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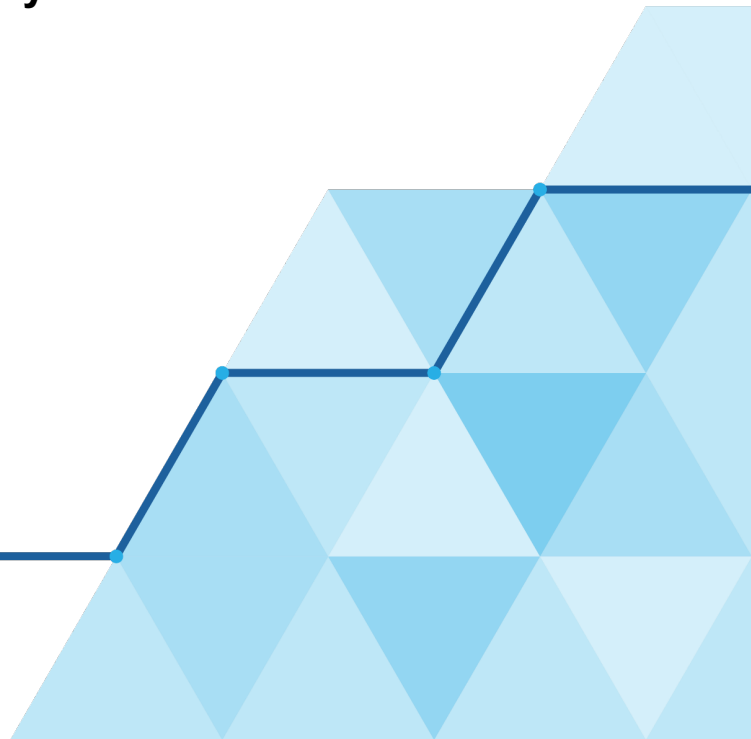
# Process evaluation of the Rehabilitation Activity Requirement (RAR)

**Treena Bhakta, Eleanor Lacy and Lydia Baxter**

Ministry of Justice

Ministry of Justice Analytical Series

2025



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First published 2025



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ISBN 978 1 911691 67 9

## **Acknowledgements**

The authors would like to thank our colleagues at the Ministry of Justice, in particular: Caroline Logue, Lily Smart, Louisa Alvis, Lydia Morris, and Anna James for their continued support and advice throughout the evaluation, and Tom Rizk and Laura Barrett for their analytical support. The authors would also like to thank the external peer reviewers for their helpful suggestions.

Finally, the authors are grateful to the probation staff, magistrates' and people on probation who participated in this research, as well as wider partners and stakeholders who facilitated with identifying potential participants.

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# Glossary

**CO – Community Order.** A community order is a sentence served in the community under the supervision of a Probation Trust. It is imposed for offences that are serious but not so serious as to warrant custody.

**CRCs – Community Rehabilitation Companies.** CRCs were set up in June 2014 to manage people on probation who present a low or medium risk of serious harm. The contracts were terminated in June 2021 when the CRCs were returned to public control and absorbed into the newly named 'Probation Service'.

**CRS – Commissioned Rehabilitative Services.** CRS are part of the probation system and provide flexible, tailored, and responsive services at a local and regional level, aiming to support and address areas of need associated with reoffending (such as education, training and employment, personal wellbeing, and accommodation).

**EPOP – Engaging people on probation.** EPOP Leads operate within the Probation Service, aiming to deliver and support the engagement of people on probation and peer mentoring services.

**ETE – Education, training, and employment.**

**GRT – Gypsy, Roma, and Traveller.**

**OGRS – Offender Group Reconviction Scale.** A risk assessment tool aiming to predict the probability of re-offending based only on static risks (such as age, gender and criminal history).

**PO – Probation Officer.** A fully qualified member of staff appointed to supervise people on probation.

**PS – Probation Service.** The Probation Service (formerly the National Probation Service) for England and Wales is a statutory criminal justice service, mainly responsible for

community supervision and the provision of reports to the criminal courts to assist them in their sentencing duties.

**PSO – Probation Services Officer.** The term for a probation practitioner who was originally recruited with no professional probation qualification (the PQiP). Instead, they may access locally determined training and can manage all but the most complex cases, depending on their level of training and experience.

**PSR – Pre-sentence report.** An impartial report written by probation practitioners to provide the court with information about a defendant prior to sentencing.

**RAR – Rehabilitation Activity Requirement.** Issued by the courts in community orders or suspended sentence orders, requiring people on probation to participate in activities to reduce their risk of reoffending.

**RPD - Regional Probation Director.** A Senior staff member who provides strategic leadership with responsibility for the overall commissioning and delivery of probation services across their region.

**SFO - Serious Further Offence.** A qualifying violent or sexual offence committed by individuals who are the subject of probation supervision.

**SPO – Senior Probation Officer.** First line manager within the Probation Service.

**SSO – Suspended Sentence Order.** A legal arrangement where an individual is given a custodial sentence but does not go to prison immediately, and instead remains in the community, provided they comply with conditions set by the court.

**TOM - Target Operating Model.** A model for probation delivery designed to establish a strengthened probation service that keeps the public safe, support victims of crime and tackles the often-complex causes of offending.

**TR - Transforming Rehabilitation.** Transforming Rehabilitation was a major structural reform programme implemented in 2014–15, which introduced fundamental changes to how probation was organised and delivered.

# 1. Summary

This report presents findings from a process evaluation exploring implementation of the Rehabilitation Activity Requirement (RAR) across several probation regions in England and Wales. The RAR was introduced into legislation in 2014 and designed to provide practitioners with flexibility as to how they deliver rehabilitative activity for different people on probation.

Process evaluations are generally used to understand how an intervention was implemented, the extent to which this was as intended and the barriers and enablers to support future delivery of the intervention. This process evaluation used qualitative methods and involved interviews with 61 participants, comprising 24 people on probation, 25 probation practitioners, and 12 magistrates.

The findings outlined in this report highlight several specific challenges with the RAR. These will be taken into consideration alongside any wider impacts to Probation following the outcome of the Independent Sentencing Review.

To note, the views of Commissioned Rehabilitative Service (CRS) providers are not included in this report. CRS perspectives will be captured in a separate process evaluation, due to be published later in 2025.

## 1.1 Key findings

### Understanding and perceptions of the RAR

- The concept of the RAR was broadly supported by probation staff and magistrates. However, due to resource constraints, both probation staff and people on probation felt it was not achieving its full its potential.
- People on probation had limited understanding of the RAR, in terms of what it involves, whether they had been sentenced to it as part of their order, and whether they had completed their RAR days during their order.



## **Sentencing the RAR**

- The interviewed magistrates reported typically sentencing the RAR if it was recommended by probation court staff in Pre-sentence Reports (PSRs).
- Overall, magistrates were confident in the quality of PSRs and would follow the advice of probation.
- However, in some cases magistrates would add RAR days to sentences to 'roundup' the number suggested by probation, particularly where they felt the PSR recommendation had been too lenient.
- Probation staff interviewed felt that often too many RAR days were sentenced.
- Probation staff and magistrates felt that the RAR was, in some cases, sentenced as a 'catch all'. Instances were reported where an individual in court presented no rehabilitative need, but the RAR was still sentenced, even if it was not recommended in the PSR.

## **Delivering the RAR**

- Probation staff had mixed views regarding the quality of toolkits and CRS on offer under the RAR.
- In some regions staff were discouraged from delivering 'off-menu' RAR activities.
- Key enablers to RAR delivery included positive relationships between staff and people on probation, positive engagement from people on probation, and practitioner interpersonal skills and experience in supporting needs.
- Barriers to delivering the RAR included needing to prioritise crisis management over RAR delivery, time constraints for probation staff, region-specific challenges (such as travel to and from rural areas), CRS waiting lists, and whether the person on probation had additional commitments (such as employment).
- Recording the RAR was reported to be time-consuming, in some cases requiring duplicate entries. Inconsistent recording practices between staff and top-down pressures to meet regional targets were also highlighted.
- Experiences of the RAR for people on probation were varied and dependent on their risk level and the activities available to them.

## Individual needs

- The RAR was not felt to be suitable for everyone, especially those described as having 'chaotic lifestyles'.
- Probation practitioners reported that neurodiverse people on probation experienced several barriers to engaging with the RAR, particularly those with attention deficit hyperactivity disorder (ADHD) and autism spectrum disorder (ASD).
- Both staff and people on probation felt that practitioners were not adequately trained to support those experiencing mental health issues using the RAR.
- Probation staff expressed frustration that some mental health services could not be recorded as RAR activities.
- Language barriers were felt to be an obstacle to engaging in RAR activities, and staff outlined difficulties of using interpretation services in some cases.

## 1.2 Implications

- The RAR, and the specific activities that can be completed as part of it, should be clearly and regularly communicated to magistrates to ensure that it is sentenced to address specific rehabilitative needs, and regular training should be offered to magistrates on the use of the RAR.
- Probation staff need to be trained and supported to communicate more clearly on the RAR with people on probation, including explaining what the RAR is, what it is for, what they can expect from RAR activities, and how their practitioner will keep them up to date on their RAR completion progress.
- Consideration should be given to enabling probation staff to use their professional judgement in what counts as a 'RAR day', within legislation, so that activities can be better tailored to individual needs.
- Training should be offered on how probation staff can tailor RAR activities to meet the specific needs and unique characteristics of people on probation, including young adults, women, transgender people on probation, Gypsy, Roma, and Traveller (GRT) populations, individuals with disabilities, non-native English speakers, and those with neurodiverse and mental health needs. Also, training

resources on RAR toolkits should be made more readily available to staff, and some toolkit activities should be reviewed for suitability.

- Faster responses to referrals and information requests are needed from CRS to ensure that probation systems are kept up to date and that sessions can be appropriately enforced.
- To improve recording inconsistencies, existing guidance should be made clearer and easier to locate for probation staff, and the recording process should be streamlined.

## 2. Introduction

### 2.1 Background on the RAR

In 2014, the Offender Rehabilitation Act introduced a new Rehabilitation Activity Requirement (RAR) as a replacement for the previous Supervision Requirement and Activity Requirement that could form part of a Community Order (CO) or Suspended Sentence Order (SSO).

The RAR aimed to support rehabilitation and restore people on probation to a purposeful life in which they do not reoffend.<sup>1</sup> It requires people on probation to complete up to a maximum specified number of rehabilitative activities ('RAR days') determined through a post-sentence assessment of their needs by their probation practitioner. Such activities aim to address the behaviour and underlying needs that may have contributed to the committed offence.

The RAR sought to enable providers of probation services to have greater flexibility to decide on approaches to rehabilitate individuals following sentencing. When first introduced, Community Rehabilitation Companies (CRCs) in place at the time were encouraged to access a diverse range of rehabilitation providers from the private, voluntary, and social sectors. Since unification of probation services in 2021, CRCs no longer exist. Instead, RAR activities are delivered either by the Probation Service (PS) internally, or through externally commissioned providers known as Community Rehabilitation Services (CRS).<sup>2</sup> These services aim to address specific needs like education, training, and employment (ETE), personal wellbeing, accommodation, and Women's services.

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<sup>1</sup> Source: HMPPS, 2019. RAR guidance: [RAR guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/814441/rar-guidance.pdf)

<sup>2</sup> A separate process evaluation of CRS is currently being undertaken, due to be published later in 2025.

Activities tend to be referred to as ‘RAR days’, but according to relevant legislation, activities can be of any duration from under an hour to a full working day. The terms ‘RAR days’ and ‘RAR activities’ are used interchangeably throughout this report.

Rather than a minimum, the court sets a maximum number of RAR days for completion to allow practitioners flexibility in their delivery alongside other CO and SSO requirements. There is no limit to the number of days that can be set as the maximum for each case. It is advised that higher RAR days should be for those who have greatest rehabilitative need.

In 2017, His Majesty’s Inspectorate of Probation (HMIP) conducted a thematic inspection of the RAR and suggested that RARs have suffered a myriad of issues with their purpose, delivery, and implementation. HMIP (2017) recommended that the Ministry of Justice (MoJ) evaluate whether RARs are working as intended. However, evaluation activities could not be conducted at the time due to operational pressures. This process evaluation sought to better understand how the RAR is being implemented across sentencing and delivery.

## 2.2 RAR in sentencing

According to guidance, a RAR should be proposed when the defendant has clear rehabilitative needs, when appropriate activities are available, and where such needs cannot be met by an Accredited Programme or a treatment requirement. A RAR should only be allocated alongside an Accredited Programme to address additional rehabilitative needs that are not covered by that programme. According to sentencing guidelines, sentencers should consider the number of RAR days recommended by the Probation Service to ensure that the number is suitable and proportionate to the level of need, and that eligibility requirements are met for relevant CRS.<sup>3</sup>

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<sup>3</sup> Source: Sentencing Council: [Imposition – RAR – Sentencing](#)

**Table 1: Number of RARs sentenced**

<b>Year ending</b>	<b>Offenders<sup>4</sup> starting community order or suspended sentence order supervision by the Probation Service<sup>5</sup></b>	<b>Number of Community Orders and Suspended Sentence Orders starting with a RAR requirement<sup>6</sup></b>	<b>% Community Orders and Suspended Sentence Orders starting with a RAR requirement</b>
2015	137,739	44,850	32.6%
2016	127,834	70,257	55.0%
2017	120,330	70,220	58.4%
2018	110,007	67,275	61.2%
2019	105,484	67,172	63.7%
2020	79,738	52,328	65.6%
2021	93,952	65,854	70.1%
2022	91,321	65,849	72.1%
2023	91,511	69,035	75.4%

**Table 2: Number of RARs sentenced by ethnicity in 2022**

<b>Ethnicity</b>	<b>Offenders starting community order or suspended sentence order supervision by the Probation Service<sup>7</sup></b>	<b>Number of Community Orders and Suspended Sentence Orders starting with a RAR requirement<sup>8</sup></b>	<b>% Orders starting with a RAR requirement</b>
White	68,039	51,468	75.6%
Other ethnicity	15,474	10,750	69.5%
Unknown	7,808	3,631	46.5%

<sup>4</sup> 'Offenders' is used here in place of 'people on probation' to reflect the language used in the Offender Management Statistics Quarterly (OMSQ) publication.

<sup>5</sup> Source: [OMSQ 2023](#), Probation tables. A6\_1. Value given in table is the sum of "Community Order" and "Suspended sentence order with requirements".

<sup>6</sup> Source: [OMSQ 2023](#), Probation tables. A6\_9. Value given in table is the sum of "Community order: Rehabilitation" and "Suspended sentence order: Rehabilitation".

<sup>7</sup> Source: [OMSQ 2022](#), Probation tables. A4\_5. Value given in table for White ethnicity is sum of "Community Order" and "Suspended sentence Order". Value for Unknown ethnicity is the sum of the same for "Not stated" and "Missing". Value for Other ethnicity is sum of the same for all remaining ethnicity values.

<sup>8</sup> Source: [Ethnicity & Criminal Justice System 2022](#), Table 6\_03. Values given are estimated based on the ethnicity distribution of all RAR commencements (which count multiple instances of this requirement within a single order), and applied to the number of CO/SSOs starting with a RAR from table 1.

**Table 3: Number of RARs sentenced by sex in 2023**

<b>Sex</b>	<b>Offenders starting community order or suspended sentence order supervision by the Probation Service<sup>9</sup></b>	<b>Number of Community Orders and Suspended Sentence Orders starting with a RAR requirement<sup>10</sup></b>	<b>% Orders starting with a RAR requirement</b>
Male	77,239	56,933	73.7%
Female	14,272	12,102	84.8%

Data on protected characteristics are routinely published for sex and ethnicity only. All presented data must be interpreted with care as they have been extracted from systems designed to administer or monitor an operational service, rather than for research purposes. Data are therefore subject to clerical and input errors, which has implications on the quality of the data, linking, and deduplication of records.

## 2.3 Assessing rehabilitative needs

In general, the more rehabilitative needs a person has, the greater their risk of reoffending. The PS advises the court in a pre-sentence report (PSR) on an appropriate maximum number of RAR days for each defendant, alongside justification. The court cannot set what specific rehabilitation activities need to be completed.

Instead, probation staff are required to meet with the defendant within 5 working days of sentencing to begin sentence planning. The plan should include an assessment of the persons' risk level and rehabilitative needs. The practitioner will then use this assessment to allocate the RAR days and select and sequence specific interventions and activities to address the identified needs.<sup>11</sup>

The 2021 Target Operating Model (TOM) set out how the probation services model in England and Wales would work once implemented and provided an overview of what services would be in place as of June 2021, following unification. Regarding the RAR, the

<sup>9</sup> Source: [OMSQ 2023](#), Probation tables. A6\_1. Value given in table is the sum of "Community Order" and "Suspended sentence order with requirements", for each gender.

<sup>10</sup> Source: [WCJS 2023](#), Offender Management tables. 6\_02. Values given are estimated based on the ethnicity distribution of all RAR commencements (which count multiple instances of this requirement within a single order) and applied to the number of CO/SSOs starting with a RAR from table 1.

<sup>11</sup> Source: [Targeting Operating Model - HMPPS](#)

TOM states that RAR activities should be selected in relation to the person on probation's risk and needs and be responsive to their strengths and unique characteristics. It was envisioned that people on probation would have greater involvement in risk assessments and the development of their sentence plan to improve engagement and secure better outcomes.

## 2.4 Delivering RAR activities

RAR activities can be delivered by a sub-contracted CRS provider, an in-house specialist, or by the responsible probation officer. Regardless of the provider, RAR activities must be enforceable. Completed RAR activities are recorded on nDelius<sup>12</sup> which holds information on people on probation. The specific activities that probationers are required to participate in is determined by the sentence plan.

Guidance suggests that RAR activity must be a pre-planned, structured intervention to address an identified need and to support rehabilitation. Regional probation providers will offer different interventions as part of a RAR to address needs that are strongly predictive of reoffending.<sup>13</sup>

Examples of RAR activities include:

- **Approved probation practitioner toolkits:** these involve structured, 1-to-1 conversations which target offending behaviour. Toolkits can be 'one-off' sessions or be completed over multiple sessions; they can be delivered as a standalone or alongside other RAR activities.
- **Structured interventions:** are usually offered to people on probation assessed as lower risk. These can involve a set of structured exercises, typically delivered to groups by intervention facilitators. Exercises aim to target attitudes, thinking and behaviour, emotion management, and domestic abuse.
- **CRS:** include activities offered through externally provided specialised services which aim to help address rehabilitative needs (like ETE, personal wellbeing, and

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<sup>12</sup> nDelius was introduced in 2014 to support implementation of the Transforming Rehabilitation reforms. It is the approved case management system used by the Probation Service in England and Wales.

<sup>13</sup> Source: HMPPS, 2019. RAR guidance: [RAR guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414444/RAR_guidance_-_GOV.UK.pdf)



accommodation). Probation practitioners are expected to make timely and appropriate referrals to CRS to deliver the RAR.

- **‘Off-menu’ activities:** can be recorded on nDelius when probation practitioners deliver rehabilitative activity that falls outside of the above ‘menu’ of options.

## 3. Approach

### 3.1 Aims and research questions

The aim of the process evaluation was to explore how the RAR has been implemented by understanding the factors influencing operational delivery, and to identify opportunities for improvement. Specifically, the research sought to answer:

1. How and why is the RAR sentenced?
2. How are RAR days delivered?
3. What are the experiences of people sentenced to a RAR?
4. How do protected characteristics affect the delivery of RAR?

This evaluation did not explore the impact of the RAR on reducing reoffending or other outcomes. The remit of the process evaluation was to examine how the RAR is implemented to understand operational mechanisms, and to identify areas for improvement.

### 3.2 Data collection

This report is based on fieldwork conducted between February and April 2024 by MoJ Government Social Researchers. The process evaluation was designed using a qualitative approach involving semi-structured interviews and focus groups. Interviews were conducted online, and focus groups were conducted both online and in-person.

The data collection format (in-person or online) was informed by the preference of the participants or regions at the time of research. This choice was offered to give participants more flexibility and to increase participation.

### 3.3 Sampling approach

The sample for the process evaluation included people on probation (24), probation staff (25), and magistrates (12). People on probation and probation staff were selected from 6 regions (see [Appendix A](#)). The regions involved in the research were selected

purposively to represent regional differences, such as: rurality, cultural diversity, mixed urban, and so on.

Within each probation region a selective sampling method was used to source participants. Capacity issues for probation staff were considered; the researchers sought first approval through Regional Probation Directors (RPDs) to engage with staff in the study. Senior Probation Officers (SPOs) across all regions were invited to take part in a focus group. Heads of Operations separately identified relevant probation staff who were invited to take part in an interview. Researchers requested that potential participants reflected a range of experience levels and job roles, such as Probation Officers (PO), Probation Services Officers (PSO) and PSR writers.<sup>14</sup>

For interviews with people on probation, Engaging People on Probation (EPOP) leads were asked to provide names and contact details of potential participants, including those with protected characteristics and those who may not have engaged with their RAR. All participants on probation were male.

Magistrates were selected through the Judicial Office. As magistrates are most likely to sentence RAR days, the sample did not include district judges. While the same 6 regions as the rest of the sample were requested, some magistrates were from other regions, due to availability at the time of fieldwork.

On average, interviews lasted for approximately 35 minutes and ranged from 13 to 65 minutes. Interviews with probation staff tended to be the longest.

The final sample included 61 participants (see [Appendix A](#)). Due to low sample numbers in some regions, the breakdown of participants by region has been excluded to ensure that participants remain unidentifiable.

## 3.4 Analysis

A third-party company transcribed the interview recordings. Transcripts from the interviews and focus groups were analysed using a software package for qualitative data. Thematic

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<sup>14</sup> PO, PSO, and PSR writer participants are referred to as 'probation practitioners' throughout the report to ensure participant anonymity.

analysis was then conducted, following Braun and Clarke's (2006) methodology, which involved researchers familiarising themselves with the data, creating initial codes that represented early patterns, and identifying similarities in the data to create themes. Before the themes were defined and to enhance inter-rater reliability, the initial codes were split across the research team (four researchers) and reviewed in pairs to check for consistency.

The final analysis was quality assured by MoJ analysts outside of the immediate research team.

### **3.5 Ethics**

All research was conducted in accordance with the Government Social Research (GSR) guidelines on ethical evaluation practice.

All participants gave informed consent to participate in the research. Participants were reminded that their participation was entirely voluntary, and they had the ability to withdraw from the research at any point and have their relevant data deleted. In this report, all participants have been anonymised, and any self-identifying information has been removed to ensure participant identities are kept confidential.

All collected data were stored securely on MoJ servers, and transcripts will only be kept for 2 years post-publication. To reduce demand characteristic bias, whereby participants change their responses based on their interpretation of the research agenda, researchers reminded participants that they were interested in hearing both positive and negative reflections. It was explained that these interviews did not form part of an audit but instead, were for research purposes. However, it is not possible to completely reduce such bias, particularly as participants were aware that the researchers worked in MoJ headquarters.

While no incentives were offered to people on probation for taking part in the focus groups, the researchers were made aware after data collection that participation counted as RAR completion. This may have impacted the sample of people on probation that took part and influenced the reflections provided.

## 3.6 Limitations

### **Representativeness of sample**

The use of non-probability sampling increases the likelihood of self-selection bias, with those on probation who are engaging with their RAR being more likely to volunteer for the research. Where the names of participants were provided by the RPDs or EPOP leads, there is a risk that participants were chosen based on their opinions of the RAR (either positive or negative), which may have further biased results.

The perspectives of CRS providers of the RAR are not included in this study. Additionally, the probation staff sample is not representative of all 12 Probation regions, with some regions being purposefully excluded from the research due to operational demands. While the findings might have differed in the excluded regions, it is unlikely as similar results were reported across the 6 included regions.

The magistrates were sampled through the Judicial Office, via the Magistrates' Association. Again, there may have been bias in this selection process.

### **Operational change to RAR**

At the time of publication, the Probation Service is under increased pressure, with growing caseloads as a result of emergency prison capacity measures. Since fieldwork, action has been taken to reduce demand on the Service and support practitioners to focus their attention to where it has the most impact on protecting the public and reducing reoffending.

The impact of recent Probation capacity changes for those interacting with the RAR is not captured in this report, given that changes took place after fieldwork was completed.

### **Causality**

The nature of a process evaluation does not allow for attribution of impact and causality. Instead, findings offer insight into any operational benefits, any unintended consequences of the RAR, and learning to inform decisions on potential developments. Furthermore, monitoring information cannot be used to infer causality. Differences between delivery rates could be due to external factors.

## 4. Understanding and Perceptions of the RAR

### Key findings

- The magistrates and probation staff interviewed felt that the RAR has a rehabilitative purpose which aims to respond to criminogenic needs.
- The people on probation interviewed were not satisfied with how the RAR was explained to them, with some unaware that they had been sentenced to RAR days.
- The RAR tended to be seen by probation staff as the 'right idea in theory' but more resource is needed to deliver it appropriately.

This chapter will focus on participant groups' perceptions and understanding of the RAR.

### 4.1 Purpose of the RAR

When participants were asked what they thought the RAR was, it was largely agreed by all groups that it is rehabilitative work to re-integrate an individual back into society or reduce their risk of reoffending by addressing criminogenic needs. However, several magistrates and probation staff felt that the RAR was difficult to define. This was either due to the range of activities that can comprise RAR days or the changing nature of the RAR, making it harder to stay up to date. Some probation staff saw activities under the RAR as anything that promoted pro-social behaviour and helped deter an individual from reoffending. Others felt that for the session to be covered by the RAR, work had to be planned and involve toolkits (i.e., it had to be structured). In one region, participating in this research was recorded as a RAR activity.

“*[The RAR aims]* to try and change the offending behaviour of the individual, rather than to be something that's punishing them for what they've done” – Magistrate, Midlands.

“So RAR is a structured session that needs to be used from the toolkits that should be at least the hour long. And depending on what toolkit you're following depends on if you do it” – Probation practitioner, East Midlands.

The rehabilitative purpose of the RAR tended to be echoed by people on probation too, who saw the RAR as an opportunity to upskill or receive support.

“For me it just looked like an opportunity that if I want to improve on something there's people to help me out...” – Person on probation.

However, this sentiment came from an online 1:1 interview. During face-to-face focus groups (which went on to be recorded as a RAR activity), participants sentenced to the RAR revealed that they had little awareness and understanding of what the RAR was. This could be because the focus group took place during a regular forum for people on probation, so participants may have felt more comfortable to speak freely. There is a chance that people on probation interviewed online displayed demand characteristics, whereby they try to guess what researchers want to hear. On the other hand, it could be regionally specific. All people on probation who attended focus groups were from the same region; RAR delivery and communication may have been different elsewhere.

In the focus groups, people on probation stated that they would have preferred a clearer understanding and clarity on what the RAR is and what it means for them during the initial sentence planning stages. It was suggested that acronyms should not be used at sentencing, as this could be brand new information. Some participants were unaware of what was available under RAR, though that was felt to reflect the relationship with their probation practitioner.

## **4.2 Amount of RAR days**

During one focus group, people on probation reported that they were not kept updated on the status of their RAR days.

“My probation finished and I said, “What about my RAR days?” She went, “Well, they ended ages ago.” – Person on probation.

The participants within this group explained that this unawareness was anxiety-provoking. As previously described, there is not a minimum for RAR day completion to allow for flexible delivery. As a result, people on probation described feelings of distrust when probation practitioners told them they had completed their RAR.

“*[My probation practitioner]* was probably trying to do a nice thing by saying, “Don’t worry about it” ...what do you mean don’t worry about it?” – Person on probation.

Again, these feelings of distrust tended to reflect negative relationships with probation practitioners. Others who felt they had better relationships were more trusting. However, for those reporting poor relationships, it was felt that while the decision to stop RAR activity came from the probation practitioner, it would be the person on probation who faced the consequences should they return to court. In a focus group, participants shared their experiences with one another.

“It could have helped if she’d *[probation practitioner]* explained that to me. The whole thing could have been explained better.” – Person on probation.

It was felt by all people on probation at both focus groups that communication should be improved; this could be through explanation of what the RAR is, the fact that there is no minimum, or the different activities on offer and their relevance to the individual. Having this would support building a positive relationship between the practitioner and the person on probation.

“I feel it should be some kind of conversation. “The reason that I’ve put you on this is because of this”. See what I mean? It should be a little more.” – Person on probation.

### **4.3 Perceptions of the RAR offer**

Despite these issues, participants across all groups had mostly a positive perception of the RAR. Probation staff thought the rehabilitative nature of the RAR would appropriately support people on probation. They tended to think of the RAR as being the ‘right idea in theory’. Some probation practitioners were aware that they might not be able to offer the



same breadth of provision that comes from CRS, and they believed it was right to be able to refer to these services.

“I think everybody who comes on probation could benefit from having some RAR days on a rota at some point, whether it’s just to kind of help in engaging them with their particular order” – Probation practitioner, North West.

“I think what works well, and I’ve said it before, is the idea behind it. I love multi agency working... I love the idea of these community agencies, I love that there’s supposedly these different agencies that are there to help people for specific needs, mental health, drugs and alcohol, housing, you name it, I love that idea. And I love that the criminal justice system has realised that actually people offend for lots of different reasons, and as fantastic as we are as probation officers, we are not mental health workers, we’re not GPs, we’re not housing specialists, we’re not lawyers, you know, we can only do what we can do. So, I love the idea behind RAR.” – Probation practitioner, South Central.

When asked about the biggest barriers that affect how the RAR is delivered through CRS, responses tended to centre on limited funding and resource. Across regions, accommodation services were reported to involve long waiting lists, which are likely a result of high referral volumes. In terms of in-house delivery of the RAR, some probation staff reported finding certain toolkits to be irrelevant, too long, or too simple. Further discussion on this is outlined in the [Delivering the RAR chapter](#).

People on probation had mixed views on their RAR experiences depending on the suitability of the available activities and perceptions of their practitioners.

“I found for me, because my life just drastically changed, some of the stuff could have been more helpful, as in, to reintegrate me back into society, it would have been more kind of useful for me, sort of give me some better skills to deal with the situation that I’m in.” – Person on Probation.

“...I was repeating stuff that I’d already done through therapy, and then apparently, they were my RAR days. And then I panicked thinking, “Oh my god, I’ve still got ten left...” – Person on Probation.

“It helped me, gave me new things to aim for and new ways of looking at my life.”  
– Person on probation.

“[*My probation practitioner*] helped me get a lot of things what I didn’t have before, you know what I mean? So, I’m not going to sit here and say, “Oh god, it doesn’t help,” ‘cos it does... ‘cos it offers certain aspects of help.” – Person on probation.

## 5. Sentencing the RAR

### Key findings

- The interviewed magistrates were generally confident in PSR quality concerning the RAR.
- Although the RAR is felt to have a rehabilitative purpose by magistrates, it is sometimes sentenced as a 'catchall'.
- Probation staff interviewed felt that sometimes too many RAR days are sentenced, and in these cases, it is difficult to decide which activities to complete in RAR sessions.

Having established how the RAR is understood and perceived, this chapter will address how it is used in sentencing as well as perceived sentencing challenges.

### 5.1 Why is the RAR sentenced?

The RAR is commonly sentenced alongside a punitive element of a CO or SSO to allow probation staff delivering sentence management to address a defendant's rehabilitative needs.

Although most of the interviewed magistrates were aware that the RAR can be sentenced as a standalone requirement, it was agreed across regions that this is unlikely. This could be because, for COs, there should be a punitive requirement attached, or a fine, as in the Sentencing Act 2020. However, some magistrates did report feeling that engaging in RAR was sufficiently punitive on its own in certain cases, as the person on probation is required to attend sessions and consequently give up their free time which results in further restrictions being imposed on their liberty.

Magistrates reported that the rehabilitative nature of the RAR aims to address criminogenic needs and reduce the risk of reoffending for the person on probation. Reducing risk of reoffending was identified as a reason for sentencing the RAR.

“The bigger steer on that is the risk of re-offending, it being the OGRS [*Offender Group Reconviction Scale*], that's the key one. Because the whole idea of the RAR day, as far as I'm concerned, is to have something in place designed to assist the defendant, to assist them in trying to reduce the risk of re-offending.” – Magistrate, North West.

Some magistrates reported that the RAR had a specific rehabilitative purpose, whilst others felt that the RAR was sentenced as a ‘catchall’. This was shared by magistrates and probation practitioners.

“I tend to find it's a kind of a default, it's almost like an automatic thing.” – Magistrate, Wales.

Many probation practitioners who deliver the RAR felt that this sometimes led to people being unnecessarily sentenced to RAR days when there was no real need for them. This resulted in staff feeling unsure about which activities would be relevant to complete in sessions.

“They [*magistrates*] just give the RARs as like a filler, as opposed to, these are the RAR days that could be done, this is what it needs to address, and this is how many RAR days that we need. So, for instance, some [*structured*] interventions only take eight RAR days, we could suggest that, and it'll come back with like twenty or thirty RAR days, and we're like, well we don't need that many, what am I going to do with all them?” – Probation practitioner, North West.

People on probation felt some activities they completed as part of their RAR sessions were irrelevant to them and unnecessary, with one participant sharing how they were told to complete a course that covered topics irrelevant to their offending behaviour, making meaningful engagement less likely. To improve engagement and understanding, RAR activities should be explained to people on probation, including justification for why the activity has been chosen and an opportunity for questions to be asked.

## 5.2 How is the RAR sentenced?

The RAR can be sentenced alongside Accredited Programmes. However, there were instances where probation staff felt that there was an overlap in terms of what was covered by these and what they would need to cover as part of RAR activity. In these cases, probation practitioners reported being unsure of how to use RAR days meaningfully.

“We still see stuff come through where they get a programme, an Accredited Programme, plus loads of RAR days. And that’s really frustrating ‘cos the Accredited Programme is the bulk of the work really. They don’t need all the additional RAR days on top of that. We will still supervise them.” – Senior Probation Officer, focus group.

From the interview data, it seemed that magistrates were most likely to issue RAR days if it had been recommended in the PSR. PSR recommendations tend to be based on guidance and HMPPS systems, including the OGRs score. Many magistrates reported having high confidence in PSRs. Some magistrates shared that they felt there had been ‘significant improvement’ in PSR quality in recent years, following various, localised quality assurance processes. However, in some regions, magistrates felt that these processes caused delays to sentencing.

“I think the problem we've got now is having got that sort of quality assurance stuff moving quite well, the resource question blows it all back up again because if you’ve got a delay of six to eight weeks, that's not proper in terms of sentencing.” – Magistrate, Midlands.

In instances where magistrates were unsure of probation’s rationale for their recommendation, this could be clarified at the hearing.

“They [*PSRs*] vary, they do vary, but when they [*probation officer*] come in with them you can cross-examine them or – cross-examine, you know, and say, “Why have you come up with – to get to that?” – Magistrate, London.

At the point of sentencing, people on probation were unclear on what the RAR was and what it would entail. In focus groups, participants shared how they felt anxious in court, and therefore uncomfortable to ask for clarity. It wasn't until they had built up a relationship with their probation practitioner, if at all, that they were able to ask.

### 5.3 Amount of RAR days

Sentencers are guided by the PSR on the number of RAR days to issue. Where magistrates reported diverging from PSR recommendations on RARs, it was usually to increase the amount of 'days' sentenced. This tended to be in cases where magistrates felt the PSR writer had been too lenient.

"Sometimes we'll come back, and you can tell that someone's got serious – if somebody does have serious mental health issues, and they're just coming back with five RAR days, I will question that. And if it's a case of, "Well, we don't know what else to do," I'm thinking, well, no, you need to go and find something else to go and do. So, I may push it to ten." – Magistrate, North East.

"Or sometimes you just pick – they seem to have pitched it rather low, and we'll just top up a few." – Magistrate, London.

Probation practitioners felt that the amount of RAR days sentenced was inconsistent. They explained that too few RAR days prevented meaningful work being accomplished during the RAR sessions, and that with too many, it could be difficult to have work to complete.

"Oh my lord. So some, not enough [*RAR days*]. As in like you're giving me five RAR days, like what am I supposed to do with five RAR days? Like nothing. Others, I'm getting like 40 RAR days on a 12-month Order and he's medium risk for harm. There's no way that those 40 RAR days are going to be done. I'm not doing them, I don't have capacity to do them." – Probation practitioner, South Central.

"When it's 30 you just think, what am I going to do with 30 RAR days? So, yeah, I don't know like – the numbers just feel a bit weird...like I say, equally I've got cases when I just think, oh they could really do with more than that...like I don't

understand why there can be such a big gap between RAR days.” – Probation practitioner, East Midlands.

The notion of too many RAR days being sentenced was echoed by SPOs, who highlighted the consequential challenge from senior management when it appeared that RAR days were being underdelivered.

“You’re at a bit of a loss of what to do with people unless they’ve got other needs, like drug and alcohol. If they haven’t got other needs and they’ve got a [Accredited] Programme, we kind of struggle with what to do with them to record as a RAR day.” – Senior Probation Officer, focus group.

“Sometimes just trying to – it’s like square pegs and round holes, trying to get a RAR day done where you don’t know where to really get the work from.” – Senior Probation Officer, focus group.

Probation staff may feel under pressure to deliver and record RAR days, even in cases where only less relevant activities or toolkits are available. This could undermine the relationship between the person on probation and their practitioner. Furthermore, people on probation felt that the inconsistency in the number of RAR days sentenced, and the lack of clarity on the RAR at the point of sentencing, meant that magistrates either didn’t understand the RAR or didn’t care.

“The judge hands down sentences and he don’t even know what they’re doing. They’re just like, “Yeah, you get this.” They’re going home, they don’t care.” – Person on probation.

“RAR days would have been more beneficial than community service, but are judges and magistrates aware that actually RAR days are more beneficial when they’re handing their sentence? How does that work?” – Person on probation.

Further information on what the RAR is, its purpose, and what activities could involve may increase confidence, trust, and engagement from people on probation.

## 6. Delivering the RAR

### Key findings

- RAR days were delivered through in-house activities (toolkits and 'off-menu' sessions) and via CRS.
- Probation staff interviewed had mixed views about the quality of toolkits and CRS provision, and staff felt discouraged from delivering 'off-menu' activities.
- Key enablers to RAR delivery were positive relationships between the practitioner and person on probation, engagement from the person on probation, and practitioner skills.
- Barriers to delivering the RAR included having to prioritise crisis management, constraints on staff time, region-specific challenges, waiting lists, and people on probation's other commitments (such as employment and/or childcare).
- Recording the RAR was felt to involve duplicative processes. Such inefficiencies led to inconsistencies and variances in recording behaviour across regions.
- The experiences of people on probation were varied. Positive perceptions related to RAR activities being relevant to individual needs, acknowledgements of positive life changes, and peer mentoring. Negative experiences were attributed to irrelevant RAR activities, poor relationships with probation practitioners, the feeling of being on a 'cliff-edge' once finished, and concerns about when RAR days were complete.

This section explores the different activities delivered under the RAR, barriers and enablers to RAR delivery, recording RAR activity, and how RAR delivery is experienced by people on probation.

### 6.1 RAR Activities

The RAR was delivered through a range of activities, including in-house activities (toolkits and 'off-menu' sessions), and through CRS. Participants reported issues with the choice of



RAR activities on offer. Probation practitioners separately reported that they wanted the freedom to use more professional judgment in how they deliver the RAR.

### **Initial mapping**

Several probation staff chose to use a 'life mapping' exercise as an early RAR activity with people on probation. This included discussing elements of the person's life, such as their background and childhood, and enabled probation practitioners to build trust and rapport with the person early on.

"I tend to use a lifetime line as the first activity that we tend to do where they'll basically write about their life over a few sessions and we'll reflect on that... and it gives me more opportunity to get to know them" – Probation practitioner, Wales.

"It [*life maps*] builds a little bit of trust between you and them" – Probation practitioner, Wales.

Probation staff shared that sometimes RAR days were simple to assign to particular areas of need (e.g., housing, accommodation, alcohol misuse). However, for other people on probation with less clear needs, it was more difficult to identify suitable RAR activities, and in these cases, life mapping was a valuable option.

"When I do the life map, you'll always find that there's a section in that life map that will flag up something...because they come in, "I've got nothing wrong with me. I've got no problems." You know, everybody has problems, no matter which way you look at it." – Probation practitioner, Wales.

### **Choice of RAR activities**

The choice of RAR activities was predominantly led by the probation practitioner, considering which work was necessary to support the person on probation's needs. However, some staff also suggested that people on probation could be involved in this decision and were able to give their input to help bolster engagement.

"I pick out what I think would be suited to them and then I'd kind of discuss with them and see if there's anything else they want to cover" – Probation practitioner, East Midlands.

“I find out what they think is the most important for them, because I think it’s unreasonable if someone says, my main issue is accommodation and I say well okay, we’re going to completely ignore that.” – Probation practitioner, East Midlands.

However, some participants on probation reported that they had no say in the RAR activities that were prescribed. While some people on probation felt like this was fair as it was part of the punishment of their sentence, others were frustrated in the lack of agency over the way their RAR days were being used.

“I feel like they just say it and then you have to agree with it.” – Person on Probation.

### **Professional judgement**

Several probation practitioners highlighted that they had limited opportunity to exercise professional judgement in choosing RAR activities within current legislation. This was particularly salient for practitioners who reported that people on their caseload had engaged in rehabilitative activities which could not be recorded as a RAR in their region. For example, in cases where work was delivered by services outside of those available through CRS. Some probation staff identified that they previously had more agency in deciding what counted as a RAR day, especially those who had worked within CRCs.

“This person really needs that...And I know that that person is going but I can’t record it as a RAR day.” – Probation practitioner, North East.

“It’s a bit rigid at the minute... we have to use only toolkits or CRS, whereas back in the day we could use a little bit more professional discretion around what could be a RAR.” – Probation practitioner, North East.

However, practitioners also reported that professional judgement could lead to inconsistency. For example, between what was recorded as a RAR day, and the point in which practitioners breach someone on probation.

“Some will be more flexible than others...so it can create a level of inconsistency. We might get somebody who’s breached an order by missing one of two

appointments. We might get somebody who's not been breached and they they've missed 30 appointments.” – Probation practitioner, North East.

### **Activities delivered in-house**

Probation staff identified several activities that they delivered as RAR days in-house, including toolkits, and ‘off-menu’ activity. While it was widely understood amongst probation staff that toolkits counted as RAR days, there was inconsistency about whether ‘off-menu’ activities, or reflective conversations that did not fall into a specific toolkit, could be counted.

#### *Toolkits*

Guidance suggests that staff should deliver RAR days using toolkits and CRS. Some probation staff mentioned the use of toolkits to deliver RAR days. Stepping Stones and Skills for Relationships were mentioned frequently by staff, as they were often applicable to the needs of the people on their caseload. Toolkits were relied on by some staff to deliver RAR days, who were positive overall about using them, in facilitating and providing structure to conversations.

However, several staff said that they did not use toolkits for various reasons, including believing they were oversimplified and condescending. Staff described some toolkits as having cartoons and large prints, and suggested that some toolkit activities, such as wordsearches, were inappropriate in terms of addressing rehabilitative needs.

“I don’t think that they’re widely used at all, well not where I am.” – Probation practitioner, North East.

“They can come across as quite condescending to the offenders.” – Probation practitioner, South Central.

Furthermore, some probation staff reported that they found the training to deliver toolkits insufficient, leading to a lack of confidence and uncertainty about how to appropriately tailor them to the needs of the person on probation.

Staff also identified gaps in the available toolkits, such as a need for toolkits on anger management, pro-violent tendencies, and more options for women on probation (only one toolkit currently exists for women).

### *‘Off-menu’ activities*

‘Off-menu’ activities were described by practitioners as RAR sessions that did not follow a toolkit or structured intervention, were delivered in-house rather than by a CRS, and required staff to apply their supervision skills and professional judgement. These activities often included discussions about people on probation’s needs, goal setting, or giving advice. Using ‘off-menu’ activities was felt to be beneficial by some staff as it allows the person on probation to lead the conversation, rather than the session being led by a toolkit, for example. Furthermore, ‘off-menu’ activities were delivered when covering issues that could not be dealt with through CRS or were not covered by a toolkit. Despite the perceived benefits, staff felt that they were being discouraged to do ‘off-menu’ RARs because of their unstructured nature, and for monitoring reasons.

“I think we’ve lost a little bit of professional judgement to be able to take a more therapeutic approach, because that isn’t really classed as a RAR day” – Senior Probation Officer, focus group.

“In our PDU [*Probation Delivery Unit*], we’ve been asked to move away from the off-menu RAR.” – Senior Probation Officer, focus group.

### **Commissioned Rehabilitative Services**

RAR days are also delivered through CRS. While the quality of these services seemed to vary between regions, accommodation services were cited by practitioners across all 6 included regions as struggling to provide people on probation with necessary support.

Additionally, probation staff reported further recording issues when RAR days were delivered by CRS. Largely, this was attributed to discrepancies in how CRS providers returned attendance information, which led to probation staff being unable to breach in appropriate time.

“Again, another frustration, CRS, every sessions’ automatically highlighted to RAR, so for us we need to go in if they’ve failed to attend, to remove that RAR... they could unknowingly get credited for RAR for sessions they haven’t attended.” – Probation practitioner, North East.

## 6.2 Enablers to delivering the RAR

The key facilitators to RAR delivery were: positive relationships between staff and people on probation; engagement from people on probation; and lastly, the practitioner’s interpersonal skills and experience.

### **Positive relationships between probation practitioners and people on probation**

It was identified by both probation practitioners and people on probation that positive relationships were crucial for delivery of the RAR. Some probation practitioners felt that building a relationship with people on probation was key to them feeling involved in the RAR delivery process, which helped with engagement. Furthermore, probation staff felt that it was important to build rapport with people on probation before attempting to delve into some RAR activities.

“It’s really important that they feel a part of it... they do tend to buy into it a bit more, not every time, but more often than not.” – Probation practitioner, North West.

“With that cohort particularly you need to build a relationship before you start doing any work...it could be a couple of months before you even attempt RAR.” – Probation practitioner, East Midlands.

Similarly, most people on probation felt that having a good relationship with their probation practitioner was an important part of their RAR experience. This allowed them to have more open conversations with their probation practitioners, improving trust and engagement with RAR activities. People on probation also expressed the importance of having one probation practitioner throughout their sentence, to maintain positive rapport.

“It’s just that relationship with your probation officer, [so] that you can have a very open conversation to help each other understand what might work.” – Person on probation.

“The probation officer I would say was more of an impact on me...she was absolutely brilliant, really amazing.” – Person on probation.

However, not all people on probation experienced positive relationships with their probation practitioners (see the [Experiences of people sentenced to RAR](#) section for further discussion).

### **Engagement from people on probation**

Alongside positive relationships, there was consensus amongst probation staff across regions that the person on probation’s willingness to engage in the RAR was another key enabler. If the person on probation appropriately engaged in the sessions, probation practitioners were able to better understand their needs and therefore provide relevant support. Some practitioners expressed frustration about people on probation failing to participate in RAR sessions and not being open to help.

“I suppose it might need a lot of input from the people on probation to actually kind of figure out what they really, really need from something.” – Probation practitioner, North West.

“Some people will give it and do it, and some people are very superficial in their answers, no matter how much hard work we kind of put in and prep.” – Probation practitioner, North East.

### **Practitioner skills**

Practitioner skills were emphasised by staff as being a crucial factor to successfully delivering RAR activities. Due to the complexity of some cases, staff had to be flexible in how they delivered the RAR, to ensure that different needs were being met. Furthermore, most staff outlined how they would tailor RAR materials, to pitch them at an appropriate level to suit the intellectual understanding of people on probation. This was especially salient when delivering RAR activities to people with specific learning needs.

“I think it’s the probation practitioner’s approach that makes a difference, and you can’t have one approach, you’ve got to have that flexibility to respond.” – Probation practitioner, East Midlands.

### 6.3 Barriers to delivering and engaging with the RAR

Barriers to delivering the RAR included: having to prioritise crisis management; probation staff time constraints; region-specific challenges; waiting lists; and whether the person on probation had additional commitments, such as employment.

#### **Crisis management**

One barrier to delivering the RAR was needing to address more immediate needs, first. Some probation staff highlighted that it was difficult to begin RAR activities, such as toolkits, when people on their caseloads had more urgent needs such as accommodation or mental health issues. This meant that completing RAR days was not always prioritised by probation staff.

“I think nine times out of ten, there’s crisis with the people we supervise...we’re dealing with a crisis, and often a lot of homelessness and things, which are paramount, so that’s [*the RAR*] put aside.” – Probation practitioner, North East.

“Firefighting, is how we describe it, and then the RAR kind of has to take a back seat because you’re trying to address like the issues at the minute, like arrests or further offending or suicidal tendencies or self-harm.” – Probation practitioner, North East.

#### **Probation staff constraints**

All practitioner participants reported that resource constraints (e.g., staffing shortages and time pressures) and practical constraints (e.g., a lack of meeting rooms), were barriers to effective RAR delivery.

Some participants outlined that prior to the RAR being introduced, staff were able to spend an hour or two with an individual, but in one region, staff were now limited to 30-minute appointments due to limited meeting rooms being available. At times, this meant that staff were unable to properly deliver a RAR session, and that they felt the quality of work was

undermined by the limited time to explore issues, or concerns about missing other deadlines.

Additionally, staff felt time pressures meant they were 'firefighting' which led to improvisation with toolkits during sessions.

"I'm doing this now, but I've got this ISP [*Intensive Supervision Probation*] to do here, I've got this deadline here, and you're not fully present because all you're thinking of is just get this done, so I can get this other work done. And that's not good for them [*people on probation*], it's not good for us." – Probation practitioner, North West.

"There isn't that space to sit and actually digest the materials themselves to be able to deliver it effectively...I was kind of navigating it without real knowledge of what I was actually going to focus on." – Senior Probation Officer, focus group.

Probation staff also expressed that when there were competing sentence requirements, RAR days felt less of a priority, further reducing delivery.

"If someone has unpaid work, or an Accredited Programme, and RAR days, well which one is more important? Obviously unpaid work or an Accredited Programme rather than RAR." – Probation practitioner, East Midlands.

Some practitioners outlined practical barriers to delivering the RAR, like limited office space.

"The office I'm based typically is...very limited for space for fifteen staff, we have three interview rooms. So juggling, literally is just a complete nightmare." – Probation practitioner, North East.

### **Region-specific challenges**

In some regions, both probation staff and people on probation identified geographical inaccessibility as a barrier to engagement. For people on probation dependent on public transport, the cost-of-living crisis reduced their ability to travel as easily.



“People don’t appreciate the geography of this area and the timescale to get to services.” – Probation practitioner, North East.

Furthermore, probation staff also raised concerns about the waiting times for Structured Interventions and some CRS services, especially for group activities. Staff felt that they were not always able to refer people on probation to the services required to address their needs, either due to long waiting lists or insufficient numbers to run group sessions. People on probation similarly expressed disappointment when they were unable to attend some sessions that they felt would have been beneficial. This acted as a barrier for those waiting for spaces to become available in order to complete their RAR days.

“There’s long waiting lists and they can’t offer the amount of RAR days that we need.” – Person on probation.

“It didn’t seem there was anybody to run it [*a driving awareness course*] and my probation officer had to really push to get somebody to put a session on for me.” - Person on probation.

## **Employment**

As RAR activities generally took place during typical working hours, people on probation in employment sometimes struggled to complete RAR activities. In these situations, probation staff had to shorten sessions where possible. Staff felt that this often meant the RAR sessions were of low quality as they were more rushed. This was increasingly problematic in cases where people on probation were on a short community sentence with a high number of RAR days.

“I’ve got a few cases, for example, that they work full-time... They’ve got up to 40 RAR days and trying to complete all of those whilst trying to get them in every few weeks is quite hard” – Probation practitioner, East Midlands.

Additionally, people on probation raised concerns about their work colleagues finding out they were completing a community sentence, due to the associated stigma. Some people on probation also had to work longer hours to account for the time lost when they attended RAR day sessions. This was described by one person on probation as a ‘double-edged

sword', as they felt their life was becoming more stressful as they struggled to balance competing priorities.

"People ask like, 'Oh why are you not in on a Wednesday', And I'm like, 'Oh, I'm just doing this course thing.'" – Person on Probation.

"I'm losing days of pay and then having to work ridiculous hours to make them up." – Person on Probation.

"I'm burning myself out and creating more problems for myself when I'm having to fit in these sessions." – Person on Probation.

## 6.4 Recording the RAR

Most probation staff reported challenges with recording the RAR. RAR recording issues included: being time-consuming, requiring duplicate entries, recording inconsistencies between staff, and difficulties meeting targets due to top-down pressures.

Staff outlined that the process of recording a RAR day was convoluted and could be time-consuming. One probation practitioner perceived the recording process as the 'biggest challenge' to delivering RAR days in-house. Some staff also expressed that this process had become more difficult since moving over to the new case management system (from Delius to nDelius) as part of the 2014 TR reforms.

"The old Delius was quicker and easier to record in than this one." – Probation practitioner, Greater Manchester.

Some of the recording challenges were linked to the fact that many staff had not received specific training on how to record RAR days. Instead, most practitioners said that they learnt this from other colleagues. While some staff felt that this was adequate, others recommended that training on recording the RAR should be provided, especially for those who were new to the role.

One staff member expressed concern about a time they were identified as missing key targets, because they had been recording the RAR days incorrectly.

“I’ve been coming up on lists as not meeting targets, and it’s not that – I am doing the work and we are seeing the people, but...I didn’t know how to record it.” – Probation practitioner, North East.

## **Duplication**

Another perceived challenge with the recording process included the duplication of entries when logging a RAR day. Some staff reported that they logged sessions as both a planned office appointment and a RAR session separately. Staff expressed frustration at this process being time-consuming and inefficient, and identified this duplication as a reason for RAR days not being recorded in their region.

“It’s like a million clicks to get it done, and then you have to log a RAR session, and log a planned office appointment, how is that efficient? I’m doing it twice” – Probation Officer, Greater Manchester.

“I think that’s why a lot of them [*RAR days*] are missed, because it’s a separate recording exercise.” – Probation practitioner, Greater Manchester.

## **Regional targets and priorities**

Several probation staff discussed the difficulties of balancing RAR delivery and inputting sessions on nDelius to meet regional targets. Some staff felt that the targets set out by regions had become more challenging to meet.

“It’s steadily got worse in recent years. I’ve no problem in being held accountable for what we do, but the targets, it’s become very depersonalised. It’s not about whether I stop somebody or prevent someone from reoffending, it’s about whether I’ve got my contacts on the screen within twenty-four hours.” – Probation practitioner, Greater Manchester.

“But there’s a lot of pressure... It’s a different culture now, very target driven.” – Probation practitioner, Greater Manchester.

The resource burden of these regional targets was felt to be a further challenge in delivering RARs for some, as they result in staff spending less time providing rehabilitative support to people on probation. While some probation staff felt they should prioritise

helping people on probation with offending needs, rather than recording, other SPOs felt that the recording element was paramount in being able to know what support people on probation are receiving. There was consensus between probation practitioners across different levels of seniority that the issues with recording process likely meant that more rehabilitative work was being delivered than was reflected on nDelius.

### **Inconsistencies with recording**

Finally, staff raised concerns about inconsistency in how RAR days are being recorded. While some probation practitioners outlined a more rigorous approach to recording RAR days, by only logging interventions such as toolkits or CRS, others would try to retrospectively fit RAR days to rehabilitative activities already completed. Some of these inconsistencies were attributed to differences in understanding between staff on what could count towards a RAR day.

“It’s always being brought up that people aren’t recording them, or the worst is that you get to the end of the order and you realise you haven’t recorded any.” – Probation practitioner, Greater Manchester.

“I’ve taken over a case for a colleague... and I’m like, “It’s really near the end, there’s no RAR days showing, what’s happened?” And then I talk through things and some of them, she appeared to be doing things...and I said, “Why haven’t you given yourself credit for that.”” – Probation practitioner, North West.

There were also inconsistencies with recording when it came to CRS. This was reportedly due to delays in receiving information from CRS, which made the issue of breaching difficult for probation practitioners. Staff felt that there was a disconnect between the information that they, and CRS, had on their systems.

Some staff were concerned that these discrepancies, alongside other recording issues, could be problematic in the case of Serious Further Offences (SFOs). This was because without accurate recording, there was no evidence on what rehabilitative activities the person on probation had completed.

“My recording of it hasn’t been great...which isn’t ideal because if there is an SFO...you haven’t got the evidence base there of the work that you’ve done because the process was so convoluted and difficult.” – Probation practitioner, North East.

## 6.5 Experiences of people sentenced to RAR

The people on probation interviewed had varied experiences of the RAR, depending on the RAR activities available to them. Positive perceptions included the relevance of the RAR days to individual needs, acknowledgements of positive life changes, and peer mentoring, whereas negative experiences were attributed to RAR days being irrelevant to offending needs, poor relationships with probation practitioners, the feeling of being on a ‘cliff-edge’ once finished, and concerns about when the RAR days were complete.

### Individual experiences

RAR delivery experiences for people on probation were varied. The guidance suggests that RARs should be tailored to the needs of the individual, and access to certain interventions, such as group sessions or structured interventions, is dependent on the individuals’ risk levels. This means that not everyone on probation has access to the same RAR activities.

However, this was unclear to most people on probation. The focus groups highlighted these misunderstandings, where people on probation shared their different experiences. For some individuals whose RAR days were confined to 1-to-1 meetings with their probation practitioner, rather than group sessions or courses, there was a sense that they had not received the same quality of activities. It was unclear to people on probation that this was because of different risk levels.

“I’m well confused with all this. You lot are saying that you had to do these courses in these RAR days. I didn’t.” – Person on probation.

“It’s unfair that some of us haven’t been given the same options.” – Person on probation.

Similarly, those that had been offered courses or group activities felt that this was unfair, and that the offer should be equal for individuals. Some people on probation expressed that taking part in the courses and group activities had been helpful for their rehabilitation, and that others only having 1-to-1 sessions were not receiving the same help.

“You might be able to do something that helps you...That’s not fair man... some of us in the room have managed to get some sort of help...the service needs to be offered to everybody equally.” – Person on probation.

### **Positive perceptions of the RAR**

Of the participants interviewed, several people on probation felt that their RAR days had been beneficial. Positive experience predominantly related to the relevance of the RAR activities to individual needs, an acknowledgement of positive life changes by the person on probation, and the opportunity to be involved in peer mentoring. As discussed, having good relationships with probation practitioners was also reported by some people on probation as a positive aspect of their RAR experience. However, it should be noted that these responses may be biased due to the non-probability sampling approach which may have skewed the research findings.

Some people on probation reported that RAR activities had been valuable in helping them to understand their offence, and the factors that contributed to the offence taking place. In particular, toolkits were mentioned by people on probation as a useful way to understand this.

“I did the problem solving, I found that was useful, ‘cos obviously its understanding like breaking the cycle of criminal offences.” – Person on probation.

“I was a one-time offender, but it was a big offence. And as part of that, thinking, emotions, and all of those things were a part of that.” – Person on probation.

Alongside a better understanding of their needs and offence, it was also outlined by some people on probation that they felt engaging with the RAR had led to positive behaviour changes. One interviewee expressed that doing RAR days had encouraged them to take more responsibility for their actions:

“Through that process, for me anyway, it was taking accountability and making sure...that I come out the other side in a much better place and making better, informed choices.” – Person on probation.

People on probation reported that being proactive and motivated was a key driver behind having these positive experiences. There was a perception for some people on probation that accepting help and being willing to engage in activities was important in getting the most from their RAR days. Some participants also felt that it was important to begin the RAR days with a clear understanding of what they wanted to achieve, to get the most from the activities.

“If you don’t come with your own prescription of what you want, you get nothing out of this.” – Person on probation.

“I was so prepared to go through the whole system, to accept probation for what it is, to take anything they say, to work through it, to make the best of it.” – Person on probation.

As part of their RAR days, some people on probation took part in a peer mentoring scheme. Some interviewees had peer mentors to guide them through their probation, while others were trained to be the peer mentors themselves, to coach other people on probation. There was consensus across all interviewees who took part in the peer mentoring scheme as part of their RAR, that the scheme had been invaluable in offering support that could not be provided by a probation practitioner.

Engaging with other people on probation was felt to be beneficial and allowed participants to see how the probation system had helped people with similar experiences. Several people on probation identified the peer mentoring scheme as the most positive aspect of their probation journey.

“The peer mentoring really works well. From all of our days and courses that I’ve done, that’s been the best.” – Person on probation.

“I’ve had peer mentoring and I found it invaluable, I would give ten out of ten for that support that’s been offered to me. It’s just been fantastic.” – Person on probation.

“Peer mentoring is definitely the way forward...they can speak to [*name*] and actually realised, you know, I’m not the only one.” – Person on probation.

### **Negative experiences of the RAR**

For some people on probation, their RAR experience was predominantly negative. This was attributed to RAR days being irrelevant to their offending needs, poor relationships with probation practitioners, the feeling of being on a ‘cliff-edge’ once finished, and concerns about when the RAR days were complete.

It was expressed by some people on probation that their RAR days were irrelevant to their offence and their needs. This resulted in people on probation taking part in activities that were felt to be inappropriate to use up RAR days. Some participants outlined that they were doing courses because they were the only ones available, even if they had already covered the content before. It was also unclear to some participants why they had been put on particular courses that were felt to be unrelated to them. This resulted in feelings of frustration.

“It’s almost a one size fit all. It’s like, “You’ve got to do that course ‘cos it’s the only one we offer. You need to do your RAR days so you’ve got to do this course, even if you’ve done it before.”” – Person on probation.

“Obviously, it’s not tailored for you, which you don’t expect it to be, but some things are extreme and you just think, “What on earth am I doing in here?”” – Person on probation.

Furthermore, some people on probation reported that it felt as though completing RAR days was often a ‘tick-box exercise’. Rather than their probation practitioner choosing activities that were specific to their offence, it was felt that practitioners would try and record RAR days retrospectively using other activities. This is consistent with the views



expressed by some probation staff who felt they had to be ‘creative’ with what could be recorded as a RAR day (as discussed in the [Recording the RAR](#) section).

“From my point of view, it was a bit more like, oh we can use that for RAR, we can use that for RAR.” – Person on probation.

“I must admit, it’s like they’re shoehorning stuff to – it’s like “right, how am I going to get this? Oh, I tell you what? I’ll put you on this course ‘cos that’ll eat up some of your RAR days.”” – Person on probation.

While some people on probation identified positive relationships with their probation practitioner as one of the highlights of their RAR experience, others reported poor relationships. This was particularly the case when people on probation felt as though their probation practitioner did not understand them or their needs or made no effort to do so. Some people on probation also expressed frustration about their probation practitioner changing, especially when they had built a good relationship with a previous one.

“My first probation officer was just not engaged.” – Person on probation.

“Some of them that are not bothered, they’re just there for the money” – Person on probation.

Another negative perception reported by people on probation related to uncertainty about whether they had completed their RAR days, despite their probation practitioner telling them they were done. One interviewee described this as ‘anxiety provoking’ because they felt that they did not have sufficient confirmation that they had completed enough of their RAR days to not be breached. Another interviewee who suffered with anxiety felt as though being told ‘not to worry’ about RAR completion made them feel more panicked. Concerns were also raised about how long it would take to complete the RAR days, as these were understood to be full days rather than a session. This was synonymous with a general lack of clarity from people on probation about how the RAR days worked, and how many RAR days had to be done for the sentence to be complete.

“I was counting like my hour sessions, thinking I probably had to do eight to make a day, a RAR day, and I was like, “This is never going to end, this is never going to end.”” – Person on probation.

“The court will say I’ve not done twenty-five, I’ve done ten... Even now, I finished in July, I’m off probation, I’m sitting here thinking, well, I still owe the court about fifteen days here.” – Person on probation.

Furthermore, those who had completed their RAR days reported that this felt like being on a ‘cliff edge’. Some interviewees reported that they would have wanted to have been able to contact their probation practitioner after their RAR, whereas others felt as though the abrupt ending made it feel as though the RAR days had no meaning.

“After you’ve done it, there’s nothing else. It just ends right there” – Person on probation.

“So, the end just kind of fluttered out, you know, without any real meaning or purpose.” – Person on probation.

## 7. Individual needs

### Key findings

- Some participants felt that the RAR wasn't suitable for everyone, especially those with 'chaotic lifestyles' (including homelessness, or drug and/or alcohol dependency).
- Other groups that the RAR was felt to be less suitable for included Gypsy, Roma and Traveller (GRT) populations, young people, transgender people, people with disabilities, and women.
- Neurodiversity was raised as a factor which influenced engagement with the RAR, particularly attention deficit hyperactivity disorder (ADHD) and autism spectrum disorder (ASD).
- Both staff and people on probation felt that practitioners were not adequately trained to manage mental health issues, and staff expressed frustration that some mental health services could not be recorded as a RAR day.
- Language barriers were felt to be an obstacle to engaging in RAR days, and staff outlined difficulties of using interpretation services for some activities.

This section explores perceptions of the RARs' suitability to individual needs and characteristics, and how these needs influence engagement.

### 7.1 Individual suitability to the RAR

The RAR was not deemed to be suitable for everyone, particularly for GRT populations, young people, transgender people, people with disabilities, and women.

Across participant groups, the RAR was felt to be beneficial in its flexibility, allowing for probation practitioners to tailor delivery to individuals on their caseloads. However, some participants across groups felt that RAR suitability was dependent on individual characteristics, such as neurodiversity or mental health needs. Several practitioners expressed that it was similarly difficult to deliver RAR days to people on probation with 'chaotic lifestyles'. This included individuals who were homeless or who had drug and

alcohol rehabilitation needs. Some staff reported that trying to complete RAR days with these individuals could take longer, and lead to additional staff burden, as activities often had to be spread across multiple sessions.

“I just think it is sometimes with cases it’s impossible to sit down and do written work with, ‘cos they’re so chaotic.” – Probation practitioner, Wales.

“It can take a very long time to do one thing with them, which then you might have had multiple RAR sessions that have been counted out, because you’ve tried to do it so many times” – Probation practitioner, North East.

“There’s quite a few chaotic people who maybe are using substances who might come in and either be under the influence and you have to kind of send them away” – Probation practitioner, East Midlands.

Aside from ‘chaotic’ individuals, some other specific groups were identified by probation practitioners as being less suitable to some RAR activities. Notably, it was not the view that RAR was unsuitable for these groups as a sentence. Instead, it was that the reduced choice or inappropriate nature of some activities, and the challenge of engagement.

### **GRT populations**

Some probation practitioners highlighted that the RAR was not always suitable or relevant for GRT populations. This was because the aims of certain RAR activities, such as securing accommodation or employment, did not align with the life goals of people from these communities. One probation practitioner said that the RAR activities were not culturally appropriate, especially relating to financial issues, which posed a barrier to engagement.

“I’ve had a lot of experience working with people from the travelling community, where they don’t want to be in housing, they don’t want a house, they’re quite happy on their sites... They don’t want to use their RAR days for anything to do with ETE [*education, training, and employment*], because having a nine-to-five job is the worst-case scenario for them... they would never talk to somebody outside of the community about finances.” – Probation practitioner, North East.

## **Young people**

It was reported by most probation practitioners that it was more challenging to do RAR days with young adults on probation, particularly young men. Some practitioners attributed this to lower levels of maturity which made engagement in activities difficult. This seemed to be the case when delivering toolkits to those who had experienced difficulties during education, as they felt like RAR sessions mirrored the teacher-pupil dynamic, rather than offering a collaborative relationship. Furthermore, some probation staff highlighted that RAR activities could be inappropriate for young people, as some toolkits require an understanding of your identity, which may still be in development.

“Your younger males who have quite low maturity, they tend to be the people who are very difficult to engage with their RARs because there's often, like I say, loads of different arrests or other issues going on.” – Probation practitioner, North East.

“It's [*the toolkit*] all about social identity and people who are eighteen don't really know themselves yet, you're too young to know yourself at eighteen.” – Probation practitioner, Greater Manchester.

## **People with disabilities**

Some probation practitioners outlined that the RAR was not always appropriate for people with certain disabilities and could not accommodate their needs. A probation practitioner raised concerns about delivering RAR days to people who were deaf or hard of hearing, because finding an interpreter could be challenging. As a workaround, this led to one probation practitioner writing things down themselves, which may have negatively impacted the quality of the RAR being delivered, as well as engagement with the RAR.

“I know one of my colleagues, he's got a man who's deaf...he was just having to write things down because there wasn't that availability to then have that need met” – Probation practitioner, North East.

## **Women**

Several practitioners outlined that the RAR offer for women was of a lower quality than for men. One probation practitioner expressed that this was because the RAR was built for ‘your average male’. This is consistent with the availability of only one toolkit for women.

Some staff expressed that having one toolkit for the entire cohort of women was too general. It was also suggested that some toolkits (such as Skills for Relationships) for men could be separately adapted to meet women's needs.

"I think the women as well do miss out on a lot. So, we've got this women's centre that's supposed to cover everything, but they don't, they can't. So, I think women are definitely ignored significantly in like the RAR days." – Probation practitioner, North West.

This was consistent with the view from one magistrate, who felt that probation practitioners were not always confident with how to deliver RARs to women, as staff tend to have more experience delivering RAR days to men.

"My gut reaction is that the women come off worse than they should in terms of how they're looked at. And I think that's partly because the majority of people...are men. And so they're used to dealing with those needs. But sometimes I think they're [*probation practitioners*] thrown when they see a woman in the same situation!" – Magistrate, North East.

### **Transgender people**

Finally, some practitioners reported that aspects of the RAR were not suitable for the needs of transgender people on probation. Some toolkits and RAR activities are gender-specific and delivered to men and women separately. This raised challenges for transgender people when engaging with certain activities, especially group sessions. Some staff expressed that they felt unsure about which toolkits were most appropriate for transgender people, especially for those who were transitioning whilst on probation.

"I've got a couple of people that are transitioning, so – in terms of the boxes, obviously got female specific, but they might be biologically female, but transitioning to a male, there's nothing specific for that sort of – in terms of diversity." – Probation practitioner, North East

## 7.2 Neurodiversity

Across all participant groups, neurodiversity was raised as a factor that influenced engagement with the RAR. Certain conditions, such as attention deficit hyperactivity disorder (ADHD) and autism spectrum disorder (ASD), were felt to reduce engagement with RAR sessions. Probation staff shared that people on probation often found it challenging to sit still or concentrate during RAR sessions. Practitioners also raised concerns about those with undiagnosed neurodiverse conditions as this further limited the support that could be offered.

“I’ve got so many cases with ADHD, fifteen minutes and they’re gone.” – Probation practitioner, Greater Manchester.

“They come in, they’re on the end of their chair and they’re up, then they’re down and they’re – you know, and you just know that this is really, really challenging for them.” – Probation practitioner, North West.

“So, it’s very much, “Well if they’ve got the diagnosis, then we’ll try and work with it,” but actually getting a diagnosis is a barrier in itself. Until they’ve got a diagnosis, they’re like the general population, and they have to fit in. And that’s not fair.” – Probation practitioner, North West.

This view was consistent with interviews with people on probation, who expressed that they struggled to engage in certain activities; it was felt this was more pronounced for written activities, whereas visual or conversational activities were felt to be more accessible.

“The way that my brain works, looking at a piece of paper is pointless to me. Now if we’re going to do something, let’s do it face to face, talking about it, so it’s visual instead” – Person on probation.

The presentation of these traits in neurodiverse individuals meant that some staff felt group sessions would not be suitable for their needs. Instead, staff would offer 1:1 sessions, especially for those presenting with ADHD. For these sessions, most staff

tailored existing RAR materials by shortening or breaking-up toolkits, using more visual aids, or offering further explanation where necessary.

“If someone...has ADHD who can’t concentrate for long periods, we’ll kind of chop that kind of toolkit down into maybe even three parts, just so that they aren’t having to concentrate for long periods of time.” – Probation practitioner, East Midlands.

“I’ve got like a guy who’s got autism, and so how I deal with him is like, when the workbook asks him a question, I’ll give an example of what I would say, to help him understand.” – Probation practitioner, Greater Manchester.

Although staff knew they could tailor materials to meet individual needs, they felt more specific training on how to achieve this effectively was needed. Without training, some probation staff felt that it had been difficult at times to determine suitable strategies to deliver RAR days effectively to these individuals. However, other staff felt training was insufficient; they felt that the RAR toolkits would still be unable to support neurodiverse people.

“The RARs don’t really help with that, to be honest. It comes from like your own strategies, figuring out what your people on probation need.” – Probation practitioner, Greater Manchester.

“There isn’t enough training and awareness for staff on how to adapt.” – Probation practitioner, North East.

“I think people who’ve got neurodiversity, autistic, autism, that sort of thing, they – there doesn’t seem to be an adapted version of the RAR interventions for those group of people, so it’s quite difficult.” – Probation practitioner, South Central.

### **7.3 Language barriers**

Language barriers were raised by both probation staff and people on probation as an obstacle to engaging in RAR days. For people on probation who did not speak English as



their first language, staff often found it challenging to deliver toolkits, or found they were limited to the more basic ones.

“He got a bunch of RAR days, but his English was very poor, so I could only do the very most basic ones with him.” – Probation practitioner, Greater Manchester.

“I’ve had quite a few people, which is a massive barrier, who don’t speak any English and there’s not many, like, videos and stuff that you can actually show them that is either translated or has that transcript and I found that really hard.” – Probation practitioner, East Midlands.

Several practitioners raised concerns about the use of interpreters. While some staff experienced logistical difficulties accessing interpretation services, others felt that the main issue was not being able to deliver the same session quality. This was attributed to delays when using an interpreter over the phone, which created a communication barrier and impacted rapport building. Some staff also felt that interpreters were inappropriate for group work, limiting options. In 1:1 work, staff outlined that toolkits with videos could not easily be translated through the interpreter.

“Trying to get an interpreter can be really difficult. And sometimes that’s only the phone, and I think that creates a communication barrier... there’s delays obviously between me speaking, being interpreted and then that kind of makes it a longer process.” – Probation practitioner, North West.

“I felt really not very nice afterwards because you want to kind of do absolutely everything you can in regards to those interventions and not being able to kind of show them those videos and go through kind of exactly what that person’s done wrong and what you could change for that, we’d normally have those discussions.” – Probation practitioner, East Midlands.

Aside from delivering RAR activities, staff raised concerns more broadly about language barriers in terms of explaining their sentence requirements. Some people on probation expressed that they struggled to understand some of the materials, or the description of what the RAR entailed, especially when there were lots of abbreviations.

“And it’s a problem as well when no one stops and explains it to them, because he ended up breaching his SHPO, his Sexual Harm Prevention Order, because he genuinely didn’t understand” – Probation practitioner, Greater Manchester.

“She [*probation practitioner*] tried to explain it to me, but again, because I’m not a native like, you know, English speaker and everything, and there’s a lot of – it was you say, abbreviations” – Person on probation.

## 7.4 Mental health needs

The extent to which the RAR can appropriately cater for individuals with mental health needs was raised as a concern amongst both people on probation and probation practitioners. This was often attributed to lack of training; probation staff specifically wanted more training on understanding mental health issues and how to adapt RAR activities to meet needs.

Furthermore, staff reported that there were insufficient mental health services available to people on probation. For people experiencing clinical anxiety, RAR group activities were felt to be inappropriate, and as though they would not promote engagement from the individual. One probation practitioner discussed how breaching individuals for not attending these sessions felt unfair and ‘ableist’. Some probation practitioners felt there should be more flexibility in terms of breaching people for unattendance when they are experiencing mental health issues.

“We have people with serious mental health issues, and we cannot get them help at all.” – Probation practitioner, South Central.

“[*Group sessions*] might be the worse kind of hell for them, and we’ll actually breach them if they don’t attend, and that doesn’t seem fair. So I think like mental health, anxiety, I think it’s quite ableist in some respects.” – Probation practitioner, North West.

“But when it comes to your mental health and emotional wellbeing, some days they’re just not going to be able to deal with it, and I think there should be more versatility in that.” – Probation practitioner, North West.

One person on probation felt as though they were ‘criminalised’ for having mental health issues. Another individual felt unable to engage in RAR activities for reasons associated with their mental health, and as though they had been punished for it.

“Special care needs to be taken with people who’ve got like mental health...It can be quite debilitating for some people to do it and then there’s, oh if you don’t do it, you’ll go back to jail...that’s sometimes not the best way to deal with things” – Person on probation.

While it was reported by some practitioners that there were valuable mental health services available to people on probation, staff expressed frustration around these not counting as RAR days. This was because some services provided externally for mental health were not enforceable and therefore could not be recorded as RAR completion.

“We’ve got like the Wellbeing Centre, which is really, really good, but...we can’t use them as RAR days because they’re not willing to tell us whether or not they’ve attended.” – Probation practitioner, South Central.

“The CRS doesn’t cover that specifically anywhere... So, they’re referred to meet [*mental health service*], I couldn’t use that as an RAR because that wouldn’t be enforceable.” – Probation practitioner, North East.

Furthermore, practitioners raised concerns over people on probation not wanting to engage with CRS for mental health issues, as they could be breached if they missed an appointment.

“Yeah, I think particularly if you’re referring to CRS wellbeing service, we offer them this service, which is really good, but if they miss an appointment, they get a warning letter. So they’re getting enforcements, so in their eyes they say, “Why am I even bothering to do extra?”...And I have a lot of people say, I’m just not going to address my mental health or wellbeing with [*probation services*], I’ll use an agency, but I’m not going to get breached for not engaging with them.” – Probation practitioner, North West.

## 8. Conclusions

This process evaluation sought to explore how the RAR was being implemented and to increase understanding on how delivery varied across regions. It highlights several specific challenges with the RAR, which will be taken into consideration alongside any wider impacts to Probation following the outcome of the Independent Sentencing Review. Findings reflect the perspectives and experiences of 24 people on probation, 25 probation practitioners, and 12 magistrates.

The RAR was introduced to offer practitioners flexibility in how they deliver rehabilitative support. The RAR aimed to encourage a tailored approach to meet the varying needs of people on probation. Probation staff and magistrates that were interviewed were positive about the rehabilitative aspect of the RAR and largely agreed its purpose was to address criminogenic needs. However, there were discrepancies amongst probation staff as to what constituted as a RAR session. While some staff believed that even a short, telephone conversation could be considered a RAR if it supported rehabilitation, other practitioners would only record a RAR session on nDelius if it had been pre-planned and structured.

People on probation had mixed views on their understanding and awareness of the RAR. People interviewed online 1:1 tended to feel more positively about the RAR, whereas in face-to-face focus groups, people on probation were more open about feeling confused and anxious by their lack of awareness. This could be due to demand characteristics, in which participants change their behaviour/responses to align with their interpretation of the aims of the research, or be region-specific as all participants who attended the focus group were from the same local area.

People on probation felt their sentences could have been more clearly explained to them. Acronyms should be avoided, and sentencers could provide information on what RAR days could look like to give people on probation a better idea. However, it is understood that sentencers may not be aware at this stage, as practitioners are yet to complete assessments to understand which activities would be most helpful.

Probation practitioners reported that the number of RAR days people are sentenced to is inconsistent, and there was little understanding as to why some people received so many or so few. Too many RAR days can make it challenging for practitioners to find meaningful, rehabilitative work to complete during sessions, and in some cases, undermined positive relationship building. Furthermore, SPOs shared pressures from senior management about low delivery of the RAR. Unnecessary RAR days may be increasing practitioner workloads as well as not providing anything for the person sentenced to them. Further information at the sentencing stage on what the RAR is, its purpose, and what activities might involve may increase confidence in the RAR, and ultimately, engagement from people on probation.

Staff felt that undertaking an initial mapping session was beneficial in building rapport before trying other RAR activities, and that they tried to involve people on probation in the decision-making process of choosing these activities. However, this finding was sometimes inconsistent with the views of people on probation, who felt that the activities were prescribed to them. Staff also expressed some frustration in the lack of professional judgement to decide what counted as a RAR day, especially where it was felt rehabilitative activities were taking place but could not be counted, due to activities not being enforceable. This lack of clarity led to inconsistencies between what different staff recorded as a RAR day.

When delivering the RAR inhouse, some staff found the structure of toolkits helpful, whereas others felt they could be condescending. Most staff identified the need for further training to support delivering RAR activities and tailoring toolkits to meet individual needs. In cases where toolkits could not cover particular issues, 'off-menu' activities were sometimes delivered by practitioners. However, staff felt that they were discouraged to do 'off-menu' sessions for RARs. Staff also raised concerns about RAR provision through CRS, especially in relation to accommodation services.

In terms of enabling factors to delivering the RAR, both practitioners and people on probation expressed that positive working relationships were crucial. Staff felt that trust and rapport were important for engagement, while people on probation reported that it was imperative to be able to have open conversations with their probation practitioners.

Additionally, staff highlighted that people on probation's willingness to engage in the RAR was a key enabler. Finally, practitioner skills were outlined as a crucial factor to delivering RAR activities because of the need to tailor materials to different individuals.

However, several barriers to delivering and engaging the RAR were also identified. Staff felt that crisis management often took priority over delivering RAR days. Additionally, staff reported that time constraints meant that RAR sessions could not always be delivered, and that the quality of work was undermined. Other requirements, such as unpaid work, sometimes took priority over RAR days. Logistical restrictions and waiting lists for group activities were also a barrier for people on probation to engage with certain RAR activities. Finally, people on probation identified being in employment as a barrier because RAR days usually occur during working hours.

Most probation staff reported recording issues with the RAR. Staff felt that the process was convoluted and time-consuming. Furthermore, staff raised concerns about the difficulties of meeting regional targets, and that these targets took resource away from providing rehabilitative support to people. Finally, inconsistencies of recording between staff were raised, due to different levels of professional judgement being applied.

The experiences of RAR delivery for people on probation were very varied. Not all people on probation had the same access to RAR activities due to geographical differences, criminogenic needs, and risk levels, however this was unclear to most participants. This was felt to be unfair to those who could not take part in activities, such as group work. Several people on probation expressed positive views about their RAR experience, such as the relevance of the RAR days to individual needs, an acknowledgement of positive life changes, and the opportunity to be involved in peer mentoring. However, others felt that the RAR had been irrelevant to offending needs, and that they had poor relationships with probation practitioners. Some people on probation also expressed the feeling of being on a 'cliff-edge' once finished and raised concerns about whether their RAR days were complete.

The RAR was felt to be beneficial in its flexibility to cater to individual needs. However, staff outlined several groups that RARs were less suited to, including those with 'chaotic lifestyles', as they struggled to attend appointments or engage with activities. Practitioners

also felt that some individuals, such as those from GRT populations, young adults, and people with disabilities, were less suited to the RAR because their needs did not always align with the aims of RAR activities. While staff did not suggest that women were less suited to RARs, some probation practitioners felt that the RAR offer for women was of a lower quality due to only one toolkit being available.

Neurodiversity was also raised by probation staff as a factor that influenced engagement with the RAR, because of difficulties with concentration and understanding the activity content. While some staff expressed that they were able to tailor toolkits and activities to suit the needs of neurodiverse individuals, they also identified that specific training on this would be beneficial.

Language barriers were raised as an obstacle to engaging with the RAR. Issues with interpretation services included communication barriers due to delays in translation, and the services being inappropriate for group work and video-based activities. Staff highlighted that this could be particularly problematic when people on probation do not understand the conditions of their sentence requirements.

Finally, participants raised concerns about the RARs' inability to cater to individuals with mental health needs. Staff felt that more training was needed to understand mental health issues. It was also reported by staff that there were insufficient mental health services, and some felt frustration around rehabilitative activities on mental health not being enforceable and therefore not counted as a RAR.

## 8.1 Implications

- Building on existing guidance materials, the RAR, and the specific activities that can be completed as part of it, should be clearly and regularly communicated to sentencers. This may be difficult given resource constraints and the changing nature of CRS providers. However, having this information may reduce the likelihood of people without rehabilitative needs being sentenced to the RAR, and positively influence the number of RAR days sentenced.
- Regular training should be offered to magistrates on the use of the RAR and how it is delivered by the Probation Service.

- Probation staff need to be trained and supported to communicate more clearly on the RAR with people on probation. This includes explaining what the RAR is, how it is different to supervision, what constitutes a 'RAR day', and the reason for the number of days issued at the point of sentencing. Better communication is also needed in RAR delivery, including a clearer picture of what the RAR will involve for the person on probation. If a RAR session has been recorded on nDelius, the person on probation should be informed for awareness of their progress.
- Within legislation, consideration should be given as to whether probation staff should be able to use their professional judgement in deciding what counts as a 'RAR day'.
- Training should be offered on how probation staff can tailor RAR activities to meet the specific needs and unique characteristics of people on probation, including young adults, women, transgender people on probation, GRT populations, individuals with disabilities, neurodiverse people, non-native English speakers, and those with mental health needs.
- Furthermore, training is needed on how best to deliver and tailor toolkits to improve staff confidence. All training sessions should be recorded for staff to refer to, and access to training materials should be clearly signposted and easily accessible.
- Some toolkit activities (like wordsearches) need to be reviewed and amended to ensure that they are relevant in supporting rehabilitation.
- Faster responses to referrals and information requests are needed from CRS to ensure that probation systems are kept up to date and that sessions can be appropriately enforced.
- To improve recording consistency, existing guidance should be clearer and easy to locate for probation staff, as most reported being unaware of it. The recording process should be made more efficient to save staff time and streamlined to avoid duplication.



## References

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## Appendix A

### Participant sample breakdown

**Table 4: Total sample by participant group**

People on probation	Probation practitioners	Magistrates	Total sample
24	25 (4 SPOs)	12	61

**Table 5: Sample breakdown by method**

Method	Total interviewed	Detail of method
Interview	39	<ul style="list-style-type: none"> <li>• 38 Teams interviews</li> <li>• 1 telephone interview</li> </ul>
Focus groups	22	<ul style="list-style-type: none"> <li>• SPO focus group (4 attendees)</li> <li>• People on probation focus group (10 attendees)</li> <li>• People on probation focus group (8 attendees)</li> </ul>