and demise of *TR* is not included here, but please see Cracknell and Trebilcock (2020) for an overview of the *TR* reforms.

<sup>2</sup> Please see Cracknell (2021c) to view past attempts at reforming short sentences.

‘resettlement prisons’. This meant that upon entering custody, individuals should have their needs identified by a ‘through-the-gate’ practitioner (contracted to a CRC) in order to ensure that a resettlement plan is put into place (MoJ, 2013b). Through-the-gate workers were also tasked to aid communication between prisons and community probation by smoothing the transition process as an individual leaves custody (Ibid). Next, the licence period - served in the community. Each individual was assigned probation practitioner who should put this resettlement plan into action and supervise the individual while they are serving their licence period. Finally, once the licence period has elapsed, a ‘top-up’ period of post-sentence supervision (PSS) commenced, ensuring that every individual received a full 12-months period of post-release supervision in the community (MoJ, 2014)<sup>3</sup>. There were a variety of ways in which PSS was managed and supervised during *TR*, this included a ‘sub-contracted model’ (HMI Probation, 2019), with specialist third-sector organisations responsible for supervising individuals on PSS, who were contracted to a CRC. This ‘rehabilitative’ part of the short sentence (NOMS, 2014), should help consolidate any resettlement plans. This meant that individuals serving a short sentence would be assessed and supervised by three separate practitioners at each juncture of the sentence: in custody, on licence, and during the PSS period.

This article analyses this three-part resettlement field and the impact of new actors on resettlement work that the introduction of *TR* and the ORA 2014 has witnessed. There have already been several empirical studies and inspectorate reports which have outlined multiple failings regarding the support offered for individuals subject to short sentences. This includes failures regarding the re-designation of resettlement prisons (CJI, 2016; Taylor et al., 2017; Cracknell, 2021a), shortcomings regarding the licence period (Prison Reform Trust, 2018; Millings et al., 2019; Cracknell, 2022a; 2022b) and ambiguities regarding PSS (HMI Probation, 2019; Cracknell, 2020). However, this article seeks to further the understanding of this topic by featuring the views and perspectives of practitioners at all three junctures of the short sentence. This article also uses the theoretical construct of responsabilisation to understand the particular barriers faced by working with individuals subject to short sentences and how these barriers become refracted and reframed into particular responsabilisation strategies.

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<sup>3</sup> Individuals serving prison sentences of over 12-months would serve half their sentence in prison and the other half in the community and were subject to licence conditions – PSS did not apply to this group. A licence is a set of conditions individuals must follow when they are released from prison while serving the remainder of their sentence in the community. PSS has slightly different enforcement procedures – whereas the licence period allows an automatic return to custody through the standard recall procedures, the PSS period requires a return to court via breach proceedings.

The article will firstly introduce the methods for this study. Then, in the main findings, it will contend that practitioners face three barriers that impede effective resettlement support; institutional, temporal, and political-economic. Institutional barriers concern the inherent difficulties of caseload pressures and demonstrates an example of ‘mass supervision’<sup>4</sup> (Robinson et al., 2013; McNeill, 2018). Temporal barriers are related to the lack of time practitioners have to work with the short sentence cohort. Finally, political-economic barriers concern the wider political climate of austerity measures that undermine effective resettlement work. Practitioners at all stages of the short sentence lacked the agency to overcome these barriers, and in doing so, enacted two distinct forms of responsabilisation; vertical responsabilisation down to service users and horizontal – pushing responsibility towards other actors at the different junctures of the sentence. These findings seek to expand our understanding of responsabilisation, demonstrating how responsabilisation operates on the ground and how it is multi-directional. A brief discussion will follow these findings that will look ahead at resettlement practice post-*TR* and will explore how resettlement practice might be improved with a desistance-focused approach. Firstly, a brief overview of the responsabilisation literature is included below.

## Responsibilisation

The concept of responsabilisation emerged from the work of O’Malley (1992) and Garland (1996), who argue that crime is now seen as an inevitable part of everyday life to be managed. From this perspective, responsabilisation strategies emerge, where governments confer responsibility to new agencies to manage crime, moving responsibility away from the state itself. Garland (1996) notes that this does not diminish the power of the state, indeed, responsabilisation strategies extend the state’s power for action and influence through ‘governance-at-a-distance’, allowing the state to coordinate and activate a range of agencies, while simultaneously devolving responsibility. This approach is often actualised on the ground through ‘multi-agency’ or ‘inter-agency’ strategies, including the multi-agency approach featured in this article which responsabilises prison, probation and third-sector actors to resettle the short sentence population. Furthermore, the through-the-gate reforms of *TR* and the introduction of the ORA 2014, can be seen as an example of the state exercising its power, by

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<sup>4</sup> Mass supervision concerns the expansion of probation as a unique form of penal control that has widened the net of punishment (Robinson et al., 2013). McNeill’s (2018) work on mass supervision details the determinantal impacts of mass supervision on its subjects and on supervision practice.

expanding supervision to the short sentence cohort<sup>5</sup>, while conferring responsibility for its success through the privatisation mechanisms of TR.

Another central theme of responsabilisation is its disciplinary logic. For example, Schram et al.'s (2010) research on US welfare reform, notes how this logic produces a 'chain' of disciplinary relationships that run vertically from national government, to states, down to local contract agencies and then onto frontline workers and their clients. This form of responsabilisation encourages practitioners to reconstruct their clients as inherently flawed and responsible for their own improvement and has become common in criminal justice practice (see for example: Lynch, 2000; Rose, 2000; Wacquant, 2009). This process often takes place when insufficient resources are given to criminal justice actors to meet the goals of resettlement and rehabilitation (Lynch, 2000). Within this strategy, disadvantage and exclusion become re-framed as choice and structural inequalities become replaced with an emphasis on personal responsibility (O'Malley, 2001). In relation to contemporary penal practices for resettlement, the released prisoner is responsabilised to be ready to 'go straight' and show readiness for a law-abiding lifestyle (Lynch, 2000). The focus of practitioners is based on the individual's attitude and behaviour and not on the myriad practical barriers service users face when reintegrating back into the community (Werth, 2013; Miller, 2014). In this context, formerly incarcerated individuals must 'perform' their own transformation to others (Miller, 2014) and present themselves in line with the expectations of others in order to maintain their place in the community (Digard, 2010).

## Methods

The findings presented within this article are based on an empirical chapter of a doctoral thesis, which central aim was to explore practitioner and service user on the ground experiences of the ORA 2014. A grounded approach was used to explore how the TR resettlement reforms were enacted by prison and probation practitioners and experienced by individuals serving a short sentence. This qualitative research used a case-study design. Goodman (2012: 441) argues that case studies can be used to "think about the complexities of rehabilitation in a particular place and time and what those particularities can tell us about punishment more generally". The particular case featured in this research is a geographic area in England that contains a re-designated resettlement prison and the corresponding CRC office. This area was chosen in conjunction with HMPPS. As a case study

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<sup>5</sup> See Cracknell 2018 and 2021b for more on the 'net widening' powers of the ORA 2014.

provides a time-bound snapshot of the *TR* reforms in one area at one particular point in time, it is not attempting to make wider generalisations to practice in other CRCs.

In total for this thesis, 35 semi-structured interviews took place with practitioners (n=19) and male service users (n=16) in the resettlement prison and the community CRC. These interviews took place between March-September 2018. Interview data were further corroborated with observations and field notes of daily practice within these settings. This article specifically draws upon the 19 interviews that were undertaken with practitioners and are broken down as follows: 10 interviews with prison practitioners, including – two prison officers, three resettlement practitioners, a deputy governor, a mental health worker, a careers advisor, a substance misuse worker, and a housing worker. 9 interviews with CRC community practitioners including – three probation officers, two probation service officers (PSOs), a responsible officer who was a third-sector practitioner and supervised individuals subject to PSS, two middle-managers with responsibilities for oversight of third-sector practitioners, and a housing practitioner. All individuals were purposively sampled (Silverman, 2013) to provide a range of experiences and on the ground perspectives regarding the ORA 2014.

Ethical permission for this research was firstly granted by the university where the thesis was supervised. Access was subsequently granted by the HMPPS research committee and then internally from the respective resettlement prison and CRC. In the prison and CRC, access was negotiated via gatekeepers. These gatekeepers also helped to map out service provision in the area, as well as advising on inclusion and exclusion criteria for participants. Reliance on the gatekeepers for arranging suitable participants meant they played a very powerful role in shaping the sampling of the research. This has implications for bias, however, it has been extensively noted by penal researchers the powerful control gatekeeper exercise when accessing a closed environment such as the criminal justice system (Reeves, 2010).

All participants were interviewed once, interviews lasted for approximately 30-60 minutes and were undertaken by the author. All participants were given consent forms and information sheets. Participants' details – including specific details of the case-study area – have been anonymised to ensure confidentiality. All interviews were taped and transcribed by the author. Coding was undertaken manually, using a three-stage process, outlined by Strauss (1987). Stage one of open

coding established the three core barriers – institutional, temporal and political-economic, as well as identifying that practitioners were shifting responsibility for resettlement away from themselves. Stage two of axial coding helped to break down in more detail how this shifting of responsibility worked – both vertically and horizontally – and stage three integrated these themes, using the responsabilisation framework to understand the findings.

## Findings:

### Institutional barriers

A central institutional barrier to providing effective resettlement to the short sentence cohort concerned the caseload numbers that prison and probation practitioners had to work with. Indeed, *TR* and the introduction of the ORA 2014 meant an additional 45,000 people were added to practitioners' caseloads (HMI Probation, 2021), impacting prison and probation staff alike. This addition to practitioners' caseloads has been described elsewhere as an example of 'mass supervision' (Cracknell, 2021b), which has had detrimental impacts on supervisory practice (Cracknell, 2022b). These additional caseload pressures restricted practitioners' ability to provide meaningful support to their service users and the ability to effectively communicate with other organisations. The experiences of a prison practitioner reflected the difficulties staff faced in the case-study prison:

*We have really big caseloads. When you think you've cleared it, a whole new heap comes on, it's just continuous (prison resettlement practitioner).*

Once the individual had been released and they were being supervised on licence, further institutional pressures were evident. Following the implementation of *TR*, opportunities for supervision had been constrained (HMI Probation, 2019), primarily due to the large caseloads that were enforced upon CRC practitioners (CJI, 2016; HMI Probation, 2021). Mirroring the pressures that prison practitioners discussed, Practitioners in the case-study CRC described how exhaustive caseload pressures placed significant constraints on the space and time probation staff had with individuals on licence, as practitioners were forced to juggle competing sets of priorities. This could lead to officers feeling overwhelmed and struggling to keep on top of their cases:

*The prison say we should know who we have [on our caseloads] and who's coming out, so we should contact them. To some degree that's right, when we used to have 40 cases that is realistic, but not with 60-70 cases, you just can't do it. I've got 64 cases, with 60 cases in*

*the community, you try and juggle that. And you're telling me I've got to remember I've got somebody coming out and then ring the prison (Probation officer).*

As a result of these caseload pressures, officers described how they were forced to prioritise the individuals that demanded their most immediate attention. Inevitably that encompassed those already in the community, leaving individuals in prison deprioritised and neglected. Caseload pressures were reflected by a change of approach to prison engagement work, which involved an increasing constraint on prison visiting. One PSO outlined the level of engagement and contact that he was able to provide to individuals in custody and the effect this had on resettlement planning:

*We used to go to prison, in old-school probation. Do a visit and get to know the person, but I don't know if many officers even do it these days. We now just write a letter to the person. I haven't done a visit for many a year..... Its fine writing a letter, but it's not the same as going and seeing them in person (Probation service officer).*

The PSO described prison visits as part of “old school probation”, alluding to a set of past practices that were no longer possible in the more constrained and desk-bound culture of contemporary CRC practice. The discouragement to visit individuals in custody signified that the prison was not a space for community-based practitioners, undermining the ideals of enhanced continuity imagined under TR. Instead, through-the-gate practice from the community perspective was limited to sending a letter of introduction. This constrained the ability to build positive engagement with the individual, an important element of probation practice.

Within these existing constraints on practitioners, several officers felt that the quality of supervisory practice could also suffer, resulting in a more limited target-orientated approach. A probation officer outlined how this approach was actualised in practice and what her working priorities were with newly released individuals released on licence:

*Pressure isn't on quality of work, it's just about meeting targets. Targets are focused towards compliance with the licence, instead of any end result. So, you would just get them through that licence period so that someone doesn't need to be recalled (Probation officer).*



For officers on the ground, pressures could lead to supervision becoming reduced to a very perfunctory discourse that emphasises getting someone “through” the licence period as painlessly and efficiently as possible, in order to quickly move individuals onto the next stage of their sentence. This approach sacrificed achieving a more meaningful and sustained level of engagement and distanced practitioners from their service users.

The institutional barriers explored here, demonstrate the pressure practitioners faced with high caseloads, and how this negatively impacted the ability to build a relationship with each individual and provide effective support with their resettlement needs. High caseloads and their negative impacts became a central feature of *TR* (HMI Probation, 2019; 2021) and presented as a further obstacle for staff to provide meaningful resettlement support.

#### Temporal barriers

The limited time the short sentence provides for a practitioner to work constructively with an individual has been identified as a key theme within pre-existing literature on short sentences (Trebilcock, 2011; Armstrong and Weaver, 2013). Even with the re-designation of resettlement prisons and the resulting focus on identifying the needs of individuals, practitioners in the case-study prison still felt that they had insufficient time and space to work with individuals subject to a short sentence.

*In such a short space of time, it's impossible to address all of their needs, there is very rarely enough time to focus on everything that needed attention. In terms of the real intense therapeutic work, you can't even touch the surface in the time they're there. (Prison housing practitioner).*

One of the key purposes of the ORA 2014, is to ensure the 12-months post-release supervision in the community provides additional space for rehabilitative support. However, practitioners in the community also struggled with time constraints. To ensure continuity through-the-gate, each person discharged from prison should have a named officer and reporting instructions for an appropriate CRC office on the day of release. This initial appointment was intended to ensure that individuals have support in place in the first few days of release and were aware of their licence conditions (NOMS, 2014). However, practitioners in the case-study area outlined difficulties with this allocation process:

*With short-term sentences, you don't really get those cases allocated until release, so there's no time to do any prison work. It goes onto that big pile ... If there's someone inside for a few weeks you might not even realise you have the case until they're out (Probation officer).*

Pressures on time continued while service users were serving their licence period, impacting the supervisory relationship. Practitioners stated they often didn't have the time to undertake longer in-depth appointments with individuals on their caseload, limiting the ability of practitioners to enact a comprehensive form of supervision. Instead, it became reduced to a 'tick-box' session, which was very perfunctory and limited in its scope:

*You've got an allotted time with this person to go through their paperwork, meet with him, and give him the next appointment (Probation service officer).*

The reality for practitioners administering PSS – the last element of the short sentence – was that due to the time constraints in prison and on licence, rarely had any meaningful work been completed before this stage. This effectively meant that it was only until the last part of the sentence that any work could begin, undermining the ideals of PSS being a progressive move, rather than a starting point:

*When they're on licence, the main target of the probation officer is the OASys<sup>6</sup>, which you have to do in 15 working days of release, everything else gets forgotten. Then it's on to PSS and we end up doing everything. Most of the time we start fresh with that service user and start from the beginning. Usually, the probation officer hasn't done any referrals, literally, you do it all, it's like starting again (Responsible officer).*

These perspectives highlight that despite renewed efforts to reconstitute the inherent issue of the brevity of the short sentence through extending support into the community, the limitations on the time in prison and on licence, meant responsibility for resettlement support was 'pushed' towards PSS. This is likened elsewhere to a 'pass-the-parcel' experience (Cracknell, 2020) and underlines the temporal nature of the short sentence as an intrinsic barrier to providing effective support.

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<sup>6</sup> OASys – the offender assessment system, is the central risk-assessment tool used by prisons and probation to measure risk and develop sentence plans.

### Political-economic barriers

The expansionist plans of the ORA 2014 took place within the wider context of austerity-related policies. This has led to budget cuts for numerous government departments. The Ministry of Justice was no exception and saw cuts to its budget of 23%. In turn, this has had a direct impact on prison staffing levels, which in England and Wales has witnessed a reduction in frontline prison staff of over 27% (Bennett, 2015). The impact of fewer prison staff has had a detrimental impact across the prison estate and the case-study prison was no exception. In particular, practitioners felt that it undermined the ability of the prison to facilitate through-the-gate resettlement services:

*I think it's our biggest constraint, there isn't enough prison officers. Resettlement is often the first thing to be cancelled if there's a shortage of staff (prison resettlement practitioner).*

Austerity has also impacted other services within the case-study prison. Housing was universally recognised by practitioners as a foundational need intrinsic to resettlement, however, this was not reciprocated in available provisions and resources. A resettlement worker below outlined the numerous barriers, blockages and gaps in housing services, many of which occurred on a wider socio-economic scale. These factors again established how on the ground practice was directly affected by wider macro-level constraints:

*Housing is the biggest shortfall. There isn't enough hostels and the local authorities often don't help. We've only got two housing officers here. So, if you think we've got over a thousand inmates in this prison and how many are coming in and out (prison resettlement practitioner).*

Probation practitioners supervising individuals during the licence period in the community were also impacted by similar economic conditions – indicating austerity as a pervasive issue impacting beyond the prison walls. For example, there was a widespread recognition that many of the community services that were central to resettlement were also suffering from cuts in funding and associated staff shortages. A probation officer outlined how this impacted the quality of service that could be provided:

*Our substance misuse provider has had a lot of cutbacks. There's been a lot of staff changes and they're not able to provide a top-notch service, they're struggling. Which impacts down on how we can help people (Probation officer).*

In addition to the impact of austerity measures, some staff described how the universal credit benefits system had negatively impacted resettlement. The universal credit system has come under fierce criticism for its built-in delays to payments, meaning that many individuals released from prison do not receive any money until six weeks or more after their release (ACMD, 2019). A business manager felt that this delay placed huge strains on individuals serving short sentences and was a catalyst for re-offending:

*The welfare benefits change to universal credit is making it really difficult for us. Ideally, we want people to come out and immediately have access to benefits, but they often aren't able to get benefits until 6-8 weeks after release. So, if you come out of prison, you have nothing and we're trying to stop this guy from re-offending, giving them no help to 6-8 weeks later is not a good recipe for success. (CRC business manager).*

The difficulties caused by austerity measures also continued into the last juncture of the newly expanded short sentence – PSS. The inability to substantiate its 'rehabilitative' purpose with additional resourcing, served to undermine its aims and left probation practitioners to devalue this element of the ORA 2014:

*I genuinely don't know what they do with people when they see them! I think they were supposed to do the whole signposting thing, but the PSS practitioners are the same as us, they don't have the resources to signpost them onto. They don't have a store of stuff that we haven't got and we haven't got a store of stuff that they haven't got (Probation officer).*

Understanding the perceptions of practitioners operating at all junctures of the sentence demonstrates how the economic policies enacted by the government have undermined the aims and purposes of the ORA 2014. Furthermore, the inability to influence governmental practices and policies such as housing, the benefits system and wider austerity cuts, demonstrated that issues beyond the control of a single practitioner or organisation, could have a hugely detrimental effect on the resettlement process. These macro-scale issues also disenfranchised probation practitioners and significantly constrained their ability to engage service users and affect change, as related by a business manager:

*A lot of it is outside of probation's ability, how the benefits system works is based at such a high-level ministerial decision. We can't change the housing stock that's available. We're a victim to these things the same as everybody else (CRC business manager).*

These comments by the business manager were reflective of a wider impotence that practitioners felt in their ability to effect change in the current climate. These perspectives further demonstrated how prison and community practitioners faced the same restrictions on available resources and that these macro-level issues acted as barriers to providing resettlement support. However, it also further re-affirms TR and the implementation of the ORA 2014 as a responsabilisation strategy, as the government promotes a multi-agency response to resettlement, while simultaneously asking its practitioners to do more with less.

### Vertical Responsibilisation

The previous section has outlined that practitioners – operating at all junctures of the short sentence - faced an almost insurmountable range of barriers, which inhibited their ability to provide effective resettlement support. Faced with these issues, data from the case-study area suggested that prison-based and community-based practitioners promoted attitudes of responsabilisation. This was demonstrated in two main ways; firstly, to their service user groups by placing responsibility onto service users for their own resettlement and removing culpability away from the various criminal justice actors. For example, a prison-based careers advisor relayed her attitudes towards prisoner resettlement:

*It depends on if they really want to engage. If they really want to engage and are motivated, they can get quite a lot from the prison (Prison careers advisor).*

Despite the multiple blockages and barriers to resettlement that the prison instilled, several prison practitioners articulated a belief that it was reliant on the prisoner themselves to engage with help and support. A prison-based mental health practitioner held a similar viewpoint to her colleague above, but when asked how prepared individuals were for release, she made a clear distinction between different service users:

*Some are 'suited and booted' and are much more capable than others. Some are determined to turn their life around and very keen to engage with people and very keen on doing things*

*for themselves. However, quite a lot of them rely very heavily on people to do everything for them (prison mental health practitioner).*

The mental health practitioner divided prisoners into two distinct categories, those that were ready and able to engage, and were “suited and booted” and those that were more reliant on help and support. This reinforced the idea that some service users were more ready than others. A community-based PSO elaborated on this theme and explained how this particular responsabilisation strategy worked:

*Some people, they come out and if they're ready to engage it's very different and then you can actually do stuff with them, but they've got to be ready. They recognise that they've come to a certain point in their life. That's when you can work with them, that's when you can actually do something. I think it's got to come from them, at that point (Probation service officer).*

The PSO reaffirmed a wider attitude that some service users were more ready and susceptible to change than others. However, instead of promoting the belief that a practitioner can help move an individual towards change, this particular responsabilised attitude posits that this can only come once the service user had reached a position of readiness. In effect, service users were responsabilised to reach an internalised level of commitment to change, before the practitioner could undertake meaningful work with them.

Practitioners who operated in the case-study area at all stages of the sentence clearly faced an almost insurmountable set of structural barriers and blockages to providing effective resettlement support. These barriers negatively impacted communication and continuity between prison and the community portions of the short sentence. However, they also seemingly affected the attitudes and perspectives of practitioners, who in the face of these considerable difficulties, shifted responsibility for the failings of this sentence to the service users themselves, echoing attitudes in-line with the research of Lynch (2000).

### Horizontal Responsibilisation

As well as responsabilising to service users, practitioners in the case-study area also shifted responsibility for the resettlement of individuals outwards to other actors involved in the short sentence. The introduction of several new actors into the short sentence, such as the third-sector organisation responsible for PSS, intensified fragmentation and created the conditions for obfuscation and diminished individual responsibility for the resettlement of an individual subject to a short sentence. Outlined below, are the various ways that this was enacted by practitioners in their various prison and community roles.

In the face of the multiple constraints that existed within the prison to facilitate effective resettlement, prison practitioners articulated a sense of frustration towards community-based agencies. One resettlement practitioner outlined her perspectives of the CRC and who she felt was best placed to facilitate resettlement:

*They [the CRC] try to give us all the work to do, but as they're the probation officers, they have access to more things than we do in here. I definitely feel like the probation officers could be more helpful... There probably is a lot more resources available in the community and we just don't know about it (prison Resettlement practitioner).*

The resettlement worker related a view held by multiple prison practitioners, that community CRCs possessed the greater capacity to aid resettlement and had more access to resources than the prison were able to provide. This effectively shifted responsibility away from the prison and towards actors in the community. Community-based practitioners in-turn rejected the perspectives of the prison staff and forwarded their viewpoints regarding who was best placed to work with service users on resettlement. A PSO underlined the actors he believed were best equipped to undertake this type of work:

*It has to be the prison. There's not a lot we can do from our level. It has to be from custody (Probation service officer).*

The PSO asserted the limitations CRC staff had in providing resettlement support and services, effectively responsabilising resettlement back to the prison. With multiple actors involved in the resettlement of individuals subject to a short sentence, it was unclear who held ultimate responsibility for their resettlement, and within this void, organisations shifted accountability outward toward

others. Another nascent actor introduced into the short sentence were practitioners from the third-sector organisation, responsible for PSS. This individual provided her unique perspectives regarding who was best equipped to provide resettlement support:

*There could be more at the prisons, particularly with accommodation. It should be the first thing that should be sorted out, not just releasing people and they've got nowhere to stay. Obviously then the communication between the prison and the probation officer, all they do is let them know they're being released (Responsible officer).*

The practitioner above responsibilised resettlement to the prison and probation staff, particularly concerning issues with accommodation. Even though it was widely recognised by all practitioners that accommodation and homelessness were a significant problem with very limited resources available, practitioners placed blame and responsibility away from themselves and shifted it across to other actors and agencies.

These perspectives underlined that at every point of the short sentence, the numerous actors obfuscated and avoided responsibility for the failures in resettlement. This form of responsibilisation was exacerbated by the lack of resources and time that these actors possessed to facilitate a positive change, as well as the lack of agency they had in the face of macro-scale issues, such as housing.

### Discussion: Implications for future practice

The issues raised by the practitioners featured in this article, echo longstanding barriers and concerns related to effective resettlement practice. Indeed, caseload pressures, inadequate funding of resources and insufficient time to spend with practitioners have been identified as enduring issues which predate *TR* (Maguire and Raynor, 1997; 2017). In this respect, the *TR* reforms can be viewed as part of a continuum of failed resettlement policies (Cracknell, 2021c). However, *TR* is unique in that it introduced a range of new actors into the resettlement field, as well as expanded the reach of supervision to individuals serving short sentences and this led to these actors conferring responsibility for resettlement to each other. Furthermore, the lack of continuity between the different elements of the sentence served to inhibit rather than improve resettlement outcomes.



Looking ahead to the next iteration of resettlement policy post-*TR*, the recent HMPPS *Target Operating Model for Probation Services in England and Wales* (2021) outlines a departure from previous attempts to integrate prisons and probation. An 'Offender manager in custody' (OMiC) model has been developed which provides sole responsibility to prison staff for resettlement, only handing over responsibility to probation at a set point shortly before release, where community probation officers 'reach in' and then assume responsibility for resettlement. Post-sentence supervision will continue but is operated by probation practitioners and not third-sector operators. These two latter changes potentially simplify the resettlement process, by reducing the number of resettlement actors involved. The OMiC model and the related changes made post-*TR* will have other consequences for responsabilisation in the resettlement field, potentially drawing clearer lines of responsibility for the different groups of practitioners. However, without providing the requisite time and resources that practitioners need to effectively work with this cohort, then the inherent problems with short sentences will remain.

Beyond any macro-level changes that are needed in the political-economic environment, it is also important to consider what could practitioners do to improve resettlement practice. An additional focus on desistance-related practice could help in this regard. McNeill's (2006) 'desistance paradigm' framework promotes several elements of good practice, including: early individualised preparation for release, access to resources and advocating on behalf of the individual. This approach should also coincide with the use of motivational work, continuity of personal contact, support in the face of setbacks and a positive collaborative approach from the practitioner that is flexible and realistic. A desistance-focused approach in resettlement also involves the practitioner promoting 'social capital' which prioritises 'bonding' and 'bridging' people to appropriate welfare, treatment and community resources (Hall et al., 2018). In this respect, the practitioner should enact a strengths-based approach that generates a sense of optimism and self-responsibility and is rooted in a 'thick' network of community-based resources (Dominey, 2019).

## conclusion

*TR* and the introduction of the ORA 2014 is a clear example of a responsabilisation strategy enacted by the UK government. The state exercises its power by expanding oversight into a new cohort of service users, while transferring responsibility for its success to private companies and third-sector organisations via the privatisation elements of the reforms. Although the findings in this article are taken from one case study area, and as such are not necessarily generalisable to experiences in

other probation areas, they do still help to demonstrate how a 'chain' of disciplinary relationships (Schram et al., 2013) run vertically from the government, through the various organisations tasked with resettlement and down to the individuals these reforms promised to rehabilitate.

In this respect, this article has sought to complement and expand the existing literature concerning responsabilisation. Corresponding with existing literature in this field (Lynch, 2000; O'Malley, 2001; Schram et al., 2013), this article has highlighted how particular barriers to providing resettlement become refracted and reframed into responsabilisation strategies by practitioners who make service users responsible for their own resettlement. Described as a form of vertical responsabilisation, practitioners (with inherently more power than service users) shifted responsibility down – vertically - to service users. Despite a widespread acknowledgement of the numerous structural failings in resettlement support, practitioners still advocated a belief that the success or failure of a service user's resettlement was dependent on the individual. These staff divided service users between those deemed ready and able to engage, from those that were viewed as unmotivated. Practitioners asserted that they could only effectively work with an individual once they were ready. In this sense, service users were responsabilised to become ready to actively engage, effectively minimising the motivational role of practitioners.

Furthermore, in an expansion of literature in this area, practitioners would also responsabilise horizontally across to the different prison, probation and third-sector agencies that facilitated the various elements of the short sentence, who in theory operated at the same level with equal power and resources. These findings expand upon the 'disciplinary logic' highlighted by Schram et al. (2013), showcasing how the two forms of vertical and horizontal responsabilisation took place simultaneously.

Both these types of responsabilisation took place because practitioners lacked the time, resources and agency to provide meaningful and effective resettlement support, particularly in an environment of austerity-related policies, such as universal credit cuts and housing shortages. These difficulties were further exacerbated by two additional issues; firstly, the addition of the short sentence cohort onto the caseloads of practitioners inhibited the ability to provide meaningful support and serves as a further example of the detrimental qualities of mass supervision (McNeill, 2018; Cracknell, 2021b; 2022b). Secondly, the privatisation of probation also introduced several new actors and led to a lack of cohesiveness, and meant it was difficult to determine who took central responsibility for the

intractable task of resettlement while encouraging agencies to push responsibility and blame away from themselves and towards others. In effect, all stages of the short sentence contained significant difficulties and roadblocks which inhibited continuity. Subsequently, these reforms which were ostensibly advertised as a 'seamless' through-the-gate process, have served to create additional seams.

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