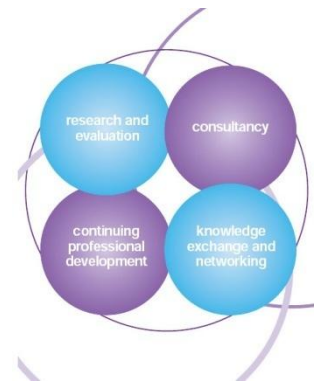


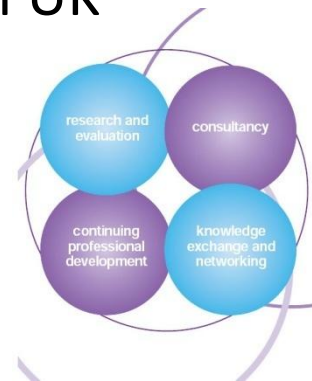
# 21<sup>st</sup> Century Probation Practice: Notes from the UK

Professor Paul Senior  
Director, Hallam Centre for Community Justice



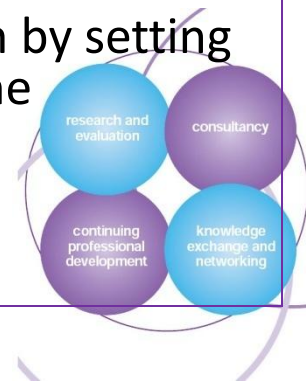
# Session aims

- Chart the development of probation service in the United Kingdom
- Sharing of issues relating to the current practices of probation in the United Kingdom including
  - relationship between the court and probation officer,
  - the expected tasks of probation officers,
  - the counterparts of probation officers and
  - the difficulties encountered by probation officers in UK



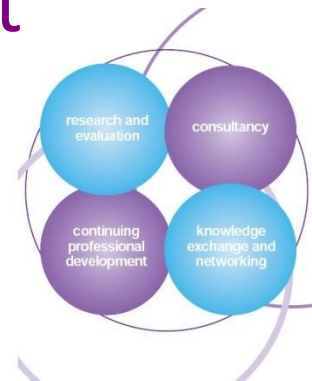
# Where did it start - The early days

- In 1886 a rudimentary form of probation had been introduced, available to courts in the case of young first offenders. Courts made little use of this,
- 1907 a Liberal administration passed the Probation of Offenders Act, which introduced probation in a form that we can recognise today.
- An offender could be discharged, conditionally upon entering into a recognizance for up to two years, and could be placed under the supervision of a person named in the order.
- Magistrates were given authority to appoint probation officers for this purpose.
- Probation was designed to ensure the reformation of offenders and the prevention of crime through befriending, advising, assisting, and supervising the offender.
- Adults would be assisted to find employment and, where children were involved, their supervision at school would be monitored.
- Magistrates were to take a close interest in the work of supervision by setting up local committees, and courts would keep records of the outcome where probation orders were made.
- Probation officers were expected to report misbehaviour to the courts.



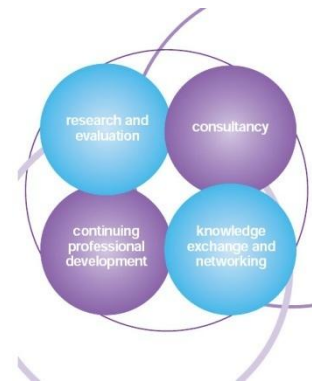
# Four eras

- Origins and early development 19c – 1920s – advise, assist and befriend
- Towards a scientific service 1930s – 1960s – professional casework
- Radicalisation and diversification 1970s – 1980s – in and against the state
- Modernisation and compliance 1990s to present day – managing risk, enforcement and What Works



# UN definition 1951

- *‘Probation is a method of dealing with specifically selected offenders and.....consists of the conditional suspension of punishment while the offender is placed under personal supervision and is given guidance or treatment’*

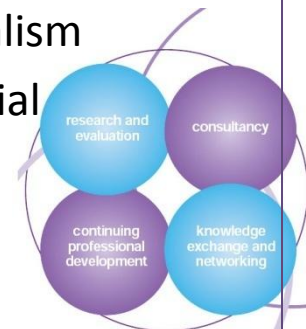


# A brief snapshot of probation history

A random UK probation officer  
circa 1979



- Service composed of probation officers with few assistant staff
- Social work trained
- Mantra: *advise, assist and befriend*
- Care predominating over control
- Supervising 'clients' mainly individually
- Covering juveniles (14+) to adults (17+)
- Either under probation or community service supervision or parole or voluntary after care from prisons
- Mixture of therapeutic approaches from psycho-analytical to marxist socialism
- Operating as an independent social work agency of the court
- No national standards
- Employed by magistrates

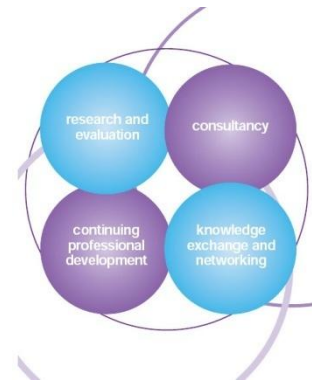


# David Faulkner

Senior Civil Servant in the Home Office 1982-1990



- *“In 1982 the service was now involved in prison after-care, parole supervision and community service, but most probation officers still saw their main responsibility as being to their clients, or sometimes to the courts, certainly not to the public or the government. Many were motivated by a sense of justice for their clients, whom they often saw not so much as offenders but as victims of an unfair social system. All were jealous of their professional and operational independence”*



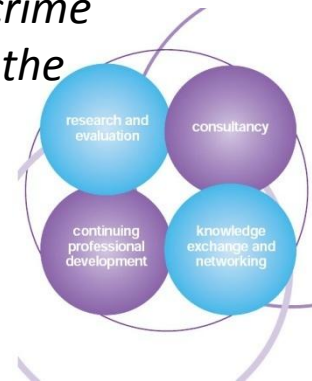
# Professor Adrian James

*recently Professor of Applied Social Sciences, University of Sheffield, UK*

## **‘Social Work with Offenders: 1990 – The Beginning of the End’**



- *“Embodied a sea-change in the philosophy underpinning work with offenders, promulgating an approach based on a profoundly different understanding of the causation of offending behaviour, and thus of the role not only of the Probation Service, but of the criminal justice system as a whole. Rather than focusing on the treatment and rehabilitation of offenders through the social work intervention traditionally offered by the Probation Service, the new approach saw a radical shift of emphasis towards their punishment in the community, crime reduction and the protection of the public, and where necessary, through the use of custody.”*

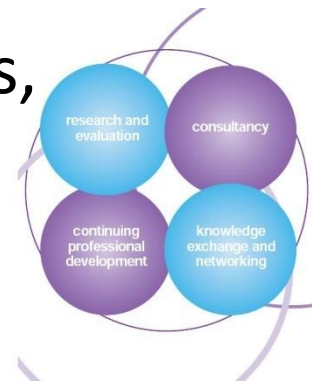


# From 1984: a selection of important dates

Date	Significant milestones
1984	Statement of National Priorities (SNOP) - deprioritising voluntary after-care
1988	Green Paper - <i>Punishment, Custody and the Community</i>
1992	First version of National Standards
1996	(temporary) suspension of social work as the qualification requirement
1998	Crime and Disorder Act –victim-centred approach
1998	Development of Diploma in Probation Studies
1999	Development of Joint Prison and Probation Accreditation Panel
2001	Creation of the National Probation Service
2002	Social Exclusion Unit Report on ‘reducing re-offending’
2003	Introduction of OASys Risk Assessment Tool
2003	Criminal Justice Act ‘purposes of sentencing’
2005	Creation of the National Offender Management Service
2007	Cutting Crime: A New Partnership 2008-11, Home Office, July
2007	Offender Management Act

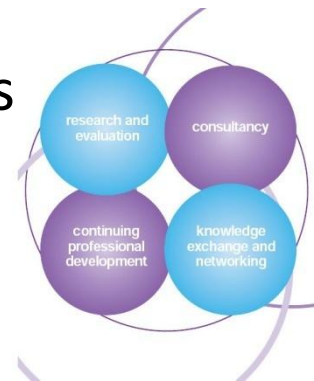
# Shifting Perspectives

- **Politicisation** of crime policy - Law and order
- Dispute about what constituted **probation practice**
- Probation as **alternative to custody** - High risk offenders – parole/lifers
- **Stiffening of community sentences** – ‘screws on wheels’
- **Managerialism** 1980s 3 E’s (Thatcherism)
- **Value for money** (Audit Commission 1989)
- **Modernisation** – performance targets, risk management, penal populism and What Works, National Offender Management Service

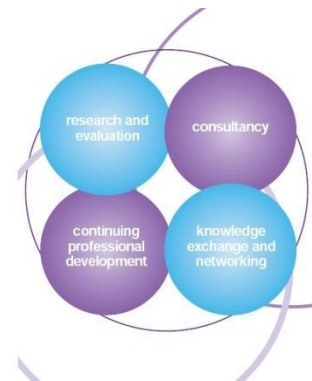
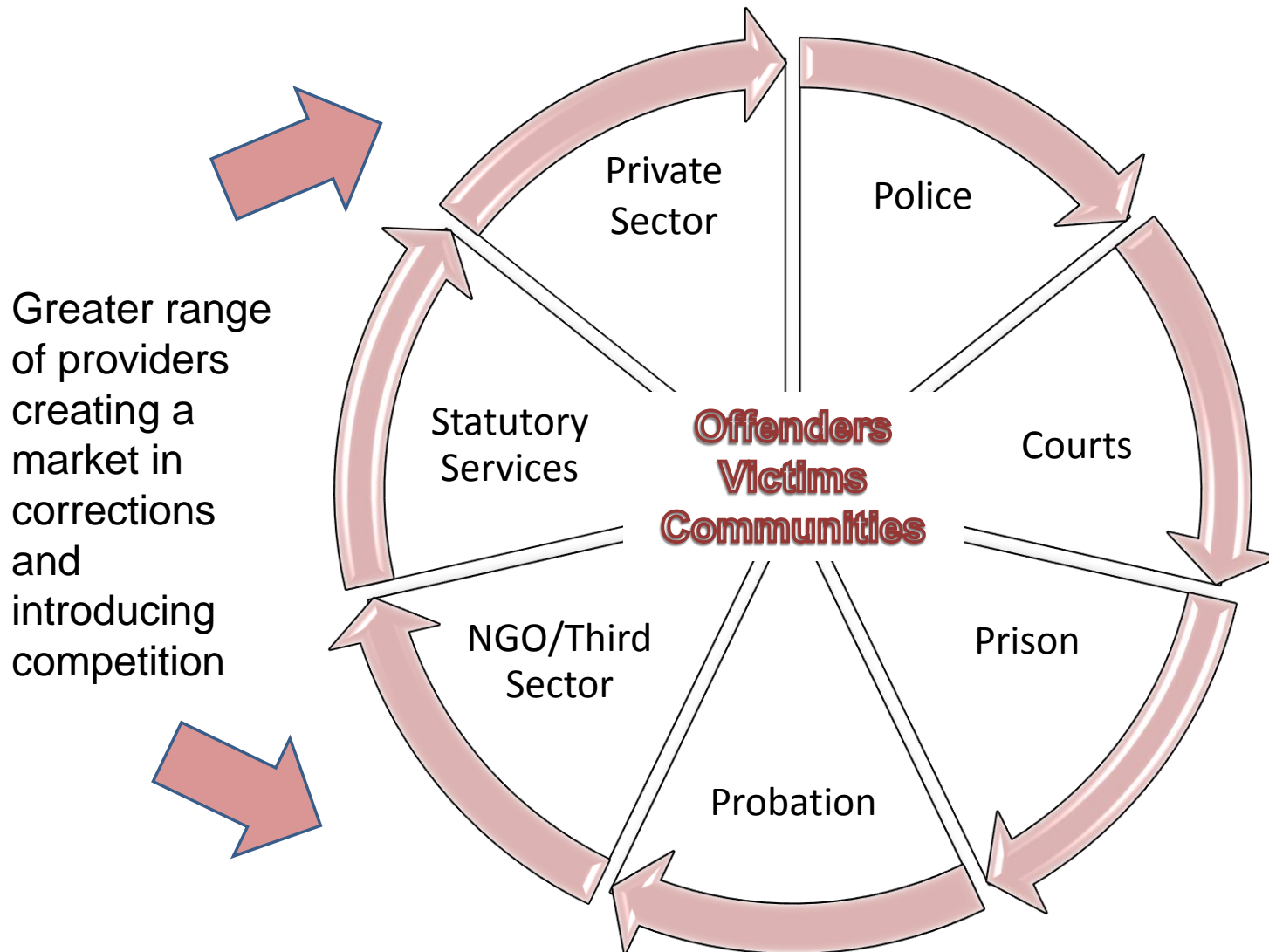


# The probation service today.....

- Risk assessment and management
- Public protection and community safety
- Law enforcement –centrality of compliance
- Accredited programmes
- Development of Youth Justice Board and separation of young people upto18 to a new service – Youth Offending teams
- Focus on reducing re-offending - targeting prolific offenders
- Victim-centred
- Key performance indicators
- Probation Service Officers – less qualified and paid less
- Probation Trusts enabling government to contract out
- Joined up justice – working in a system



# End-to-end offender management



# Aims of the HK Probation Service

to make recommendation to the court on the suitability of offenders to be put on Probation Order or Community Service Order;

to implement the court's directives on the treatment and rehabilitation of those put under Probation supervision;

to assist them in making positive changes in their attitude and behaviour;

to enhance their life coping skills to avoid re-offending;

to strengthen the family support in the process of rehabilitation;

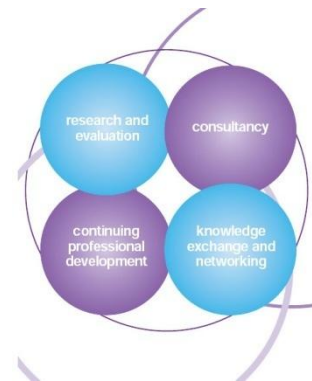
to utilize community resources to meet the needs of offenders referred by court and, where necessary, those of their family members

## Aims of the probation service

- Protect the public
- Reduce re-offending
- Proper punishment of offenders in the community
- Ensuring offenders' awareness of the effects of crime on the victims of crime and the public
- Rehabilitation of offenders

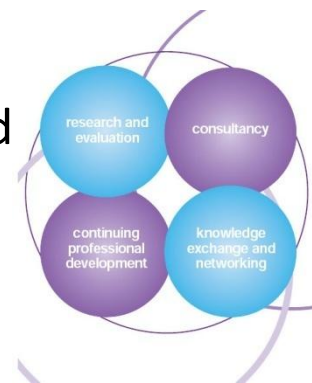
# The language has changed

- **Client** to offender
- **Community service order** to community punishment to community payback to unpaid work
- **Probation Order** to community rehabilitation order to community order
- **Probation officer** to offender manager
- From **advise, assist and befriend** to 'enforcement, rehabilitation and public protection'
- From **nothing works** to what works?



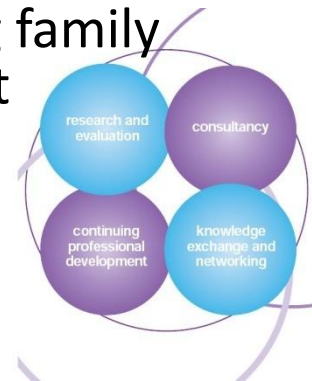
# What Works: Challenge to practitioners

- goal of evidence-based practice is the *'objective, balanced, and responsible use of current research and the best available data to guide practice decisions, such that outcomes for all are improved'*
- Challenges the unquestioning adoption of any practices
- Counters naïve adherence to the status quo *'we've always done it this way'*
- Asks us to explain what we do and why we do it that way
- Clarifies when we should be doing something differently based on the soundness of the evidence which in turn
  - Enhances our ability to have better results
  - Promotes accountability
  - Creates a system of informed policymakers, practitioners, and consumers



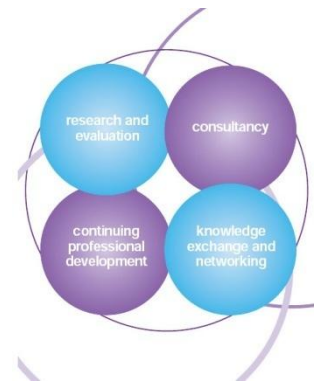
# What are the Factors associated with offending?

- These factors will affect
  - the onset of offending behaviour,
  - persistence of offending over time and
  - desistance from criminal activity
- Static and dynamic factors
  - Criminal history and background
- Dynamic factors for example education, employment and substance misuse, can be impacted upon in programmes/interventions to reduce re-offending
- Offenders have multiple needs and thus interventions that tackle a range of problems will be more effective
- Additional practical support/training in relation to repairing family relationships, accommodation, education, and employment will also reduce re-offending (creation of social capital)\_



# Positive probation practices

- MAPPA
- Restorative Justice
- Specialist programmes
  - Drug offenders; sex offenders; domestic violence; alcohol; employment
- Integrated Offender Management
- Intensive Alternatives to Custody
- Desistance theories



# MAPPA: Beacon of Best Practice in Public Protection

- The Criminal Justice and Court Services Act (2000) established the MAPPA and placed them on a statutory basis
- to provide more robust management systems for those violent and sexual offenders who live in our communities through the sharing of information and expertise.
- The teams, comprising police, prison, probation and other relevant agencies ensure joint working and enhanced communication to effectively manage risk to the public
- offenders dealt with under MAPPA can display extremely dangerous and unpredictable behaviour so the risk of further offences is ever present.
- National MAPPA guidance indicates the use of three levels of management. Offenders will be moved up and down levels as appropriate:
  - **Level 1 – Ordinary Management**
  - **Level 2 – Active Multi-agency Management**
  - **Level 3 – Active Multi-agency Management**

