INTER-AGENCY COOPERATION: HOW CAN IT BEST ENHANCE COMPLIANCE WITH THE LAW?

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This paper will consider inter-agency work. The expression is commonly used, but perhaps it is not always understood by everyone in quite the same way and this could lead to confusion, especially when agencies actually attempt to work together. The advantages of working in this way will be discussed. While 'inter-agency work' plainly implies some degree of cooperation, sometimes agencies seek to go further than this and to create arrangements in which their work is integrated. There are differences in the degree of integration that is sought and achieved and some working arrangements from the UK will be set out as examples. In England and Wales, the aspiration of inter-agency work has transformed probation's understanding of its role, and probation now sees working in collaboration with other agencies as essential to achieving its objectives — and some other agencies share the belief that their own responsibilities and remit can best be advanced in this way. Yet the policy commitment to inter-agency work has been expressed for many years now and still there are signs that agencies have a limited appreciation of each other's roles, skills and resources. They often communicate poorly and referrals among agencies do not always achieve quite what was intended. In short, inter-agency work does not always achieve as much as has been hoped and if we are to make progress we need to understand the difficulties as well as the advantages.

The paper will therefore go on to consider some of the complications and challenges involved in establishing inter-agency partnerships. A parallel will be drawn between inter-agency work and inter-national work in Europe. It is widely agreed that some problems cannot be managed by countries working on their own, but the ambition to work together is sometimes frustrated by misunderstandings, as well as by differences of culture, law, economic resources and political priorities. The paper will conclude with an attempt to set out the strengths and weaknesses of inter-agency work, the opportunities it presents and the threats to their achievement, before finally offering a few suggestions about what might be done to enable inter-agency arrangements to flourish and achieve their potential.

I. WHAT IS INTER-AGENCY WORK?

At its most simple, inter-agency involves two or more agencies deciding to work together in partnership. It originates in the recognition by these agencies (or by policy makers at a higher level) that they have a common concern and / or that they are often working with the same people. It is possible that an agency may not even be aware that other agencies have the same concern so that they make their contribution without regard to the involvement of others. But most agencies now appreciate that (for example) when the offender who is under probation supervision and the drug misuser who attends the clinic are *the same person*, then some degree of collaboration and information exchange will help both agencies to do their work more efficiently and effectively. They may then discover that this same person is unemployed and perhaps at risk of becoming homeless and at that point they may want to liaise with accommodation and with employment agencies.

Complex problems, then, call for the expertise and resources of different agencies. In the particular case of criminal justice, the offending-related needs of many offenders require a coordinated and complementary inter-disciplinary response. But how close a partnership ought this to be? A useful distinction can be made between *multi-agency* work — which may be said to begin when several agencies become aware that they share concerns and clients and begin to think about how to work together — and *inter-agency* work which implies at least some degree of blending, mixing or fusing. We shall say more later about these levels of cooperation and integration.

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II. WHY WORK IN THIS WAY?

The advantages of agency cooperation are obvious. Different agencies have their own duties, their own expertise and resources. The European Probation Rules put it this way:

Probation agencies shall work in partnership with other public or private organisations and local communities to promote the social inclusion of offenders. Co-ordinated and complementary inter-agency and inter-disciplinary work is necessary to meet the often complex needs of offenders and to enhance community safety. (European Probation Rules 2010: Rule 12)

These Rules affirm social inclusion as a guiding principle of probation practice. If the social inclusion of offenders is to be achieved, probation must work in close cooperation with a wide range of other agencies. Organisations, for instance accommodation and employment agencies or services for drug users, have a duty to provide services to all eligible clients and may need the guidance of probation to help them make sure that their services are readily and fairly accessible to offenders.

Let us look more closely at these 'complex needs'. Many factors have been thought to influence the chances of people offending. These are set out in the table below, where the right hand column identifies some of the agencies that may be able to make a contribution to influencing these factors.

Individual / psychological / health factors	Psychologists, doctors, teachers
Family	Counsellors, social workers, child guidance, parenting guidance
Socio-economic	Financial support and advice, housing providers, employment agencies
Peers and associates	Youth workers, police, community workers
School	School, education welfare staff
Neighbourhood	Local authorities, planning, housing agencies

A UK Government report in 2002 (Social Exclusion Unit 2002) drew attention to the number of offences that are committed by people leaving prison. It emphasised that in England and Wales prisoners are very socially disadvantaged. The report identified a particular set of social influences on offending that are plainly linked with chances of reoffending or, if changed for the better, may support someone in developing a way of living in which offending has no place. These are:

- accommodation

- education, training and employment;

- health

- drugs and alcohol

- finance, benefits and debt

- children and families

- attitudes, thinking and behaviour

Other countries may well recognise the factors listed here, even if they might want to add or subtract one or two of them. The similarities between these factors and those set out in the table are also to be noted. In the same way, these influences seem to call for an inter-agency response. A point to emphasise is that while it is possible to set out needs separately in a list, in the lives of individuals they are not experienced in this way. **Problems and needs interact and many difficulties** (for example, drug misuse) **make other problems** (for example, offending) **even worse. Just as needs are experienced in this way,**

agencies need to take account of their interactions in their response.

It is also to be noted that most of the agencies identified are not agencies of criminal justice. A very basic question is: *which agency or agencies has a responsibility to try to reduce crime?* In the UK, and I suspect in many other countries as well, the first reaction is to think of the agencies of criminal justice — the police, the courts, the prosecutor's office, the prison and probation services — but as we have just seen many other agencies have a role here too. Theories of crime prevention (*crime reduction* is a better term) sometimes distinguishes between situational and social crime reduction. Situational crime reduction looks at how and where crimes take place and tries to block opportunities, by security devices or increasing surveillance — either 'natural' surveillance or CCTV. For example, the architecture and design of houses and shops, the lighting and layout of streets, transport routes can all make a difference to patterns of theft and assault. Product design is also very important here. Whenever a new product is being designed now, the manufacturers are being encouraged to think about how to guard against it being stolen or about the ways in which it might be misused for criminal purposes. For instance, cars are much more difficult to steal than they were 10 years ago. New technologies change opportunities for crimes and designers should also be trying to anticipate crime opportunities and to block them. 'Social' crime prevention is what most of this paper has been discussing so far. This recognises that educational, employment, accommodation, health and other social provision, especially when directed towards those most likely to offend, can make a decisive difference.

What type of agency cooperation is needed to work on crime reduction may depend on whether this is approached through situational or social measures. For example, the police know a great deal about how and where crimes take place and so do shopkeepers, who may be victims of thefts. They need to work together and with security experts and product designers. But if the emphasis is on *social* prevention, a very different team is needed. Our concern here is mostly with social rather than situational crime reduction, but among the first and most important matters to note is that **which agencies are to work together and *how* depends, first of all, on the concern they are attempting to address and how the problem is understood**. And these are policy decisions.

Some of the areas that seem to need a collective response of some kind include:

- General crime prevention

- Violence in the home

- Keeping children safe

- Drug misuse

- Mental health

These are some of the biggest crime problems that almost all modern societies have to confront and are at the centre of criminal justice work. Rather than being something exceptional, therefore, inter-agency work has come to be seen as the best way of trying to address these problems.

It may be of interest that some European countries report that when, in the spirit of the European Rules just cited, probation agencies approach other organisations, the first response they often receive is that these other agencies say they have no legal obligation or authority to work in this way: it is not their job to work with 'the clients of probation'. But they soon come to see that some of their most problematic clients or, just as importantly, some of the neediest people they have a duty to help but whom they are finding it hard to reach are under probation supervision. Sometimes the initiative is taken by these other agencies. For example, in one country where I have undertaken some work, concerns about violence in the home, usually against women and / or children, were first identified by social services and welfare agencies who approached probation and police in the belief that this needed a collective response. Gradually, then, other agencies are becoming aware that probation has a contribution to make to their work in some areas that are the concern of all.

III. DEGREES OF INTEGRATION

Once agencies have recognised a need to work in collaboration, the next question is what form this partnership ought to take. Let us consider someone who is leaving prison with nowhere to live — very common in UK — or perhaps leaving a halfway house to find independent accommodation. Perhaps he also has a history of drug misuse and his unsettled lifestyle has made it difficult for him to persuade an employer that he should be given a job. There will be a need in such circumstances for some degree of liaison between the agencies with the skills and resources to support him in his efforts at desistance. In order for all these agencies to do their work properly, they will need to liaise.

At a simple level of *multi-agency* cooperation, it may be sufficient to set in place agreements about exchange of information; about referral — about how and when a probation worker should approach and seek to involve other agencies. For example, if a probation worker is aware that someone is at risk of misusing drugs, how are they to access the right kind of support for the client? Bilateral service level agreements might be negotiated between senior managers to make sure that the agencies are working well together, that there is a shared understanding of what each agency can expect of the other(s), about mechanisms of referral, about payments and so on. Each agency retains its own identity and may not need a great deal of detailed knowledge about how the other agency operates. In principle, this degree of integration ought not to pose too many problems and indeed the partners will be helping each other to fulfil their duties. In the case of the accommodation agency, the probation service is helping the agency to fulfil its responsibilities by putting them in touch with very needy people whom they should be keen to serve.

Yet even at this level cooperation has sometimes been frustrating. There have been any numbers of government reports and inquiries in the UK that suggest misunderstandings between individuals and organisations, that communication has been poor and that agencies do not call on one another's services appropriately. Problems also arise when one agency feels that the other is not practising as it should — for example it may be failing to provide its services in a way that can be accessed by some of its potential clients — and challenges it to review and maybe to change its practises. For instance, some agencies do not give former prisoners fair opportunities or reasonable access to their services and need to think about how to do this.

It is easy to see how negotiations like these could develop in a direction towards *inter-agency* work. Rather than seeing just two options (multi- or inter-agency), it has been suggested that these are better seen as ends of a continuum and that there are other models that sit somewhere in between.

- The **communication model** — where agencies recognise that they have a role to play in relation to each other, but do not go beyond communication. The communication may be one-way or two-way, and may involve full or partial disclosure of information.

- The **cooperation model** — where agencies maintain separate boundaries and identities, but agree to work on a mutually defined problem. This may involve joint action, or it may involve one agency (or more) consenting to another taking the initiative to act.

- The **coordination model** — agencies work together in a systematic way; there are defined agency boundaries but agencies may pool resources to tackle mutually agreed problems.

- The **federation model** — in this model agencies retain their organisational distinctiveness but also share some central focus. The agencies operate integrated services.

- The **merger model** — in this model agencies become indistinguishable from one another in working on a mutually defined problem and they form a collective resource pool. (Liddle and Gelsthorpe 1994)

IV. SOME EXAMPLES FROM THE UK

Here are some examples from England of agencies working together.

A. Multi-Agency Public Protection Arrangements (MAPPA)

These are inter-agency arrangements designed to manage offenders who may cause serious harm to others. Many of these are people who have served their prison term and are now in the community. The principal agencies involved are police and probation, but prison staff (sharing their knowledge of offenders from the time when they were in prison), psychologists, social workers (child protection), housing department (area of residence) and sometimes others may also be involved. They agree that that their shared objective is to work out how best to protect the community from the offender's risks. But they may not always agree about how this is best to be achieved and may make assumptions about what other agencies are contributing. A central part of the process, therefore, is the MAPPA meeting where these different personnel meet together to devise a protection plan, discuss and monitor its implementation. This includes negotiating any disagreements and clarifying any potential misunderstandings. Between meetings, they will often need to communicate by phone and email. They remain working as staff in their respective agencies, where they are regarded as holding a specialist role.

This is very different from the general strategic inter-agency work discussed earlier in relation to crime reduction. MAPPA is normally concerned with the management of particular cases rather than with a general policy or strategy. On the other hand, **attention to individual cases will sometimes call attention to difficulties that require a change in general policy**, (the distinction between policy and practice is not always easy to discern), so this too must be reviewed periodically.

These staff have had to learn to work together and it has usually taken time to build understanding and confidence. But MAPPA is widely believed to be successful and the model of working in this way has been extended to other groups. There are now in England Prolific and Persistent Offender Projects where police and probation staff work very closely together to manage the most persistent offenders — not many of them especially *serious* offenders (and therefore not suitable for the intensive and expensive MAPPA scheme). There are also Integrated Offender Management schemes in many areas, again involving both police and probation (Home Office / Ministry of Justice 2015). In terms of the models set out earlier, this is more than just multi-agency communication or cooperation and is moving closer to inter-agency coordination, where agencies work together in a systematic way: there are defined agency boundaries but agencies may pool resources to tackle mutually agreed problems.

B. Youth Offending Teams

The greatest step towards agency integration in England has been Youth Offending Teams (YOTs). The move towards this was prompted by the recognition that the behaviour of young people is a responsibility of services including but well beyond the criminal justice system. Many links are obvious — for example, not going to school can lead to crime; drug use is associated with health risks and problems. In 1998, to response to this, Youth Offending Teams were established. These Teams have their own offices where staff, seconded from several agencies, go to work — police, social work, probation, health and education services. Staff will often say that they are YOT workers, rather than (say) police officers or social workers.

Does this mean that a new agency has been created? If so, how does it relate to all the others? There seem to be two opposite risks to be avoided here. On the one hand, **unless the team develops its own working objectives and ethos, it will not have achieved the full integration intended. On the other hand, if it does establish this separate identity, it may have become just another agency which must now find ways of working with all the others**. In some places, YOTs have started to recruit their own staff, many of them minimally qualified and inexperienced, leading to a lack of professional identity and without any connection with the 'parent' organisation. This undermines the original policy ambition to combine specialist expertise, with the range of different skills and perspectives that different organisations represent. As Liddle and Gelsthorpe (1994) put it "internal factors can … lead to a separation of individual representatives from their own agencies, and to a perception that particular representatives are not 'bringing their agencies with them' to the work."

V. PROBATION AND INTER-AGENCY WORK

The move towards increasing inter-agency cooperation has fitted well with other policy initiatives in probation in the UK. Twenty-five years ago, the UK government said, 'Probation officers must see them-

selves less as exclusive providers of services and facilities, and more as managers of supervision programmes' (Home Office 1990). Given the wide range of social needs associated with offending and with desistance, it made sense for probation to work with other agencies of civil society. There are other organisations whose task it is to help people who are homeless, help them to find accommodation, offer drug treatment and so on. Rather than try to create these services within the probation agency, it would be better for probation to work in partnership with these other organisations to make sure that offenders have fair and reasonable access to their service in just the same way as other citizens.

As well as seeking to consolidate cooperation with established agencies, however, this initiative led to the emergence of a variety of voluntary independent agencies (NGOs). For example, instead of offering counselling to a drug user, probation staff were now expected to refer them to a drug agency. These trends were not universally welcomed. Some probation staff were doubtful about the quality of service provided by others and highly suspicious that the partnership enterprise might undermine their job security. Probation officers were keen to guard what they regarded as their 'professional autonomy'. There were accordingly differences in the quality of partnership activity between areas in different parts of the country. "Moreover, the inexperience of senior managers in developing and supporting contracted services contributed to early difficulties in resolving tensions between practitioners at ground level." (Rumgay 2007). As time went by, however, levels of mutual confidence and trust increased.

"Confidence in its ability to protect its boundaries, recognition that voluntary sector workers had little interest in taking over core Probation Service responsibilities and a diminution of central interest in this particular variety of partnership were perhaps strong factors in a relaxation of probation officers' preoccupation with this threat to their autonomy during the later 1990s." (Rumgay 2007)

Here, perhaps, is another important general message about **inter-agency work. It can take time to develop**. People need to come to understand and trust each other and this is best achieved by actual experience of discovering each other's skills and reliability in working with particular cases. **It cannot just be made to happen by the instruction of senior management**.

Inter-agency work, then, is one of the origins of the idea of offender management. This has given its name to modern English probation — which is part of a National Offender Management Service. The probation officer is now called the offender manager and coordinates the involvement of other specialist agencies, including making referrals and checking with them that any work they undertake with individual offenders is proceeding as it should. The offender manager, in relation to a particular case, can be seen as a leader of a team involved in a collective endeavour. This too is a most important point. **If many workers are involved, there is a risk that a collective responsibility will end up being the responsibility of no one at all. A key worker or case manager holds final responsibility, even though they do not undertake all the tasks personally**. This is yet another model of inter-agency work. Here it is not always necessary for every agency to be concerned with the involvement of every other. Rather than the image of the jigsaw on the slide, a better image may be of a wheel — the different agencies being the spokes and the offender manager the hub of the wheel.

This offender manager / probation officer also offers a consistent figure for the individual offender. A professional relationship is central to the success of this way of working[1]. The offender manager / probation officer is best placed to hold that role in the UK, although of course other arrangements apply in other countries. This person is also responsible for enforcement — making sure that the individual does what is expected of them and responding to non-compliance. Thus, if an individual is required to undertake drug treatment but does not cooperate, the drugs agency will report this to the probation officer who will

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[1] A strong relationship with the professional probation officer — or as often in Japan a volunteer probation officer — is needed to help the offender to make sense and to benefit some of these interventions and opportunities. And research suggests that a relationship — based on trust and mutual respect — is every bit as important as the particular treatment method adopted. A recurring finding from research is that no method or intervention is any more effective than the rest; rather it is common aspects of each intervention that bring about change — for example, warmth, respect, genuine concern, patience and avoiding negative judgement. Relationship skills are at least as critical in reducing reoffending as programme content. And ex-offenders are much more likely to recall the influence of a person than of a programme.

take appropriate action. In this respect too, the professional relationship is critical. It is believed that people are much more likely to comply when they trust the person with whom they are working, recognising the legitimacy of the requirements expected of them and aware that this is a professional who has a genuine concern for them.

VI. SOME COMPLICATIONS AND CHALLENGES

Since there has been such a long-standing commitment to inter-agency work and no one really opposes it, it is worth asking why this agenda has not made even more progress and continues to pose challenges and complications — at least in the UK. Some of the reasons for this include:

- agencies have different responsibilities and priorities;

- there are differences in power and influence — some agencies can 'set the agenda' much more readily than others;

- some organisations send their most senior staff to inter-agency meetings while others send more junior representatives — this ought to depend on the purpose of the meeting, but at a policy level the representative must be seen as credible and someone with the status and authority to commit their agency to any agreement;

- staff have different professional backgrounds and training — this is a strength, of course, but it can also lead to misunderstandings and, at worst, even to professional rivalries;

- senior managers set targets or *key performance indicators* for their own agencies and these may take precedence over the targets negotiated among different organisations; the targets and priorities of different agencies are likely to be different and they may not fit together easily; **internal imperatives and priorities can hinder sensible cooperation;**

- the involvement of too many people can make for difficult committee meetings and excessively complex working arrangements;

- while inter-agency work should help everybody to work more efficiently and effectively, it can take a lot of resources to make it work; smaller agencies may struggle to find capacity to contribute as much as they would like and to attend all the meetings;

- **agencies may have different ideas about what exactly the problem is that needs to be addressed collectively** *and what would count as a solution to it*;

- sometimes arrangements are agreed at a senior management or policy-making level, as we have seen, but do not work so well at the level of practice

- on the other hand, practitioners may have mutual confidence and understanding, but are not helped by differences at the level of policy and targets or are let down by uncertain agreements among the organisations involved. (Pycroft and Gough 2010)

VII. INTERNATIONAL WORK

The next part of this paper may seem like a sharp change of direction, but I hope that its relevance will soon become clear. The European Probation Rules were mentioned earlier and a bit more needs to be said about these. This is a map of Europe with the 47 member states of the Council. You will see that this is much larger than the European Union and includes many countries outside the EU — for example, the Russian Federation, Turkey, Ukraine, Armenia, Azerbaijan.

It is Europe's oldest political organisation (1949). The EU is first and foremost an economic union. The Council represents a European commitment to human rights.

Starting with the European Convention on Human Rights, the Council *sets standards* in many areas and especially in the area of criminal law and punishment. It *inspects* practice (notably the Committee for the Prevention of Torture) and also *enables cooperation and development.*

Europe is increasingly aware that its several nations face many common crime problems. For example:

- International crime

- Drug trafficking

- Human trafficking

- Immigration and movement of peoples

- Most prisons in Europe hold very large numbers of people from other countries

- Transfers are often appropriate

None of these problems can sensibly be addressed just at the level of the nation state, and the need to try to manage them through international cooperation is obvious. Perhaps the parallels with inter-agency work within a single country are already becoming apparent. While all countries believe that they must work together, they immediately encounter the challenge that they have:

- Different legal systems

- Different agency arrangements

- Different histories, cultures, attitudes towards law enforcement

- Various economic / political pressures

- Differences in prison conditions and overcrowding (which complicates transfer)

Perhaps the reason for introducing this topic into a presentation on inter-agency work is now clear. All are agreed on cooperation, but the way in which this is to be achieved is not at all straightforward.

VIII. STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS (SWOT) OF INTER-AGENCY WORK

A. Strengths

- Complex problems need the expertise and resources of different agencies

- It makes no sense for agencies to duplicate the services that are offered by other experts and specialists

- The whole can be greater than the sum of the parts

- A collective endeavour is potentially much more efficient and effective

- There are some examples of inter-agency cooperation working well, notably MAPPA, and certainly other countries would have examples to offer

B. Weaknesses

- Disagreement about priorities

- Communication is not always effective

- Referral to other agencies is important, but just giving individuals the address of the other agency and telling them to go there is unlikely to be effective; probation has no control over the quality of service offenders then experience

- Lack of clarity about aims and objectives

- Disputes about roles and responsibilities

- Misunderstandings about other agencies

- Evidence of effectiveness is quite weak

- Shared responsibility can lead to a lack of coordination and a reluctance to take lead responsibility

- Confusion for service users

- Needs trust — and can take time and resources to build this up

- Sometimes works well at practice level, but not at management level

- Sometimes the other way round

C. Opportunities

- For a community to be responsible for responding to crimes

- Mutual respect and understanding

- Communication

- Organisation

- Joint training

- Joint targets / key performance indicators

D. Threats

- "Partnership has itself become an industry, spawning an expanding population of consultation groups, steering committees, working parties and inspectorates designed, perhaps unintentionally, to have the effect of perpetuating the process rather than producing the outcomes of multi-agency collaboration." (Rumgay 2007)

- Markets and private sector involvement can turn partners into competitors

- Partnership initiatives come to be valued only for their effectiveness in crime prevention

IX. EFFECTIVE AND EFFICIENT INTER-AGENCY PRACTICE

Some of the reasons why inter-agency arrangements do not always function as hoped are well summarised by Judith Rumgay:

The complexities of delivering effective inter-agency work include issues in establishing appropriate and committed leadership, achieving clarity of aims, objectives and professional roles, and determining action plans and evaluative measures. None of these requirements are easily met and the history of many inter-agency working relationships have been troubled by conflicts, often rooted in ignorance of other agencies' priorities and constraints, professional perspectives and resources.' (Rumgay 2007)

Not easy indeed, but certainly achievable. Among the factors that can contribute to sound inter-agency work are:

- Establishing agreement about overall aims

- **Acknowledging the legitimacy of other points of view, especially other conceptions of what the problem is and what a solution would be like**

- Being willing to subsume agency loyalty to a partnership identity

- Being aware of the risk of inter-agency or inter-professional rivalries

- **Retaining strong connections with parent agency even as you work towards a shared ethos**

- Agreeing clear guidelines regarding accountability and what might be realistically expected from each participating agency

- Ensuring full and regular communication. (Liddle and Gelsthorpe 1994). In some (especially very large) organisations, internal communication is already difficult. Even when different divisions or departments are engaged in the same business for the same employing agency, there will sometimes be misunderstandings and miscommunication. Communication between different agencies will always be challenging and must be worked at patiently and continually

Inter-agency work is not a single and static arrangement. There are different ways of establishing inter-agency work and the configuration of agencies and the structures needed to support their work will depend on the areas of practice in which they are seeking to cooperate. As the work progresses, there will be a need to consider whether the lines of accountability and the supporting management systems are fit for their task. The aspiration of inter-agency work is compelling and is surely right in its principles, but as we have seen it is not easy to achieve and needs strong leadership — including leaders with the good sense and humility to learn from the experience of practitioners — mutual respect and trust between agencies, resources and time.

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