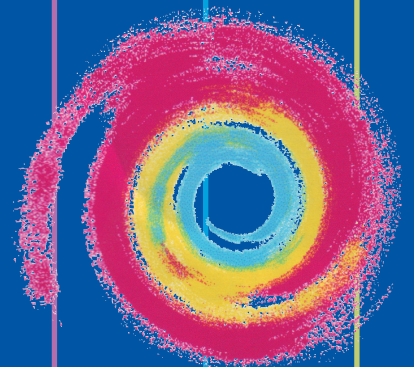The University Of Sheffield.

The quality of probation supervision - a literature review

Joanna Shapland • Anthony Bottoms • Stephen Farrall •
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1. The idea of quality in probation supervision

1.1 Introduction

This review focuses on what research has revealed is seen as 'quality' in probation supervision. It is written to assist the National Offender Management Service (NOMS) and to link into their Offender Engagement Programme, so it is principally concerned with England and Wales, but literature from other countries has also been searched and is included to compare and contrast with the experience in England and Wales.

Ideas as to what is 'quality' depend of course on what the key purposes for probation and for supervision within probation are thought to be. These have changed over time and with ideas of what the criminal justice system as a whole is intended to do, and they are also affected by the deep-seated legal cultural traditions of that country and the history of its probation service. As we shall see, research has only rarely addressed 'quality' per se, whether from the perspective of those managing the service, those supervising or those being supervised. However, ideas of 'quality' are intrinsically tied up with ideas of 'effectiveness', 'best practice' and the often deeply felt, but rarely articulated views about 'what we are really here to do'. We have, therefore, cast our net wide in terms of what to include, though we try to bring the discussion back to 'quality' and what it is at each point.

The review follows on from the review by McNeill and Weaver (2010), also for NOMS, which looked at the literature on desistance, or what affects offenders[1] stopping offending, and so we have not repeated those lessons here. This review is though very much influenced by the desistance literature, because current views about quality in probation generally are strongly influenced by what is linked to helping to stop offenders offending. The research indicates that desistance is affected by offenders' own agency (decisions on desistance and offending), their personal and social context, and being able to surmount practical obstacles to successfully leading a non-offending life in the community (obtaining money legitimately, having somewhere to live, growing social ties to prosocial others). Some of the literature on surmounting practical obstacles stems from areas outside criminology, such as dealing with people with multiple social problems, what helps in getting people generally into work or housing the homeless, or referring people to other agencies. We have deliberately sought to bring together these studies into the review, even if they have not been used in probation previously, but have tried to link them into what may be helpful in probation practice at the end of each section.

1.2 Methods

The review has focused on specific topics around quality and desistance, rather than covering all possible links. It concentrated upon how quality has been conceived and measured in relation to probation supervision in different countries and how the quality of probation supervision has been seen by both supervisors and those being supervised. For this, databases (such as Web of Science, Google Scholar and SCOPUS) were searched with key terms, including value+probation, quality+probation, effectiveness+probation, rehabilitation+probation. The researchers also attended the European Society of Criminology conference 2010 to access ongoing work, and contacted members of CREDOS (the Collaboration of Researchers for the Effective Development of Offender Supervision), the worldwide association of researchers and some users interested in probation, to find ongoing and more fugitive literature.

In order to flesh out the structural societal influences on desistance, the review also focused on a range of influences which have not recently been reviewed but which have been found empirically to be both related to desistance and considered during probation supervision, particularly accommodation, education and employment, and developing offenders' social

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[1] We have used the words 'offenders', 'probationers', 'licensees', 'service users' and 'clients' interchangeably, partly to remain faithful to the original literature, which uses all these terms, partly to reflect the particular theoretical perspective from which that literature has drawn.

capital. Similar searches were undertaken on these (using keyword pairings such as accommodation, employment, resettlement, housing, social capital with offender, probation, reintegration, reinsertion, re-entry, resettlement, etc.). The project FORHOME (rehousing those with difficulties) and the Department of Work and Pensions in England and Wales were contacted to obtain their recent research reports.

Research on probation has been developed most strongly in the UK and other common law jurisdictions, so particular care was taken to see if there was relevant mainland European empirical work, especially in the Republic of Ireland, France and the Netherlands, where it was known there was ongoing research.

This report on the review starts with looking at what is quality and how this relates to traditions of probation practice. It then focuses on the direct measurement of quality and attributes linked to quality, by official bodies, by staff and by those experiencing probation. Thirdly, we look in more detail at how particular aspects linked to desistance might be reflected in quality work. Finally, we have attempted to draw out some implications for what would be seen as quality work in probation supervision.

1.3 Quality and different traditions in probation supervision

Although in most (European) jurisdictions the origins of probation ideals and practices lie in 19th century penal reformers' attempts to improve the treatment of and prospects for prisoners (during their sentences and after release), the 20th century development of formal statutory probation systems in Europe has produced considerable variation. One central distinction is between countries with long Roman traditions which have tended to develop probation supervision as an added element in suspended sentences, and countries with an Anglo-Saxon common law tradition which developed probation orders (and later other community sanctions) as distinct measures in themselves. Despite these and many other legal and structural differences, van Kalmthout and Durnescu (2009: 12) suggest, on the basis of an exhaustive survey, that:

'A closer examination of the more concrete and detailed strategic objectives reveals that the tasks and activities of the various probation services do not differ in essence. The differences mainly lie in the priorities attached to certain activities'.

The issue of priorities – and more specifically of probation's purposes – speaks directly to questions of quality. Drawing on his experience of conducting the survey with van Kalmthout, Durnescu (2008) distinguishes, on the basis of their expressed purposes and 'missions', between four main types of probation services which prioritise respectively: promoting the use of community sanctions and measures; assisting judicial decision-making; rehabilitation/public protection; and punishment or enforcement. Clearly this taxonomy is not without its problems – each of these purposes may be pursued in quite different ways, and several of them may be pursued in concert.

We also need to bear in mind that the priority given to different purposes is likely to vary over time – countries can change their penal philosophies, with different purposes and emphases being put on the role of probation within criminal justice. Kemshall (2010) and others, for example, have argued that, in the last decade or so, more emphasis has been placed on public protection and minimising risk in England and Wales, with a linked priority on enforcement of breach. The government's new consultation document, 'Breaking the cycle: effective punishment, rehabilitation and sentencing of offenders' may see a swing back towards rehabilitation and promoting desistance, whilst promoting community sentences for less serious offences and without compromising public protection (Ministry of Justice 2010).

Looking beyond Durnescu's (2008) four models, in those jurisdictions where probation's links to social work have proved durable or influential (see McNeill et al. 2010a), providing guidance, care and assistance to 'offenders' has often been seen as being the most important job of probation services, and of many of their partner agencies. Promoting the social inclusion of offenders (as an end in itself – see Robinson and McNeill, 2004) may have become a less cherished purpose in jurisdictions where the emergence of a focus on public

protection has placed considerable strain on the maintenance of a social work ethos in respect of 'offenders'. Rather than recognising victims and offenders as overlapping social groups, it has been suggested that public protection discourses tend to dichotomise them and to cast their interests in a zero-sum game where to be pro-offender is to be anti-victim and vice-versa (McCulloch and McNeill, 2007).

There are important differences between the emphasis on preventing future victimisation, as implied by discourses of public protection, and the emergence within some probation services of a desire and willingness to engage directly with existing victims of crime. Canton (2007) notes that while many probation systems in Europe have recognised the political and ethical need to engage more effectively with victims, not all have been successful in integrating 'victim-centred work in an essentially offender-centred organization' (p. 230). Amongst those who have progressed this agenda, Canton (2007) cites Austria, Belgium, Norway and parts of Germany as developing victim-offender mediation, as well as noting that some of the newer European services (for example, in the Czech Republic, Latvia and Turkey) have enshrined principles of reparation and mediation in their founding statements.

Within and beyond European countries, other tensions exist in defining the purposes and character of probation services. In the Republic of South Africa, for example, in the contexts of social, economic and political transition in the post-Apartheid era, probation services have developed rapidly. However, while South African correctional services see probation strictly as a form of penal supervision, social development practitioners envision a much broader social work role at every stage in the criminal justice process (Ehlers, 2007). Elsewhere in Africa, in contrast to a focus on public protection, community sentencing tends to focus on community service which Ehlers (2007) suggests 'fits well with cultural traditions of making amends as a response to wrong-doing' (p. 229).

To Durnescu's (2008) four models then, we might add at least three more focussed on offenders' welfare; on victims' interests; and on reparation. Durnescu's (2008) central argument is that the relative priority given to different objectives for probation will produce different implications for the evaluation of the effectiveness of services concerned. With this in mind, Table 1 represents a development of his taxonomy:

Clearly, this table obscures the conceptual and practical complexity of developing robust methodologies for evaluating probation's effectiveness under any of these models; the central point is that different purposes suggest different definitions and measures of effectiveness (see also McNeill, 2000). The same is likely to be true of 'quality'. While it is possible to imagine a 'high quality' process or product that nonetheless fails to deliver the desired outcomes (for example, because of the way it is improperly deployed or poorly supported/maintained), it would be hard to imagine a construction of quality that did not imply some relationship to better outcomes. Equally though, where purposes remain multiple and/or contested (as in the National Offender Management Model's 'punish, help, change and control'), constructions of 'quality' will be similarly complex. When the tasks and roles of probation are changing – for example, when there is a major shift in government criminal justice policy in a country – the purposes and accompanying measures are likely to be highly contested. Practitioners, managers and policy makers may well have different views about where priorities should lie.

To add to the complexity, in most countries probation work has tended to be developed or accomplished with other agencies and professionals; and the emphasis on the importance of 'partnership working' has increased in recent years (e.g. Pycroft and Gough 2010; Rumgay 2007). Achieving probation's purposes, therefore, means working with other agencies' purposes. Others' priorities may well be different. The result can be either stalemate or very localised differences in implementation. Castel (2001), for example, shows how in France the need to have agreement between prison governor, juge des peines, prosecutor and probation resulted in very diverse implementation of initiatives for prisoners to undertake work outside the prison, with key actors' views of risk being the dominant perspective. Facilitating rehabilitation and reinsertion into the community collided directly with the priority of public protection. As multi-agency working becomes more common, particularly across different sectors with different perspectives, it is possible that more venturesome or more rehabilitative

initiatives may be more difficult to achieve. Castel suggests that it may be important to establish who has priority in working with the offender at each point in the sentence, so that the desired aim for that element of the sentence is achieved.

Table 1. Purposes and measures

Purpose	Measure
Promoting community sanctions and measures	Increased 'market share' for community-based sanctions and measures
Assisting judicial decisions	Judicial satisfaction with reports; improved decision making
Rehabilitation	Reduced reconviction
Public protection	Improved community safety
Punishment/enforcement	High compliance, robust enforcement
Offenders' welfare and reinsertion into the community	Improved inclusion and well-being
Victims'interests	Victim satisfaction with process and outcome
Reparation	Constructive and proportionate redress provided

What is also noticeable about all the purposes and measures in Table 1 is that none speaks directly to quality, but rather to the *effectiveness* of probation in fulfilling various goals. With the possible exception of 'offenders' welfare and reinsertion into the community', those who would judge whether probation has been effective in achieving each purpose are not offenders, and certainly not probation staff themselves. Some measures, such as compliance or reconviction, are more (though not entirely) 'objective', others involve subjective perceptions which are nonetheless measured in fairly standard ways (see below). Some are intrinsically individuals' perceptions, such as victim satisfaction and judicial satisfaction with reports.

In this context, we need to distinguish two sets of potential meanings of 'quality'. One set is the extent to which probation work done by one probation staff group or in one place or at one time is seen to and is measured as meeting desired purposes and achieving the desired outcomes (the 'measures' above in Table 1) – as compared to undertaking particular processes or pieces of work. It is a distinction between measuring quality directly in terms of outcomes and quality in terms of processes which it is hoped will produce positive outcomes. More recently, particularly in the UK, such 'aggregate quality' has tended to be measured against thresholds (e,g, a Trust must meet a particular target).

The other set concerns how one particular piece of probation work (the work done on a particular case or by a particular probation officer) compares against others.   This measurement of quality considers 'comparative quality' and refers to what is generally meant by 'excellent quality work' or 'best practice'; by definition, it is only achieved by a minority, or some of the time.

1.3.1 Can we use comparisons with probation in other countries?

As we have discussed above, priorities for probation are different between different countries – and countries' trajectories for their priorities for probation within criminal justice are different. This provides fertile ground to see how quality has been understood in the context of these different priorities. Comparisons with the results of research in other countries, therefore, are potentially very useful – but there are two caveats which need to be borne in mind in our review of the literature below.

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The first caveat is that the extent of empirical research is extremely varied between countries. There has been a long tradition of research on what probation staff do and what probationers think about supervision in England and Wales and also in Scotland. Though there was interest in comparative study in the 1980s, primarily considering articles written in English, there has been very little such interest in many European countries. Van Kalmthout and Durnescu (2008: 41), in their exhaustive survey of the legislative base of probation, state: 'There is a striking lack of research and publications on the effectiveness of probation'[2]. We would echo their conclusion from our own survey of the English and French-language literature[3].

Moreover, the literature tends to be biased according to the mainstream priorities of probation. The 'what works' movement, which has been strongest in common law, English-speaking countries, has been accompanied by a wave of research on the effectiveness of probation – but this has tended to be analysed concentrating upon outcome measures such as reconviction, rather than the quality of relationships between supervisor and supervisee. In contrast, countries with an ethos of 'advise, assist, befriend' seem to have little tradition of research into probation, beyond counting numbers of probation staff and community sentences. So, for example, Healy (2010), concentrating upon Ireland, where 'probation officers continue to operate within an explicitly social work framework, which values high-quality supervisory relationships and offers practical assistance with social problems', also comments that 'The Irish Probation Service has attracted little critical attention or empirical scrutiny' (p. 127). There is therefore a danger that research on ideas of quality will come primarily from countries where outcome measures, primarily reoffending, are the main priority probation aims to affect.

The second caveat is that probation's clientele can vary significantly between different countries. Van Kalmthout and Durnescu (2008: 41) warn that 'Big differences exist in terms of offences and offenders. Many probation services only deal with less serious/non-violent crimes and offenders with no criminal record. But others, for instance in the Netherlands and in England and Wales, are increasingly targeting high-risk/dangerous offenders in order to downsize the number of prisoners'. Looking outside Europe, we can see that the Canadian population of probationers, studied by Bonta et al. (2008), in their intake risk-needs assessment, had a rather different needs profile from the probationers and prisoners who completed the OASys risk needs assessment in England & Wales in 2008 (Table 2). The studies are not precisely comparable, because slightly different needs assessment instruments were used and the Canadian population was the offenders who agreed to take part in Bonta et al's study, whilst the English and Welsh sample was all those for whom a needs assessment was completed. None the less, almost all the English and Welsh sample will have been supervised by probation staff. We can see that the Canadian sample seems to have fewer practical and social problems in their lives (employment, accommodation, etc.). Bonta et al., correctly, went on to focus on attitudinal needs in their STICS training programme (Bourgon et al. 2008). From these figures, it may be that probation staff in England and Wales will need to concentrate more than staff in other countries upon the immediate practical and social environment of their supervisees - as well as considering attitudes.

1.4 How has quality been understood and measured?

1.4.1 Introduction

As the preceding section of this review indicates, there is very little literature which directly or explicitly addresses 'quality' in 1-1 probation practice. There are however significant bodies of literature on 'effectiveness' (e.g. McGuire 1995) and 'values' (e.g. Nellis 1995) in probation work, both of which potentially overlap with and/or imply notions of quality. Where academic

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[2] The lack of interest in outcomes may reflect a more classicist perspective on sentencing and sentences, where the issue is one of justice in the allocation of resources, rather than the utilitarian aim towards crime reduction or control through its 'effective' administration.
[3] We are unable to look at the literature written only in German, Spanish or Italian, though we have looked for such articles written in the main English and French language journals.

researchers have attempted to measure quality this has tended to be in relation to discrete aspects or products of probation practice, most notably pre-sentence reports and how they are viewed by sentencers (e.g. Raynor et al. 1995; Downing and Lynch 1997). Another aspect of practice which has been routinely subject to quality evaluation and audit is the delivery (often referred to as 'programme integrity') of offence-focused groupwork (e.g. Goggin and Gendreau 2006).

1.4.2 National Standards and Performance Measurement

In the Anglo-Welsh context, official attempts to construct and measure 'quality' are generally associated with the emergence, in the late 1980s, of national standards and performance indicators for probation work, and the parallel development of the roles of both the national Inspectorate (HMIP) and managers within the probation service in evaluating performance against those measures (Audit Commission 1989). These developments, in turn, have to be understood in the context of the 'managerialisation' of public services (including criminal justice agencies) initiated by the Conservative government (Raine and Wilson 1993). In this managerial context definitions of quality (both implicit and explicit) have been hotly contested, not least because they have tended to prioritise quantitative 'inputs' over (more difficult to measure) qualitative aspects of probation work more likely to be valued by practitioners (Hudson and Peggie 1989; Humphrey and Pease 1992). There is however a broader argument. Alluded to above, about contested notions of quality in managerial contexts in the absence of commonly agreed 'superordinate goals' for practice (Newman and Clarke 1994). In the last 30 years, since the decline of rehabilitation as probation's stated overarching purpose, probation work in England and Wales has been associated with a number of objectives, including punishment, public protection and the reduction of reoffending (Robinson and McNeill 2004). However, as we shall discuss in section 4, this may be a time when views about priorities are again changing and so official measures of quality need to follow suit.

Table 2. Needs identified in Canadian probationers and in the English and Welsh 2008 probation and prison OASys assessments

Needs identified	Canada – Bonta et al. (2008)[4] %	England and Wales - OASys Data Evaluation and Analysis Team (2009) %
Attitude	55.8	34.9
Family/marital	52.4	41.2
Peer problems./Lifestyle and associates	47.4	42.3
Employment	40.8	53.9
Substance abuse[5]	36.7	43.5
Financial	28.6	24.4
Accommodation	25.2	36.5
Emotional	22.4	41.2
Academic/vocational[6]	7.5	-
Thinking and behaviour	-	56.8

The first set of comprehensive National Standards for the supervision of offenders in the community was published in 1992 (Home Office 1992). These replaced the locally developed Good Practice Guidelines of the 1980s (Merrington and Stanley 2007). Despite a context of broad agreement among key stakeholders about the desirability of practice standards for probation (Senior 1990), when they were introduced National Standards were criticised by some commentators as a 'top-down' initiative intended to control practice rather than enhance

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[4] Only data from adult offenders are presented.
[5]   In the English study, 27.0% indicated drugs abuse needs, whilst 43.6% indicated alcohol abuse needs. The Canadian study has counted both together.
[6]   Academic/vocational needs, such as acquiring work skills or qualifications, are bound together with employment in the 'ETE' category for England and Wales. However, 79% of the total adult and youth offender population in the Canadian study had educational qualifications above grade 9, which is a far higher level of attainment than probationers/prisoners in England and Wales.

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quality, and for being overly focused on the structure of practice rather than its content (e.g. Oldfield 1994; Worrall 1997).

The 1992 National Standards formed the framework around which Key Performance Indicators (KPIs) were developed for the Probation Service in 1994 (Merrington and Stanley 2007). National Standards and KPIs for probation have thus developed somewhat in tandem, and both have continued to attract criticism for their tendency to bypass quality in favour of the easily measurable, perhaps encouraging a focus on *efficient* rather than *effective* practices (e.g. Merrington and Stanley 2007; National Audit Office 2008; Davies and Gregory 2010). For example, in its 2008 report on probation work the National Audit Office observed that:

> 'Eighteen per cent of the Integrated Probation Performance Framework targets focus on completions of individual requirements and 20 per cent on timeliness, whereas only 11 per cent measure quality and these tend to focus on the quality of risk of serious harm assessments […] There are no targets assessing the quality of engagement with offenders. With too few corresponding quality measures, and a lack of focus on offender management which is an increasingly important concept within probation, there is a risk that service quality could be compromised to meet targets' (2008: 35).

Academic critics have agreed that targets which emphasise speed and timeliness of processes such as the completion of assessments and supervision plans may actually militate against 'quality' practice by failing to value processes of communication, engagement and reflection (Davies and Gregory 2010; see also Nellis 2002).

Empirical evidence that supports claims of this sort has been evident in the prisons context for over a decade. In 1999, the official KPIs for Wandsworth Prison indicated that it was performing well, but an inspection report by the Chief Inspector of Prisons – based on observational methods - suggested that there was 'a powerful culture of brutality, dominated by the POA' (Liebling 2004, p.141). Faced with this conflict of evidence, the Director-General of the Prison Service asked Alison Liebling to conduct a small research study, using a questionnaire and interview methodology. She found that although some of the Chief Inspector's comments could be read as overstated, nevertheless 'staff at Wandsworth had all their pride invested in security and discipline and very little in activities or relationships'; and some had 'expressed a mixture of shame and defensiveness about how "out of control" they had become' (p.142). As Liebling commented, it therefore appeared to be possible 'for a prison to practise violence and abuse of prisoners, and yet be meeting its performance targets' (p.142). This Wandsworth experience was therefore an important catalyst for the Prison Service to work with Liebling to develop subtler indicators of regime quality, resulting eventually in the measure known as 'MQPL' (Measuring the Quality of Prison Life) (see generally Liebling 2004).

This prison background is interesting in the light of the recent process of revising the National Objectives and Standards for Social Work Services in the Criminal Justice System in Scotland, initially published in 1991 (SWSG, 1991); a process in which communication, engagement and reflection featured heavily. Chapman (2010), the consultant who developed the new outcomes and standards, sees them as an attempt to address 'the problem of how a government develops and assures the *quality* of effective offender supervision' (p430, emphasis added). Implicitly, he links quality to effectiveness and credibility, suggesting that practice which consistently conforms to such quality standards should be more likely to achieve the required outcomes and thus to build and sustain public confidence in probation services. Chapman's (2010) recent account of the process of developing the new standards focuses on the complex processes of consultation and engagement undertaken in pursuit of a consensus around central questions about goals, methods and evidence, and therefore around quality. Whereas earlier versions of the standards focused on the same sorts of process measures (e.g. how quickly an order was served, how often an offender was seen) that have been criticised in England and Wales, the new standards focus much more on outcomes, on practice frameworks to support those outcomes, and on the resources, leadership and management required to support effective practice.

1.4.3 The role of HMI Probation

A Cabinet Office Review of the work of the probation inspectorate (Grimsey 1987) identified two principal fields of inspection activity, focusing on (i) efficiency and effectiveness, and (ii) thematic inspections of particular areas of probation work, both of which have included attempts to define and measure the quality of casework with individuals (HMIP 2010a)[7]. More recently, commencing in 2006, the Offender Management Inspection Programme (OMIP) has seen a shift in emphasis toward 'inspecting the work rather than inspecting the organisation' (HMIP 2010a: 12)[8]. This has coincided with the transfer of some of the Inspectorate's performance management responsibilities, first to the National Probation Service in 2001, and subsequently to NOMS, enabling HMIP to focus on detailed analysis of casework (HMIP 2010a).

The OMIP seeks to assess the quality of 'end to end' offender management in four main areas: assessment and sentence planning; implementation and interventions; achievement and monitoring of outcomes; and leadership and strategic planning[9]. The primary source of evidence for this programme of inspection is case files and interviews with offender managers, but service users' perspectives (offenders, victims, courts) have also been sought, via questionnaires, in a number of these inspections (e.g. HMIP 2010b). It does not include any element of observation of practice; though the earlier *Performance Inspection Programme* which ran from 1999-2002 did in fact include some observation of one-to-one supervision (e.g. HMIP 1999: 14).

Despite the noted use of multiple data sources, the work of HMIP has attracted criticism for focusing on 'organisational outputs' and otherwise narrow performance criteria (Davies and Gregory, forthcoming). Davies and Gregory compare the approach taken by HMI Probation unfavourably against HMI Prisons, which utilises in its work a set of criteria for evaluating prison performance derived from human rights law. This implies an analysis of quality that recognises moral aspects of probation processes, and not just the public goods that might be served by its technical effectiveness. The development of MQPL (see above) in the prisons context, which is used by prisons management, but the lack of an equivalent to date in probation practice, reinforces the comparison[10].

1.4.4 The European Foundation for Quality Management Model (EFQM)

In 2001 the newly established National Probation Service introduced an organisational improvement tool, the EFQM, with the intention that probation areas would administer it annually. The requirement to use it ceased in 2004 but it continues to be used by some probation areas (Merrington and Stanley 2007). The EFQM is an approach developed for use by both private and public sector organisations and it is based on self-assessment by members of an organisation's staff. Applied in the probation context, the EFQM focused on 9 key criteria: leadership; policy and strategy; people; partnership and resources; processes; customer results; people results; society results; and key performance (NPD 2002)[11].

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[7] Examples include the *Quality and Effectiveness* (1994-98), *Performance* (1999-2002) and *Effective Supervision* (2003-2006) inspection programmes.

[8] Actually, this can be seen as a shift back to an older style of inspection, which concentrated upon reading case files and talking to staff about particular cases. This changed in around 1990, when IT developments allowed inspectors to focus on organisational performance data.

[9] The criteria against which offender management are assessed (HMIP 2009) are available on HMIP's website, as are a number of other documents, including a 'quality assurance' case assessment tool, and a report setting out examples of good practice gathered in the second phase of the inspection programme (see: http://www.justice.gov.uk/inspectorates/hmi-probation/offender-management-inspection-2.htm). In relation to each criteria HMIP reports the percentage of cases inspected which were judged to be 'done well enough'.

[10] However, our current research for NOMS is designed to use appreciative inquiry to develop an instrument to measure perceptions of quality. MQPL was also developed using appreciative inquiry.

[11] It is interesting that some very similar dimensions appear in the evaluation of correctional program integrity in the US (Lowenkamp et al. 2006).

1.4.5 The Effective Practice Agenda and Quality

Arguably, another important (though again implicit) construction of quality in probation work has been provided through the effective practice agenda that emerged in the 1980s and flourished in the 1990s (see Raynor and Robinson, 2009). Although effectiveness rather than quality has usually been the principal focus both in the 'what works' literature and (to some extent) in the related practice initiatives, some of these initiatives have sought to 'engineer' quality or effectiveness into probation (and prison based) interventions. The most notable mechanism in this regard has been the accreditation of offender programmes (see Rex and Bottoms, 2003; Maguire et al., 2010).

Accreditation processes and systems typically stipulate criteria around requirements that programmes have evidence-based models of change; that they have clear procedures for the selection of appropriate offenders; that they target 'criminogenic' (or crime-generating) needs; that they use effective methods oriented towards the acquisition of skills; that they specify appropriate sequencing, intensity and duration of the programme; that they attend to the need to engage and motivate offenders; that they have procedures in place to ensure continuity within programmes and between programmes and other activities; and that they have measures in place to ensure that they are delivered as designed (with integrity) and are properly evaluated. More recently, some accreditation systems and panels have extended their interests and remits, not least because of increasing recognition that programmes cannot operate effectively in isolation (Maguire et al., 2010) and because of increasing recognition of other important aspects of effective practice (McNeill et al. 2010b). Reflecting these trends, some panels have moved beyond *programmes* to accredit *integrated systems* (Rex and Bottoms, 2003; Maguire et al., 2010). It might be argued therefore that accreditation panels have acted as *de facto* arbiters of quality (or at least as arbiters of the quality of intervention *design*), and that the scope of their judgements has expanded beyond programmes and into other aspects of offender management. It is not surprising therefore that their development, operation and composition have been somewhat controversial (Mair, 2000; McNeill, 2001; Maguire et al., 2010).

A related development in North America has been the design and implementation of the Correctional Program Assessment Inventory (CPAI) by Gendreau and Andrews in the early 1990s. Despite its name, rather than being an accreditation system which seeks to design-in quality, the CPAI is intended as an instrument to assess programme effectiveness – in this context, 'program' appears to be somewhat more broadly defined than in traditional accreditation processes. Like accreditation, the CPAI works not by evaluating actual outcomes, but by assessing the fit between existing practices and a particular view of the 'principles of effective correctional treatment'. In this respect it is a quality assessment instrument. The construction of quality implied is somewhat similar to that used in the EQFM and accreditation systems; the CPAI examines factors such as programme demographics; organisational culture; programme implementation; management/staff characteristics; client risk/need practices; programme characteristics; core correctional practice; inter-agency communications; and evaluation[12].

To some extent, the CPAI reflects the move beyond programme-centric thinking in debates about 'what works' in offender supervision. However, recent research has also produced a further significant (but still implicit) construction of quality in probation practice; a construction that relates quality principally to certain staff skills. This shift in focus emerged principally from meta-analytical and narrative reviews which suggested that certain staff skills seemed to be associated with reductions in reconviction rates (Dowden and Andrews, 2004) or seemed more likely to be effective in promoting desistance (McNeill, et al 2005), and from Trotter's (1999) pioneering work on pro-social modelling. The methods of these recent studies differ somewhat; some seek to 'train in' skills and measure the effects on reconviction (Bourgon et al, 2010) whereas others seek to observe the skills being used in practice and then to assess relationships between the use of particular skills and enhanced client or offender outcomes (Raynor et al., 2010; Trotter and Evans, 2010). For the purposes of this review, the significance of these studies lies less in their findings than in their use of observational

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[12] This more holistic approach has some similarities with the EFMQ described above.

schedules (along with audio or video recording) to capture and assess data about the use and impact of particular skills in supervision sessions, and over the course of supervision. The implication is that aspects of high quality practice (meaning here principally practice that is associated with better supervision outcomes, particularly reductions in reconviction) can be captured in observation schedules and thus made amenable to observational study. In effect this means that these schedules are themselves implicit research-based constructions of the meaning of quality in probation practice.

From the above, we can see that there have been several constructions of 'quality' and how quality should be ascertained. One stream of work, the most prevalent, could be characterised as primarily utilitarian, i.e. linked to desired outcomes (often desistance, though intermediate measures were popular in the era of rehabilitation, such as acquiring employment skills). A second stream, but one which has been less common in relation to probation, is one which relates quality to what is seen as intrinsically or commonly agreed good processes of interaction with service users, such as human rights-based prisons inspections or respect for diversity. A third stream could be seen as linking to virtue-based ideas of ethics, which see quality as linked to the excellence of the qualities of the supervisor (such as good listening skills, or ability to strike up a rapport with the service user). Such a view of ethics does not only incorporate traditional virtues (moral qualities) but also technical skill and wisdom[13].

The most dominant trend has been the utilitarian. However, the research that has informed the development of 'evidence-based practice' can only be as good as the outcome data on which it is based. For that reason and because many of the constructions of quality alluded to above imply connections between quality and outcomes, a closer examination of the datasets that are typically used to assess the outcomes of probation work seems in order.

1.4.6 Measuring quality using officially collected data sets[14]

Officially collected data sets have formed a very large part of the materials used to evaluate probation outcomes (e.g. Barr and O'Leary, 1966, Simon, 1971 and Oldfield, 1996). These records have usually been based on officers' case notes or other official records of reconviction (such as the Home Office's Offenders Index). As such, these data tend to be concerned chiefly with the sorts of information that large administrative bodies routinely collate. Reliance upon official data sources has therefore dominated probation research, and in particular many studies have relied upon officially-recorded convictions as their measure of success.

However, official data sources severely limit the nature of the analyses undertaken. Although data relating to the courses completed by the probationer during the probation order and the eventual outcome of the order (completed successfully, terminated early for good progress or breached) are available, it cannot be guaranteed that all information relevant to assessing the impact of the order will have been recorded accurately or at all (such as attendance at sessions or complete engagement with the work being undertaken).

Another consequence of the reliance upon official data sources is that the measurement of offending behaviours is limited to *recorded* offending, rather than *actual* offending. The use of reconviction as a measure of outcome has been debated on numerous occasions over the years (Hood and Sparks 1970; Lloyd et al. 1994; Mair et al. 1997). Generally, the outcome of any intervention is measured by how many people are reconvicted of a further offence within a set period of time (previously usually two years after the start of the treatment, but now the standard set by the Ministry of Justice is one year[15]).

There have been several attempts to add variety to the nature of this outcome measure and to point up particular aspects of reoffending, and some of these are likely to be more useful

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[13] Aristotle called this practical wisdom or *phronesis*.
[14] This section draws heavily upon Farrall (2002).
[15] However, a one year reconviction period is likely not to be so useful if, for example, offences of violence are concerned, which tend to reoccur at longer intervals.

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for particular populations of offenders (e.g. persistent offenders or desistance studies, where stopping offending may be unlikely, whilst reducing its frequency is more likely: Shapland et al. forthcoming). Recent Ministry of Justice (2008) work has suggested that frequency and seriousness should be added to whether or not someone is reconvicted in evaluations of initiatives. Some researchers have attempted to measure the seriousness of reconviction by either assessing whether the offence for which the person was reconvicted was more or less serious than previous convictions (Shapland et al. 2008), or by considering the severity of the disposal at reconviction, the assumption being that more serious offences receive more severe sentences, (e.g. Mair and Nee 1992; Raynor and Vanstone 1997; Lloyd et al. 1994). If looking at how frequently a person is subsequently reconvicted, then this needs to take into account the fact that further convictions may result in custodial sentences and thus take the person 'off the street' and reduce the time 'at risk' of offending (Brownlee, 1995), necessitating allowance being made for 'time at risk'. Some have also used length of time to reconviction (survival rates) instead of the simple reconvicted/not reconvicted dichotomy (e.g. Oldfield 1996; Brownlee 1995; Mair and Nee 1992; Lloyd et al. 1994). In any event, all of these attempts to add refinement are limited by their being based on officially recorded convictions[16].

Reconviction is, of course, a relatively easy variable to collect (especially as all but the most trivial convictions and sentences are recorded by the Home Office). However, since several studies have suggested that (on average) only about two per cent of the offences actually committed result in a conviction, this means that the data employed to measure re-offending may potentially be biased (Hood and Sparks, 1970:36, Figure 1.6 and Home Office, 1999:28)[17]. The continued use of reconviction in place of re-offending is a pragmatic rather than an ideal choice. The issue is still further complicated by the fact that not all offences are equally likely to be reported, recorded, detected, proceeded against or result in a conviction. Securing convictions for some forms of sexual offending, for example, is particularly difficult, especially so if the victim is a minor.

One of the consequences of the use of officially recorded reconviction data is that the outcome of probation has generally been conceptualised as a binary variable ('success'/'failure') rather than *degrees* of success or failure. This is due to the reliance upon officially recorded offending, which classifies individuals as either having been reconvicted or not. This conceptualisation of outcomes has severely curtailed the work on probation outcomes, both theoretically and in terms of substantive findings. Virtually all of the evaluations of probation which have been reviewed treat other outcome variables (be they staff assessments or the nature of the termination of the order) as a dichotomy – that is to say an outcome which is 'a success' or 'a failure' (Barr and O'Leary 1966; Phillpotts and Lancucki 1979; Lloyd et al. 1994). However, any reasoned consideration of the outcome of *anything,* whether it be probation or some other pursuit, leads one to realise that very few things are likely to be *either* a complete success *or* a complete failure. It is more usually the case that the outcome of a venture is a certain *degree* of success. This point is made more pertinent by the fact that desistance is now generally thought of as a process of moving away from crime, rather than a sudden cessation of offending (McNeill and Weaver 2010; Bottoms et al. 2004; Bottoms and Shapland 2011).

By conceptualising probation outcomes in this graduated way, more accurate and subtle measurements may enable us to identify the salient factors associated with successful outcomes. Despite a further offence being committed, the probationer *may* have gained something from the order – a reduction in a harmful habit or better employment prospects. These real, beneficial, changes are 'lost' when outcomes are considered as being solely about offending and solely as a binary measure. Moreover, using a binary measure makes it very difficult to relate quality to outcomes. This is both because an either/or measure of offending will not pick up the gradual, progressive changes typical of desistance and because one is then tending to assume that quality is also an either/or element.

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[16] An additional problem concerned the presence of pseudo reconvictions – reconvictions recorded after the commencement of a treatment, but which were in fact the result of offending and legal proceedings which commenced before the treatment programme.

[17] However, in a rare study which used both self-report and official offending measures, the evaluation results (in relation to Intermediate Treatment: Bottoms 1995) were very similar.

2. Research into views about quality in probation

Moving away from routinely collected official data and inspections, specific research studies directly addressing what 'quality' means in probation practice and probation supervision are quite rare. As we saw in section 1.2 above, 'quality' has sometimes been translated into 'effectiveness' or 'what works', sometimes seen as synonymous with 'advise, assist, befriend'. All of these conceptions of quality, however, involve analysis of the interaction between the supervisor and the person being supervised and its effects. We explore what has been found to be pertinent in three sections below: one focusing on probationers' own perceptions, one on probation staff views, and one on outcome measurement.

2.1 Probationers' views of quality and effectiveness

Generally speaking – and this is becoming something of a refrain in this review - there have been very few studies of what probationers value about the supervision to which they are subject[18]. In a recent review, Appleton (2010) reports that the literature suggests that probationers value direction and also help in assisting them with practical issues, advice about how to tackle practical problems, and help and support with emotional problems. Probationers tend also to report that they want to be listened to, and for their probation officer to take the time to recognise them as individuals and to develop a relationship with them (see Appleton 2010; Broussine and Wakefield 1997: 32; Rex 1999: 371; Healy and O'Donnell 2008). Use of non-technical 'jargon' and efforts to explain things clearly were also appreciated by those interviewed by Broussine and Wakefield (1997), as was a certain amount of 'distance' amongst Rex's respondents (1999: 371). From Appleton's own study of those being supervised on life licence, licensees preferred probation officers who were experienced (2010: 116) and who were respectful, non-judgmental, trustworthy, reliable, flexible, honest, supportive and encouraging (see also Rex, 1999: 371-75 who adds to this list the suggestion that officers ought to show an interest in the well-being of those they are supervising). Indeed, probation officers lacking these qualities were felt by Appleton's interviewees to be impossible to form a helpful relationship with (2010: 117). Instances in which probation officers were late, rushed tasks, seemed uncaring, or mistrusted the licensee were cited as examples of licensees feeling that they were being 'processed' or 'managed' rather than cared for in any meaningful sense. Rex (1999: 370) also found that those probationers whose officers appeared only to be monitoring them were likely to be negative about their experiences.

There seems to be very little difference over the decades between 1960 and the millennium in these service user perceptions, even though official ideas of what is quality in probation may have altered. McNeill's (2010) oral history study of 1960s probationers in Scotland and their views of supervision in the 1960s produced very similar results, as did the older Scottish study by Ford et al. (1992) (see also Ditton and Ford 1994). Ditton and Ford discerned differences in general approaches amongst the social workers – describing some as 'befrienders', some as 'rehabilitators' and some as 'supervisors' – but also noted that social workers varied their approaches to suit the nature of the case in question. They identified some variations between generalist and specialist workers and found an association between 'court agent based approaches' and better levels of perceived service. For persistent offenders at least, the most positive outcomes seemed to be achieved by workers who combined a court-agent (specialist) approach with a rehabilitative focus, especially where such workers were more experienced, more specialised and better supervised. Interestingly, and much in line with the McNeill oral history study referred to above, Ditton and Ford found that: 'the ability to carry authority easily, showing firmness and control in a relaxed way... is important, as is the ability to confront the probationer in a straightforward way. "Pushy" social workers, who consistently demand real effort and change, are seen as showing genuine

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[18] Some indications of the processes involved in mediating probation outcomes, and which throw some light on probationers' perceptions of the quality of their supervision, have however been uncovered by a few of the very early studies of probation. For example, Folkard *et al* (1966) found statistically significant differences for the following variables when outcomes were compared: good rapport between officer and probationer and keeping the same officer were related to successful outcomes, whilst a high level of control exercised over the probationer was related to failure (1966:56).

interest and concern, helping to create and maintain the motivation of the probationer... in general, persistent offenders need persistent social workers' (Ditton and Ford, 1994: 189).

Appleton, in her study of lifers, concludes that the aspects of the supervisory relationship which worked for lifers were respect, commitment, help with achieving life-goals and help in developing a meaningful life (2010: 130). In many respects Appleton's work echoes and extends earlier studies of (non-life) licensees' views of their supervision. Maguire et al (1996) reported that most of the licensees[19] they interviewed saw the system as fair and helpful (fewer saw the licence system as being about control or punishment, 1996: 68), with practical assistance particularly welcomed (1996:69, see also Broussine and Wakefield 1997, whose sample of probationers wanted officers who would help them obtain work). Other studies reported that a focus on the future was amongst those things which were most important to probationers (Broussine and Wakefield 1997: 32, Farrall 2002: 227).

Farrall (2002) followed 199 probationers starting probation orders in late 1997 and early 1998, surveying them about a range of issues relating to their experiences of probation. Amongst these, naturally, were the helpfulness of their officers. At the second sweep of interviews (about 6-7 months into the order) probationers were asked if the experience had been a good one; of the 114 useable responses, 76 were positive (66%) and 33 negative (29%) (eight probationers said that they didn't know either way). When asked how they felt about being on probation, of the 133 useable responses, 28 (21%) said that they liked it, 56 (42%) that they accepted it and 30 (23%) that they didn't like (or hated) it. A further 21 had mixed feelings about it or said that they didn't know. In terms of the helpfulness of probation officers, of the 113 probationers who provided useable answers, 86 (76%) said that their officer had been helpful, whilst only 20 said they that they had not been helpful (15%). In total some 121 (94%) said that they had been treated fairly by their officer.

Shapland and Bottoms (2010; forthcoming b), however, found that their young adult male – and more persistent - offenders on probation or on licence had a rather more negative view of probation supervision. They were interviewed in a longitudinal study on up to four occasions between 2003 and 2008, starting when they were aged 19-23. In the second interview, 4% found probation 'very useful' and 10% 'fairly useful', but 10% found it only a little useful and 20% 'not at all useful'. What was valued was assistance with practical problems, though few supervisees themselves thought automatically of probation staff as there to help with practical problems and few brought such problems to supervisors' attention. There was also value in having someone to talk to and to 'make you want to change'. What was not helpful was 'just general stuff' and 'how I am managing' which did not explore deeper, but that they felt was the normal content of most conversation in their own supervision meetings. When asked to look back over their experience with probation over the last three years, 15% said that they had found it 'very useful', 20% 'fairly useful', 16% 'a little useful', but 49% 'not at all useful'. What supervisees would have found more helpful would have been staff listening more to what they were really saying, seeing the same officer each time, having home visits, and more help with practical matters. Similar findings from a Scottish study by McIvor and Barry (2000) were that probation officers should show understanding, listen and give helpful advice.

Farrall (2002) also asked probationers to identify problems which would stop them from desisting, and at subsequent interviews asked probationers if and how these had been addressed since the previous interview. Of the 81 problems identified at sweep one and followed up at sweep two, probationers reported that their officers had helped them 'a lot' in 22 instances (27%) and 'a bit' in 17 instances (21%) – meaning that probationers appeared content with the work of their probation officers in relation to about half of the problems they had identified. However, in relation to 26 of the identified problems, the probationer reported that their officers had not helped at all (32%) and had helped them 'not much' in 16 instances (20%). At sweep three (at which problems identified at sweep two were probed) the picture changed: there were 42 problems identified and followed up. Probationers reported that for 24 of these (57%) the officers had done nothing at all – due in some part to the end of the order approaching, leaving little time for officers to work.

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[19] This study examined the introduction of Automatic Conditional Release, introduced by the Criminal Justice Act 1991.

In terms of the overall effectiveness of probation supervision, Farrall reported (2002: 161-62) that whilst probationers were able to overcome most of the problems[20] they faced alone (58%), when the probation officer supported their efforts, the percentage rose to 72%. In other words, whilst probationers were the main drivers of solutions, officers could (and at that time did) make significant contributions to tackling problems related to further offending. This finding supports earlier research by Rex (1999: 369 and 374), who argues that probationers appeared to appreciate problem-solving advice related to finances, employment, accommodation, relationships and substance use and who reported that two-thirds of the probationers in her sample (n = 60) said that they were less likely to reoffend following their supervision.

More recently, the work by Shapland and Bottoms (forthcoming b; 2010) has suggested that very few of the men in their sample felt that probation or prison staff might help them stop offending – a finding which Liebrich (1993), working in New Zealand) also obtained. Partly this was because of the little time spent with their probation officers (90% had spent between 5 and 30mins with their officers in an average meeting), partly the impoverished content of many such meetings (see above). Only a third of the sample reported that their probation officers had helped them with a problem – however when problems were raised around half were 'sorted out' by the officers involved.

Any lack of perceived helpfulness on the part of service users, however, does not seem entirely to be a function of when the study was carried out. Rather, if it is possible to make the cross-cultural comparison, it seems to be related more to what is the purpose of probation, as both supervisors and service users define it. Healy (2010), looking at probation supervision in Ireland around the millennium, describes how the purpose of probation in Ireland is still seen to be within an explicitly social work framework, which concentrates upon work with the individual, values the supervisory relationship and supports offers of practical assistance. From her research, clearly both supervisors and service users agreed these were the goals and both felt they could be measured by the individuals involved during the supervision itself. Moreover, both felt that each party should be bringing effort and what resources they possessed to the task – so that priorities should be jointly set up. This is actually somewhat of a change from the original religious or medical ideal of the 'saving of sinners' or treatment of patients, because it includes working with, rather than on offenders (see also Bottoms and McWilliams 1979).

Healy (2010) also notes that probation officers, where they did have a plan for the work they intended to do with probationers (and 10% did not) intended to work on factors related to desistance. So, plans included addiction-related factors, employment and education. Working with families was also prevalent. Only a third of plans mentioned addressing offending or cognitive factors. Over half the probationers studied were referred to external agencies for assistance or received direct practical help from supervisors. Overall, the probationers saw their period on probation as helpful, with those intending to desist being more positive than those intending to keep on offending. The key aspects which defined helpfulness were first, the provision of practical help and secondly having someone to talk to about problems. Provision of practical help was not just solving problems for probationers – it was keeping the probationer motivated to keep working at the problem and also searching out suitable help (programmes, advisors etc.). However, probationers emphasised that the initial decision to change their lives had to be theirs, and was rarely, if ever, influenced by their probation officers. The probation officer's role was then to act as a catalyst to help them then transform these decisions into their lifestyle.

It is possible for supervisory practice to produce good outcomes on, say, reoffending, without either service users or supervisors thinking that practice is helpful. However, the desistance research suggests strongly that intending desisters need themselves to be involved in order for desistance to be achieved (McNeill and Weaver 2010; Bottoms and Shapland 2011; Healy 2010) – and that intending desisters should see that what is being done in supervision is concurrent with their own goals for desistance. Those who are not yet intending to desist

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[20] The analysis was limited to problems relating to families and employment.

may, however, require rather a different approach (involving more cognitive or attitudinal work).

Service users themselves, in summary, seem to value:

- Developing a relationship with their supervisor, through having sufficient time and consistency to do this, and through their supervisor listening and taking on board where they are and their problems, including knowing about their home and their families

- Having a supervisor who listens, but who keeps on trying to steer them in a desisting direction, through motivating them, encouraging them to solve problems, talking about problems – and this may mean sometimes emotional distance, sometimes emotional support

- Provision of practical help and support in relation to the problems users themselves identify, together with seeking out what referrals to make to external agencies.

2.2 Probation staff views of quality and effectiveness

Reviewing the probation research literature in England and Wales in the previous two decades, Hedderman (1998: 1) observed 'we know little about the content of one-to-one supervision. Yet currently, this is the form most supervision takes' (see also Brown 1998). In line with this comment, there was also almost no research on practitioners' views about 1-1 supervision, including its quality. Indeed, only a handful of studies have sought the views of staff about any aspect of their practice or the changing context(s) in which it is taking place (Robinson and McNeill 2004).

One such study was conducted by Humphrey and Pease (1992), and sought the views of 27 practitioners in one metropolitan probation area about notions of probation effectiveness. Conducted prior to the acceleration of the 'what works' agenda in probation, this study revealed that probation officers tended to frame their practice in terms of the then primary 'official' objective of providing alternatives to custody. Interestingly, however, a number of interviewees viewed the 'slowing of criminal careers' as a legitimate objective and lamented the absence of official interest in such outcome measures, in favour of the measurement of inputs. As one interviewee commented, 'a lot of effective good work goes on all the time but it is never measured' (1992: 38).

Brown's (1998) study of models of effective 1-1 supervision, also conducted in one metropolitan probation area, included focus groups with practitioners to ascertain their views about the meaning(s) of 'successful' supervision. Brown found that whilst stopping offending was viewed by many as the 'ultimate' goal of supervision, staff suggested some thirty 'intermediate' goals which could be viewed as indicative of a successful piece of work[21]. Staff then suggested cases they viewed as 'successful' for further exploratory research, carried out by Brown via interviews with staff and offenders, and analysis of case records (25 cases in total). Brown found that, when talking about their own 'successful' cases, staff focused on five main strategies: role clarification; moving at the offender's pace; establishing a relationship; involving the offender in the process; and linking actions and consequences. Staff referred to a range of working methods, which included motivational interviewing; family work; counselling and cognitive-behavioural methods. When asked what they were trying to do in the course of supervision, over half (56%) talked in terms of behavioural change; 44% talked about improving the quality of offenders' lives; 38% talked of stopping or reducing offending; and 13% talked about public protection.

In another English study, commissioned by Nottinghamshire probation area (Beaumont et al. 2001) a survey of probation staff similarly revealed that practitioners claimed to use a variety of methods (including motivational interviewing; cognitive-behavioural work and task-centred

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[21] These included factors such as: achieving compliance; willingness to engage; changes in attitude; and increases in maturity, stability or motivation (1998: 59).

methods) and, whatever methods they claimed to use, staff also stressed the importance they placed on engaging with the offender and motivating them to contemplate change. In achieving engagement, staff emphasised the importance of using the following skills and qualities: good communication skills; being clear with offenders; showing genuine concern for the offender's well-being; using methods to suit the individual; showing persistence; and emphasising mutual respect.

In a study of the implementation of automatic conditional release (ACR) in England and Wales some two years after its introduction, Maguire et al. (1996) interviewed a sample of supervising probation officers (n=26) and analysed questionnaires (n=201) completed by practitioners supervising (involuntary) ACR cases in three probation areas. As part of this research practitioners were asked about the impact of National Standards on their supervision of ACR cases. National Standards were viewed by some as having a positive impact on supervision in terms of promoting consistency; but by others as setting unrealistic expectations for supervision in terms of frequency of contact. Most of the practitioners interviewed valued the exercise of discretion in implementing National Standards in respect of ACR cases. When questioned about the focus of ACR supervision, staff expressed concerns about licensees' lack of access to the resources and programmes available to offenders on probation. Concerns were also expressed about the limited time (on short licences) to do any substantive offence-focused work. Dealing with offenders who were not engaging with probation voluntarily led some practitioners to emphasise the importance of establishing implicit consent to supervision, and to focus on sustaining compliance rather than engaging in offence-focused work.

In Scotland, two studies of the processes and outcomes of probation work and post-custodial supervision included the collection of data from practitioners via questionnaires; however, these focused on obtaining views about the progress of supervision in relation to a sample of specific cases selected for analysis in the studies (McIvor and Barry 1998a, 1998b). In another Scottish study, McNeill (2000) sought (via individual and group interviews) the views of 12 practitioners about effective probation practice. Interviews began with discussion of a case study chosen by the interviewee to illustrate effective practice, moving on to a more generalised discussion about the definition, development and delivery of effectiveness. In contrast to Humphrey and Pease's (1992) study referred to above, outcome/output measures (e.g. reducing reoffending; changing attitudes; alleviating needs) were valued most highly by the practitioners in McNeill's study, and dissatisfaction with quantitative 'input' measures was expressed. McNeill also found that practitioners' aspirations for their practice exceeded the minimum requirements set out in National Standards for supervision in Scotland at that time.

Looking a little further afield, Herzog-Evans' (2010) ongoing research into French probation officers finds they have a very different theoretical background to staff in England and Wales, but similar emphases on building relationships with offenders. The French probation officers she interviewed had no appreciation of the 'what works' or R-N-R traditions, nor knowledge of desistance research, nor did they have a treatment ethos. Instead they were focused on resocialisation, with probationers needing to satisfy the juge des peines that there had been efforts at socialisation. The key probation officers' role was to be psychologically supportive of probationers and probationers' own efforts to tackle social problems. No work was done with families, because of privacy issues. Sometimes probationers would be referred to external, specialised agencies (particularly in relation to drug problems), run by the voluntary sector, which are very active. Officers felt they needed to wait for the right moment to push offenders away from offending – if the probationer was not predisposed to change, nothing could be done (though this view is likely to have been influenced by the high caseloads).

Bauwens' (2009) research concerns changes in the Belgian probation service, which have brought in a more process-oriented model[22], from the point of view of staff. Staff varied in their attitudes to the national standards and guidelines, recognising the importance of some standardisation, but valuing their discretion, particularly so that they could engage with service users. Standard letters, they felt, should be customised to fit individual offenders –

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[22] The changes includes setting minimum guidelines for work with each offender from induction through the order, together with following up non-attendance, breach etc., which emphasises formal reviews of progress.

continuing communication mattered more than standardisation of treatment. This is in the context of the Belgian service's priorities, which remain reducing re-offending, limiting the damage caused by judicial intervention and restoring social networks. Probation officers continued to see themselves as professional social workers, with the worker-client relationship being key, including the need to retain the trust of the client, 'start where the client is' and 'move at the client's pace' (2009: 264). Probation officers try to encourage offenders to take responsibility for their behaviour and to reintegrate them back into the community, through building up their social capital (employment, supportive family relationships etc.).

Although there appears to be no more recent research addressing practitioners' perceptions of quality in England and Wales, it is worth noting the handful of studies of trainees' experiences of probation training in England and Wales in the last decade. Whilst these do not directly address perceptions of quality, they arguably do provide some relevant insights. For example, Annison et al. (2008) reviewed the findings of three studies which sought, via survey methodology, the views and experiences of prospective, current and recent probation officer trainees in the Midlands and South-West regions. When asked about the most satisfying aspects of probation work, respondents typically referred to direct work with offenders, building relationships with people, and bringing about positive change in individuals. Among the least satisfying aspects of the work were form filling and repetitive paperwork, high workloads and resource shortages. In the words of two respondents who referred directly to quality:

> 'There is, of course, pressure to achieve targets rather than achieve quality work'; 'I am often frustrated by the lack of time I have to undertake my role and with the impact this has on the quality of my work' (Annison et al. 2008: 264-5).

The authors noted among survey respondents in the three studies 'serious concern that reliance on quantitative data was over-riding the "softer" elements of good practice' (Annison et al. 2008: 267).

Using a combination of qualitative interviews (n=51) and questionnaires (n=201), Deering (2010) examined the attitudes and reported practices of probation practitioners and trainees in four probation areas in England and Wales in 2005-6. Echoing the findings of Annison et al., Deering's respondents obtained job satisfaction from face to face work with individual offenders, focused on issues contributing to their offending. Practitioners said they had joined the service 'to offer constructive "help" in the broadest sense to try and facilitate personal change, a reduction in personal problems and a reduction in reoffending' (Deering 2010: 464). Deering concluded that centrally imposed changes (including targets) impacting on the probation service in recent years had almost certainly made it more difficult for practitioners to practice in their preferred manner.

It is notable, looking over the range of research on probation staff views on their own role, that even though the philosophy behind probation may vary considerably between countries and over time, many similar aspects are emphasised. They include:

- Involving the client, communication with the client and building a trusting relationship

- Starting where clients are and then attempting to motivate them to change

- Using a variety of methods (depending on training and the philosophy of the service) to persuade clients to change towards decreasing re-offending.

In comparison with probationers' perspectives, research on supervisors' views were far less likely to mention dealing with practical issues, whether by referral or by working on these with clients themselves. The studies did not all specifically question supervisors about practical problems, so we cannot definitively conclude they seem to be a less important aspect for supervisors than supervisees, but there seems to be some indication that way.

2.3 Analyses of effectiveness and outcomes

This section reviews – briefly – the evidence for differential outcomes in terms of variations in levels or types of intervention. Such a literature, if approached in its broadest sense actually has quite a long pedigree in UK research. For example, the studies conducted by Folkard et al. (1974; 1976) in which different types of supervision were experimented with found no statistically significant differences between the experimental and control groups in terms of their rates of reconviction. This finding appeared to hold across different probation areas and over time, gender, probation officer assessments, and probationer's degree of neuroticism (1976:14-19).

Some indications of the processes involved in mediating probation outcomes, however, were uncovered. For example, Folkard et al. (1966) found statistically significant differences for the following variables when outcomes were compared: good rapport between probation officer and probationer and keeping the same officer were related to successful outcomes, whilst a high level of control exercised over the probationer was related to failure (1966:56). Coming so soon after the Martinson review (1974) this resulted in little further interest in the effectiveness of different approaches to supervision until the late 1990s (Raynor and Robinson, 2009: 100).

Such work (which from the late 1990s in the UK became quite voluminous) tended to suggest that programmes of intervention (many of which were delivered in groups, not on a 1-1 basis) which attempted to use community-settings, employed assessments of risk and need levels, were multi-modal, recognised participants' strengths, assisted with relapse prevention, allowed staff to maintain good quality interpersonal relationships with participants, and adapted services to local needs were key in reducing subsequent rates of reconviction (see Raynor and Robinson, 2009: 108-09). For example, in a study of resettlement amongst short term prisoners, Lewis et al. (2007) found that ex-prisoners who had some contact with project staff had lower rates of reconviction than those who did not, suggesting that in some way(s) project staff were able to assist in the process of resettlement. Moreover, those who had contact with probation staff, rather than voluntary staff, were more likely to receive high continuity of service (Lewis et al. 2007: 44). Those programmes which combined both thinking skills and practical problems had the lowest rates of reconviction (Lewis et al 2007: 47). The researchers concluded that ex-prisoners may benefit from people who have more time to pay attention to individual needs and whose distinctive contribution is to provide personal and emotional support.

However, words of caution do need to be expressed; many studies have found that pilot programmes on the whole produce much better outcomes than do non-pilot programmes (i.e. programmes which were rolled out tended to under-perform against the pilots: Raynor and Robinson 2009:109). An early Home Office commissioned review of programmes designed along effective practice principles found little evidence to support effectiveness amongst the programmes studied, some of which were 1-1 programmes (Underdown 1998). Following a more centrally-organised programme of interventions, a series of evaluations (documented by Raynor and Robinson, 2009: 114-17) largely suggested that such interventions faced a number of implementation problems, high levels of attrition and few key differences between control and treated groups. In studies on, for example, the resettlement of short term prisoners, the ingredients which made a difference included making sure that prisoners had access to services which could address their needs, increasing motivation to stop offending/tackle problems faced by prisoners and a short cognitive group programme (see Raynor and Robinson, 2009: 117). However similar studies of interventions with youth (Raynor and Robinson 2009: 118) came to rather depressing conclusions.

Other reviews of specifically 1-1 work (e.g. Burnett 2004) have pointed to the need for practitioners to be able to develop a relationship with the probationer, whilst also being supportive and empathic in order to facilitate change (2004: 183-84). Discussions with supervising officers were also identified in Rex's work as being key to decisions to desist from crime, whilst Trotter's work (1996) has emphasised a caring approach which focuses on problem-solving. Trotter's approach (pro-social modelling) creates a framework whereby anti-social comments can be challenged within a relationship based on caring and trust, thus

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making such challenges more legitimate. The key skills required by probation officers therefore become punctuality, reliability, politeness, honesty, empathy and the ability to support desires to spend time with non-offenders. Trotter's own studies suggest that such approaches do indeed lead to reductions in rates of offending. One recent study of a structured 1-1 programme (Durrance et al. 2010) suggests that a programme of supervision based on motivation, developing a relationship with the probationer, looking at problem solving and goals, developing victim awareness and planning to avoid relapses was popular with both probationers and staff – although no reconviction data are currently available.

One recent study in Canada (Bonta et al, 2010, see section 1.2 above) has also applied key aspects of, amongst others, Trotter's work on pro-social modelling to 1-1 work. Their approach, which draws heavily on the R-N-R model, required probation officers to focus on only criminogenic needs and only to explore non-criminogenic needs if these present obstacles to tackling criminogenic needs. The researchers found that those probationer officers who had been trained to use the approach outlined above did indeed appear from analyses of tape-recordings of their sessions with probationers to focus on criminogenic needs more than those who had not been trained to do so. Furthermore, such interventions appeared to reduce rates of reconviction (the treatment group had a reconviction rate of 25% opposed to 41% for the control group), suggesting that such work may offer a way forward in 1-1 supervision. Obviously, caveats about the dangers of assuming that a pilot study (even a rigorously designed and executed one, such as this one) will deliver results when fully rolled out remain. The numbers of participants in the study/samples were also small. There remains the issue that the needs identified by Bonta et al. do not exactly mirror those identified amongst English and Welsh probationers (see section 1.2 above) – a lesson that what works in one jurisdiction may not translate easily to another. However, the key messages from Bonta et al. may well be pertinent – though this needs to be tested. They are that what is espoused as quality (in Canada, the R-N-R theoretical base and the importance of tackling criminogenic needs) may not actually be what probation staff are doing in day-to-day supervision (concentrating only on criminogenic needs in a planned way) – and that there may be a need for specific training to move practice towards the quality practice that is desired[23].

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[23] This is of course one of the spurs behind the Offender Engagement Programme's proposed programme of training.

3. Quality, probation and desistance from crime

In several of the previous sections of this review, we have made connections between 'what works?' research and notions of effectiveness and quality in offender supervision. However, in recent years, debates about effectiveness and (by implication) quality have also come to be increasingly influenced by and concerned with desistance research. One of the most significant implications of desistance research is the reassertion of the need for probation supervision to address those personal and social problems that can constitute obstacles to desistance from crime. Although in this section we review the broader implications of desistance research for probation, our primary focus is on the question of quality, and more specifically on what quality might mean in terms of work that helps offenders to overcome these obstacles. We begin by reviewing research studies that have sought to empirically examine the relationships between probation and desistance.

3.1 Previous research on probation and desistance

Although described as a 'pressing question' there have been few studies which have actually examined how probation can support desistance (Maruna 2000; McCulloch 2005). The literature on this research has recently been reviewed by Weaver and McNeill, and the following section draws heavily on this work (Weaver and McNeill 2010). Because the probation literature has recently been considerably influenced by desistance research, we have also alluded to several of these points in terms of supervisors' views in section 2.2 above.

One of the first studies to examine probation and desistance was located in New Zealand and based on extensive interviews with a randomly selected sample of 48 people who had been placed on probation in 1987 and had not been reconvicted by 1990 (Leibrich 1993). Few from this sample spontaneously cited probation as a factor in their desistance and only half of the sample considered probation to have been useful in this regard. Instead, individuals suggest that revision of personal values, reassessing what is important, responding to new family commitments, desire for a better future and the development of self-respect were reasons for wanting to desist. This was coupled with fears of consequences and shame about what could happen if their offending was to continue. Desistance was accomplished by tackling personal problems using interpersonal resources, accompanied by a sense of life management; this last finding might be linked to the discovery of agency to which later authors allude (see Maruna 2001; McNeill 2006).

In Leibrich's study the quality of the supervisory relationship was cited as pivotal in supporting the process of desistance. The desisters and their probation officers shared similar views about the characteristics they deemed crucial to such relationships; having someone that they could get on with and respect; who treated them as individuals; was genuinely caring; was clear about what was expected of them and trusted them when the occasion called for it (Leibrich 1993). Negative appraisals of the supervisory relationship were attributed to a sense of being merely 'processed'; the probation officer having been late or missing appointments; and where the officer gave the impression of being curious rather than genuinely concerned. The desisters, like the probation officers, emphasised the need to identify and address causes of offending. They also highlighted how essential the individual's own motivation is to the change progress (see section 2.1 above).

In a study of 'assisted desistance' in England, Rex explored the experiences of 60 probationers (Rex 2005). Most of the probationers considered probation to have assisted the process of their desistance from offending. Rex found that those who attributed changes in their behaviour to supervision described it as active and participatory. Their commitments to desist appeared to be generated by the personal and professional commitment shown by their probation officers, whose reasonableness, fairness and encouragement seemed to engender a sense of personal loyalty and accountability. Probationers interpreted advice about their behaviours and underlying problems as evidence of concern for them as people, and 'were motivated by what they saw as a display of interest in their well-being' (Rex 1999: 375). Such evidence resonates not just with Leibrich's earlier findings, but with other

arguments about the pivotal role that relationships play in effective interventions (see for example, Barry 2000; Burnett 2004; Burnett and McNeill 2005; Holt 2000; Hopkinson and Rex 2003; McNeill et al. 2005; McNeill 2006).

As discussed above in section 2.1, Farrall (2002) explored the progress or lack of progress towards desistance achieved by a group of 199 probationers in England. Though over half of the sample evidenced progress towards desistance, Farrall found that desistance could be attributed to specific interventions by the probation officer in only a few cases, although assistance in identifying employment opportunities and mending damaged family relationships appeared particularly important (see section 3.6 below). Paradoxically, it was in these very areas that practitioners were found to be wary of intervening. The findings indicate that in terms of the identification and resolution of 'obstacles to desistance' only a minority of probationers and practitioners worked in partnership; there was limited evidence of agreement between probationers and their supervisors about the obstacles to desistance and how best to overcome them. Overcoming obstacles was perceived by both probationers and practitioners to be contingent on a range of factors often beyond the control of either practitioner or probationer; unsurprisingly therefore, no specific method of probation intervention could be credited with successfully overcoming obstacles. Rather, desistance seemed to relate more clearly to the probationers' motivations and to the social and personal contexts in which various obstacles to desistance were addressed. Farrall (2002) goes on to argue that interventions must pay greater heed to the community, social and personal contexts in which they are situated. Necessarily, this requires that interventions be focused not solely on the individual person and his or her perceived 'deficits'. Vitally, it is social capital (see below) that is necessary to encourage desistance. It is not enough to build capacities for change where change depends on opportunities to exercise capacities.

Building on these insights, McCulloch's (2005) study, based on twelve semi-structured interviews with probationers and their probation officers in Scotland, drew on probationer and practitioner perspectives to explore the attention given to probationers' social contexts in supporting desistance from crime. Somewhat in contrast to Farrall (2002), McCulloch found that probationers and practitioners had little difficulty in reconciling the apparently polarised objectives of welfare support and offence focused intervention. She reports that interviewed probationers saw welfare issues as one of the key things which caused offending behaviour, and that tackling this welfare led to desistance e.g.

> 'It's most of those [social] problems that's causing offending in the first place. Boredom for starters, that leads then into either mischief behaviour or leads on to taking drugs to combat the boredom. One thing leads to the other, you start taking drugs, you start breaking the law, one thing leads on to another thing.' (Probationer, quoted in McCulloch 2005:13)

Despite this she notes that in reality officers spent little time working with probationers on these issues. Practical assistance in the area of employment was limited and that 'talking methods' were the most frequently cited approach to addressing social problems (see also Rex 1999). Drug and alcohol misuse was more commonly addressed.

Where obstacles to desistance were successfully resolved, participants attributed this both to probation intervention and the wider normative processes that occurred in the probationer's life. It appeared that small steps towards the solution of problems (such as undergoing more training, or cutting down on alcohol usage) were not valued hugely by the probationer, particularly as these were often seen as being the result of wider factors than the probation process itself. However, it is noted that the process of talking about their life with probation officers did lead to the probationer clarifying and identifying problems which they could work on. Whilst it may be that the probation officer did not 'do much' in terms of solving these problems, the identification of the problem was also a step which, it can be argued, would not have been taken without the help of the officer. McCulloch forwards a convincing argument for an increased level of probation involvement in families and local communities, and highlights the importance of these in tackling offenders' problems (McCulloch 2005).

Since the above studies were reviewed by Weaver and McNeill there has been little other research undertaken which has specifically examined the role of probation in promoting desistance. One exception to this is the evaluation of the Diamond Initiative, a project which has been run in London which involves the police and probation services working closely together, and with other agencies, to resettle offenders who have been serving short term sentences (Dawson and Stanko 2010). The offenders in the Diamond Initiative had a mean of 23 convictions over 12 occasions. Work focused largely upon helping offenders meet key needs (consisting of drug issues, alcohol, housing and lack of education) through working with the offenders and specific partners. The number of interactions with offenders was recorded, although the nature of all of these can only be gleaned in a limited way. They included such descriptors as 'phone call engagement activities' (most common), 'support related activities' and 'contact related activities'. It is clear that offenders on the Diamond Initiative received much more support than those who were not.

The impact of this initiative is being evaluated using both qualitative and quantitative techniques. In the first year evaluation report, analysis of reconviction data of Diamond Initiative participants (N=405, reconviction rate of 28% over six months) showed a significant difference from a London control group from an earlier year (N=861, reconviction rate of 43% over the same time period). An examination of OGRS3 scores suggests that both these groups had similar overall scores (0.42 and 0.43 respectively: Dawson and Stanko 2010:32). These results seem encouraging, but the authors strongly emphasise the need to wait for more definitive data from a contemporary control group; these data will follow in the second evaluation report.

The main links between the findings of these empirical studies and the question of quality seem to centre around (1) the quality and character of the relationship between the offender and the supervisor, and (2) the quality of engagement with and involvement of informal social supports (particularly families). It seems reasonable also to infer that the quality of effective collaboration between probation staff and their partners in the police and other agencies is important, but empirical evidence on this point is largely lacking.

3.2 Implications of desistance research for probation practice

Drawing not just on the studies reviewed in the last section, but on the rapidly growing number of studies about desistance itself, a body of scholarship has emerged which, following Farrall's injunction that probation practice should become 'desistance-focused', seeks to interpret desistance research for practice (for example, see Maguire and Raynor 2006; McCulloch and McNeill 2008; McNeill 2003, 2006, 2009; McNeill and Weaver 2010; Porporino 2010; Weaver and McNeill 2010). This work tends to stress (albeit to varying degrees) six central themes:

1. Since desistance is an inherently individualised and subjective process, approaches to supervision must accommodate and exploit issues of identity and diversity. One-size-fits-all interventions will not work (Weaver and McNeill 2010).

2. The development and maintenance not just of motivation but also of hope become key tasks for probation officers/CJSW workers (Farrall and Calverley 2006).

3. Desistance can only be understood within the context of human relationships; not just relationships between staff and offenders (though these matter a great deal) but also between offenders and those who matter to them (Burnett and McNeill 2005; McNeill 2006).

4. Although in England and Wales, there is a tendency to focus on offenders' risk and needs, offenders also have strengths and resources that they can use to overcome obstacles to desistance – both personal strengths and resources and strengths and resources in their social networks. Supervision should support and develop these capacities (Maruna and LeBel 2003).

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5. Since desistance is about discovering agency, interventions need to encourage and respect self-determination; this means working with offenders not on them (McCulloch 2005; McNeill 2006).

6. Interventions based only on human capital (or developing offenders' capacities and skills) will not be enough. Probation needs to work on social capital issues with communities and offenders (Farrall 2002, 2004a; Farrall et al. 2010; McNeill and Maruna 2007; McNeill and Whyte 2007).

Expanding the last point a little further, Maruna et al. (2004a) suggest that the promotion of participation in generative activities, which serve to bolster and assist in sustaining desistance through a process of pro-social socialisation and identity change, might be assisted through increasing opportunities for participation in voluntary service or other opportunities to make a positive contribution to local communities. However, as McNeill and Maruna (2007: 236) observe, generativity is a two way process and ex-offenders' efforts to contribute need to be reciprocated by communities and society through recognition of those efforts and reinforcement of them. Looking at the experience of France, for example, being known as an ex-offender would lead to isolation and rejection from the community – because desisting offenders are expected to have become re-socialised into the community and so no longer talk about their previous offending status (Herzog-Evans 2010). Clearly, managing an identity as an ex-offender depends very much on community norms and what is seen as admirable in that culture. Farrall et al. (2010) have argued that currently, the social and cultural climate in England and Wales is not very supportive of either offenders or ex-offenders[24]. This would suggest that England and Wales may be becoming closer to the French cultural view of offending (keep it quiet if you've desisted) rather than the more American view (help others to desist by providing an example).

A challenge for probation services, more broadly, is, with their partner agencies and local government, to build communities which are desistance supportive, acting 'as partners in the process of sponsoring, supporting and sustaining rehabilitation' (McNeill and Maruna 2007: 237). Though it is clear that Probation Boards and more recently Trusts have, locally, been trying to do just that in terms of improving the climate for desistance, it is remarkable that there is absolutely no evaluation, as far as we can see, of their efforts and what works best. Desistance theory now strongly suggests that desistance needs individual effort and agency (on the part of offenders), support for individuals (on the part of family members, supervisors and relevant agencies), *and* structural support (in terms of there being work, education, validation as a proper member of society) (Farrall et al. 2010). It may be necessary to work actively to create that structural support.

These messages have had particular salience in those Anglophone jurisdictions within which 'what works?' initiatives have had the greatest impacts (see Raynor and Robinson, 2009). Such initiatives typically involve implementing risk-need assessment tools and related programmes (usually of a cognitive-behavioural nature) aimed at reducing reoffending. In England and Wales, attempts to implement this kind of approach represented a rehabilitation experiment on a grand scale but with somewhat disappointing results. Though the reasons for these results are complex and contested (see Raynor 2008, McNeill 2009), some have suggested that conceptual limitations underlie the 'what works?' model – at least as implemented in some jurisdictions (see Ward and Maruna 2007). Crucially, 'what works?' puts the intervention itself at the heart of the process of change. By way of contrast, desistance-based perspectives stress that the process of change exists before and beyond the intervention (McNeill 2006, 2009; Porporino, 2010). Interventions and programmes, in desistance-based perspectives, become an element of a process of supervision which is itself part of a wider enterprise called desistance. It has therefore been argued that thinking about supervision needs to be 'embedded' within an understanding of desistance (McNeill 2006) – and, more recently, that desistance itself is not the ultimate concern (McNeill and Weaver 2010). People do not simply desist, they desist *into* something. Desistance is perhaps best

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[24] For example, the recent means by which employers have been encouraged to ask new employees to provide recent Criminal Records Bureau check documents, even when the employment is not with vulnerable people or involves positions of trust in relation to finance etc. However, the recent Green Paper may mark a change in views on this, to help ex-offenders to seek employment, though no specific proposals are made (Ministry of Justice 2010).

understood as part of the individual's ongoing journey towards successful integration within the community.

In broad terms, these arguments suggest that quality in supervision should be understood in terms of the means by which and extent to which supervision provides effective support for the desistance journey. To borrow McNeill and Weaver's (2010) analogy, a good practitioner is a good trainer for and a good guide throughout that journey. It follows that 'quality' practice must also involve skilled and effective work to overcome the numerous obstacles that the offender is likely to face on that journey.

3.3 Social work, change and obstacles to change

Social work theory offers some suggestions – at least by implication – about the qualities of practice that might be required in order to overcome obstacles and support processes of change and development; indeed, social work both as an academic discipline and as a professional practice has placed a premium on understanding and supporting positive human development processes of all sorts (Aldgate, 2007). Social work theory and practice has also been influenced by ecological or systems theory and by its recognition of the importance of the interactions between 'systems' (such as individuals, families, peer groups, communities) in human development. As Specht and Vickery (1977) note, change in any one system may influence others to which it is relates; no single method or level of intervention is, necessarily, uniquely suited to bring about the desired change. Thus, the Department of Health's (DH, 2000) well-known assessment framework for children in need and their families encourages social workers to look not only at the needs (and deeds) of the child or young person, but at their interactions with their carers and with the wider world. Interestingly, the Good Lives Model for offender rehabilitation (Ward and Maruna, 2007) which has come to prominence recently is similarly rooted in developmental and ecological perspectives.

Social workers therefore, face difficult decisions in terms of targeting their interventions: when might it make most sense to target individuals, couples, families, groups or communities in order to support change processes or positive development; more realistically, how might one work *across* these systems to support change (McNeill, 1995)? It is in recognition of these sorts of interactions that Multi-Systemic Therapies have come to prominence.

Casework theories have long suggested that in order for change processes (like desistance) to occur, three conditions need to be present for those who are doing the changing – conditions that are both intra-personal and inter-personal in nature (see, for example, Ripple *et al*., 1964). People need *motivation* to change, *capacity* to be and to act differently and *opportunities* to do so. All three features need to be present for change to occur; all three are necessary conditions of change.

Identifying the need to work on motivation, capacity and opportunity sharpens the focus on the primary roles that the supervisor needs to fulfil if the desistance journey is to be supported. As the diagram below indicates, working on motivation implies a counselling role – and one that might well involve the deployment of motivational interviewing techniques. Working on developing the person's capacities or capabilities may also involve counselling, but it points to an educative function too – particularly perhaps with respect to problem solving abilities. Both motivation and capacity might be described as intra-personal domains of change (although the relational aspects of motivation should not be neglected) and as such might be considered as 'human capital' issues. As we noted above, many of the practice developments (particularly associated with cognitive behavioural programmes) triggered by 'what works?' research have sought to address these intra-personal domains of change (McNeill and Whyte, 2007).

Work on developing, accessing and exploiting positive opportunities suggests a more inter-personal focus – perhaps even a social work focus for work with offenders. It points workers towards an advocacy role, one which in the social work tradition is associated with positive action to address the inequalities and discrimination that might lie behind problem behaviours. In the discussions of the desistance literature in this section of the review, the term 'social

capital' is used to refer to the social networks and supports that underlie opportunities for change, but the intent is similar.

Figure 3. Three necessary conditions of change
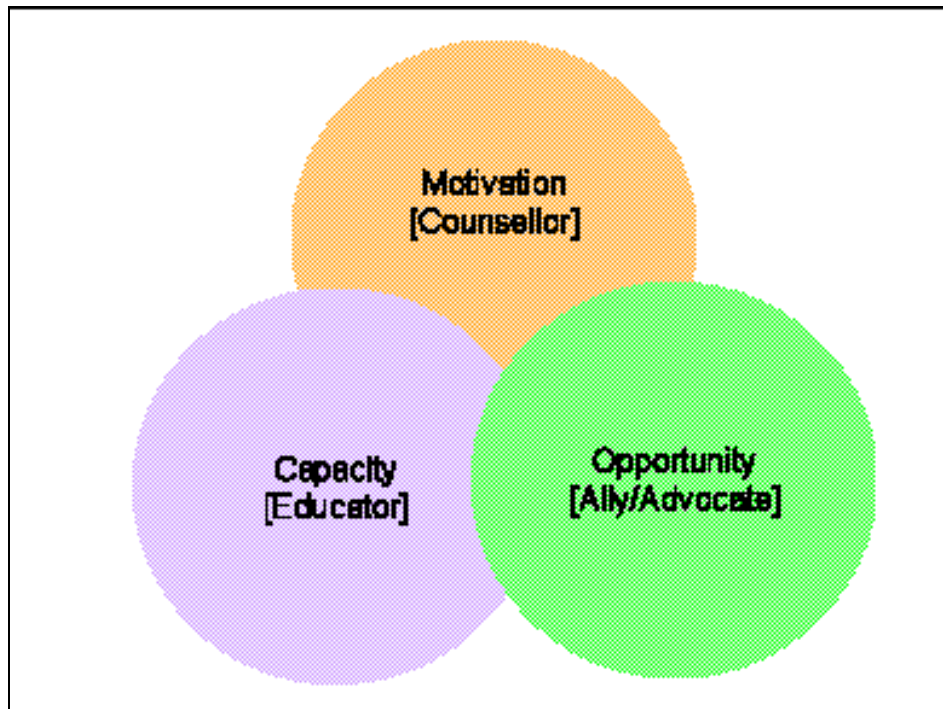
In an important paper based on reviewing their involvement in evaluating the resettlement pathfinders in the light of desistance research, Maguire and Raynor (2006) distinguish between voluntary sector-led resettlement projects more focused on 'welfare needs' and probation-led projects more focused on 'addressing offending behaviour'. The probation projects made use of the FOR programme which, over the course of 12 group and one individual sessions, aimed to encourage motivation and goal setting (using an approach based on motivational interviewing). The programme ended with a prison-based 'market-place' session where prisoners were introduced to representatives of agencies likely to be of practice value to them in their resettlement. Maguire and Raynor (2006: 30) sum up the programme's rationale as follows:

> 'The 'motivational' approach can be summed up as attempting to 'develop discrepancy', in other words promoting awareness of gaps between what prisoners want or aspire to be, and their current situations or behaviour. As people become aware of such gaps and are motivated to close them, work proceeds on setting achievable goals and developing concrete plans. The assumption is that prisoners will face obstacles on release, and will need motivation, resourcefulness and determination to overcome them even with the assistance of available support and services: motivated prisoners are likely to make more and better use of whatever help is available. The implications of this line of reasoning for our consideration of quality are again obvious.'

Maguire and Raynor (2006) report that the probation projects using the programme tended to fare better in terms of continuity of contact with prisoners post-release, as well as demonstrating higher levels of positive changes in attitudes, beliefs and self-reported problems; two of the probation projects also evidenced significantly lower reconviction rates. On the basis of these results, Maguire and Raynor (2006) suggest that the implicit 'opportunity deficit model' operated by the voluntary sector projects paid insufficient heed to supporting ex-prisoners to develop a more agentic life script; and that, by focusing on external factors, this model unwittingly reinforced the sense of powerlessness and fatalism associated with persistent offending. Developing the implications of their argument, Maguire and Raynor (2006: 31-2) suggest that the research findings:

'lend further support to the idea that rehabilitative services should address both opportunities and thinking: in other words, that they should aim to reinforce and support plausible 'narratives of desistance'. There may even be dangers in an exclusive focus on problems of access to resources and opportunities, as if crime were *nothing more than* a response to environmental difficulties: this may run the risk of reinforcing recidivist 'narratives' in which offenders cast themselves as victims of circumstance who cannot help re-offending' (Maguire and Raynor, 2006: 31-32).

Though this is a reasonable and measured conclusion, and one which supports the opportunity, capacity and motivation model outlined above, in the remainder of this section, we dwell deliberately on 'opportunity' issues, casting these as being concerned with tackling the practical obstacles to desistance that most persistent offenders face. In doing so, we aim to go some way towards remedying the neglect of such 'social' work in debates about 'what works?' and 'effective practice'. Indeed, the difficulties that we faced in finding studies that offered practical methods for addressing obstacles and social problems suggest that this aspect of quality in probation work is in urgent need of attention and development.

This was not always the case. In Drakeford and Vanstone's (1996) 'Beyond Offending Behaviour', published just as probation and social work were being divorced as a result of developments in penal policy, the editors argued that probation must retain a focus on the practical and social problems that probationers face. Charging each contributor to outline the key social systems (the criminal justice system; poverty, employment and training; housing; and health) that impact on the lives of offenders and the nature of their impact, the editors provide a commentary on each chapter which outlines how the negative impacts of these systems can be productively addressed by social welfare services. As they note at the outset:

'The general point that we make – that changes in people's lives can be best brought about when the circumstances in which they live are also changed for the better – applies to all forms of social work, not simply within the criminal justice system' (Drakeford and Vanstone, 1996: vii).

As well as drawing on ecological and developmental theories, social work as a discipline has always been about working on and with both people and their environments (as in Mary Richmond's (1917) development of 'social diagnosis'), and on the inter-relationships between private troubles and public issues (best reflected in the influential Barclay Report, 1982). There has been considerable debate and controversy within social work itself about precisely *how* to work on these inter-relationships; social work's concern with the amelioration of *individual* difficulties has sometimes been at odds with its developing focus on *social* justice. Howe (1987) usefully summarised social work theorists as falling into basically four camps on this question, two of which (the 'raisers of consciousness' and the 'revolutionaires') aspired to radical social change, and two of which (the interactionist 'seekers after meaning' and the traditional social work 'fixers') cast social work essentially as a form of regulation.

Whatever the broader ideological backdrop, social work's practice theories or techniques owe a great deal to the development of problem-solving approaches (Perlman, 1957) which, though psychodynamic in origin, emphasised tackling the presenting problems and the current difficulties that client faced (Payne, 1997). As psychodynamic approaches waned in their influence, problem solving ideas influenced both crisis intervention (which aims to disrupt the series of events which can disrupt 'normal' functioning) and task-centred work (which focuses on defined categories of problems, suggesting a process through which worker and client can identify, explore and understand problems, before detailing tasks required to be undertaken to overcome them). Although both of these approaches have been criticised for individualising social problems and failing to promote social change (Payne, 1997), they merit particular mention here partly because they were the methods most referred to by probation officers in the studies reviewed above.

More contemporary approaches to social work draw on social constructionist and post-modern theory. Influenced partly by solution-focused practice (de Shazer, 1985) and by strengths-based perspectives (Saleebey, 1992), constructive social work (Parton and

O'Byrne, 2000) rejects a focus on problems and deficits, preferring to enable service users to explore and develop their own narratives, to recognise their expertise (partly by analysing when and how they have successfully navigated difficulties in the past) in developing new solutions and in 're-storying' their lives. Though attempts have been made to apply such theories to work with offenders (Gorman et al., 2006), the influence of constructive social work on probation has been muted.

In some respects, the tensions between and debates about these theories and methods reflect the findings of those studies reviewed above which have explore the views of probation officers and probationers. These findings raise questions about whether there are significant differences in the 'working theories' that probation officers and probationers operationalise in seeking to tackle problems and behaviours (McNeill, 2000). The evidence suggests that probation officers, perhaps under the influence of 'what works?' and related policy developments, may have come to emphasise cognitive-behavioural approaches to prioritise *attitudinal/behaviour* change, whereas probationers remain concerned to address and resolve underlying *social* and *structural* problems which may (or may not) be directly linked to offending – though changes in these social and structural problems can themselves then create behavioural change[25]. A second complexity rests in differing views within and across the two groups about the extent to which probation officers should resolve problems *for* or *with* probationers, or should support probationers to resolve problems themselves. This is an issue to which we return below.

Returning to the question of quality, the main implications of this subsection are:

- constructions of quality in probation work need to include but extend beyond the traditional effective practice or 'what works?' focus on promoting attitudinal and behavioural change, extending into issues of opportunity

- drawing on social work theory, the range of methods by which one might seek to tackle obstacles to desistance is broad and contested. It follows that constructions of quality that aim to attend to tackling obstacles may well be similarly diverse, contested and individualised. On this basis, it might be suggested that practical measures of quality would need to be amenable to individualisation in order to adequately capture it, whilst quality practice to tackle obstacles may mean very different things to and different approaches with different offenders.

3.4 Overcoming practical obstacles

Offending, particularly persistent offending, is often accompanied by other lifestyle difficulties which may be obstacles to someone aiming to desist from crime (see for example Bottoms and Shapland 2011). These can range from living in a more deprived area where there may be fewer job opportunities or social resources, through lack of qualifications and training, to debt and inadequate housing. Quite apart from the criminal record itself, these present problems for someone who is aiming to acquire their income, perhaps for the first time, from legitimate sources and to settle down, find someone stable to live and bring up children. These are the aims of many offenders, even persistent offenders (Shapland and Bottoms forthcoming), but achieving them means often solving a whole set of problems which arise as soon as the offender tries to start living a non-criminal life in the community. Probation supervisors cannot solve all of these themselves, but it is important to know to what extent such problems arise for offenders and what we know about how best to support someone towards solving them.

There is surprisingly little literature which considers the extent to which these practical obstacles are evenly spread or clustered in the general population. If, for example, both

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[25]   An example here would be if offenders decide to desist, influenced perhaps by more prosocial family relationships or a new partner, they will also be very aware they need to change their everyday routines, so that they do not come so much into contact with friends with whom they have previously offended (see Bottoms and Shapland 2011). This does not, however, necessarily equate to any change in attitudes, given the surprisingly conventional attitudes of even persistent offenders (Shapland and Bottoms forthcoming).

offending and non-offending young adults suffered these difficulties to the same degree, we could take the results in relation to, for example, how to help those living in deprived areas into work and apply them to offenders. However, what evidence there is suggests that social problems are clustered around particular life occurrences. Genn et al. (1999), in the context of looking at legal need (potential need to use legal remedies) undertook a national survey of the general population in England and Wales of justiciable problems (problems which might require a legal solution or legal assistance) of an everyday kind. These problems included employment matters, property and housing difficulties, faulty goods and services, money problems/debt, relationship and family problems, accidents, medical treatment problems, discrimination, and immigration issues. Overall, about 40% of respondents had experienced one or more problems in the previous five years, but problems tended to be strongly clustered so that, for example, those experiencing employment problems were more likely to have money problems, consumer problems and problems to do with owning property. Divorce was related to family problems, child problems and money problems. So those who had one justiciable problem were far more likely to have that problem several times and to have a whole further set of other problems.[26]

What does the general population do about these justiciable problems? Only a minority tried to handle it alone (35%) or did not take any action to resolve the problem, after weighing up the possibilities (5%). Most tried to obtain advice about how to resolve the problem (60%). However, people varied considerably in their reactions to these problems. A few were self-helpers, but most felt they needed help, though many gave up trying to get that help, sometimes because they could not access or did not know where to find sources of advice, sometimes because of previous negative experiences of those agencies, and sometimes because of feelings of powerlessness about certain types of problem. Some felt they were being sent by potential advice givers constantly to others, never finding the right person ('I didn't actually seem to ever talk to anybody who actually knew what they were talking about' (1999: 77); some 'explained the futility of being told to write letters or make telephone calls when they felt that they lacked the necessary confidence, vocabulary, and basic knowledge about rights and remedies' (1999: 99). Others felt overwhelmed by the scale of the problems and, rather than wishing to be empowered to take decisions, just hoped that a white knight would ride up, take over the problems and solve them for them: 'they did not want to be *empowered*, they wanted to be saved' (1999: 100, italics in text). It is important to recognise that sometimes the person who has the problem can solve it themselves once given the right advice; sometimes, however, there is a need for someone else to take over the problem and deal with it, at least until a new stage is reached – someone else needs to make the difficult phone call or write the difficult letter. Moorhead et al. (2006) also emphasise that if there are multiple social problems, there needs to be co-ordinated management of these problems. They found that whilst sometimes empowering clients worked well and gave clients confidence and information necessary to take more control of their lives, often clients became confused by the instructions they were given and 'left problems to fester or escalate as a result. Clients coping with years of social exclusion or dramatic worsening in their health or lifestyle and poor levels of educational attainment and self-esteem are often ill-equipped to deal with complex bureaucracies' (2006: iii).

Applying these findings to offenders, it is important to realise that offenders tend to be people with both multiple social problems to be solved over the course of a community order or licence, and also people with potentially negative previous reactions to the kinds of agencies and professionals who would normally be sought out by the general population to obtain advice (solicitors, CABx, legal advice centres, police). The professionals who solve these kinds of problems are the professionals previously encountered in relation to crime. Though this may be stretching the links across research areas, it is also the case that the professionals who advise defendants on criminal offences tend to encourage a more passive and compliant attitude amongst their offender clients – managing their expectations, trying to stop offenders from taking initiatives in their case themselves, suggesting that offenders do not speak up for themselves in court (McConville et al. 1994; Shapland 1981; Bottoms and McClean 1976). There is quite a disparity between the self-helping, problem-solving,

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[26] Very similar results were found in a similar survey in Scotland (Genn et al. 2001). Looking at housing, benefits and debt only, Moorhead et al. (2006) found considerable clustering of problems brought to CABx, local authority advice centres and solicitors.

empowered offenders whom probation staff would like to see trying to resolve their social problems themselves, and the dependent, submissive, silent offenders encouraged within the trial process itself. It is asking offenders to act very differently at different stages of criminal justice.

3.4.1 Different ways of referring people to sources of help

In this context, it is helpful to bring in Moorhead's distinctions between different ways of referring people to sources of help (Moorhead and Sherr 2003). Again, this is work done in the context of justiciable problems and legal advice agencies. If an advisor (such as, for example, a volunteer in a CAB or a probation supervisor) does not feel capable of resolving a client's problems in a particular area themselves, because they have inadequate specialist expertise or time/funds to do so, then they can 'signpost' the client to another agency or they can 'refer' the client to the other agency. Signposting is literally that: the client is told where the agency is and that that is where they should go. Making the appointment with the other agency is up to the client. Referral, on the other hand, involves the original advisor contacting the other agency themselves and ensuring an appointment is made for the client with a named person and that the client is aware of where to go and how to get there. Referral also often means that the original advisor talks a little about the nature of the client's problem, so that the client is spared telling the whole story again and so that the second agency has agreed it may be capable of dealing with the problem. There are potentially intermediate distinctions between signposting and referral – in our current research for NOMS, for example, a probation supervisor described how she would persuade reluctant offenders to make appointments themselves on the telephone whilst she was present, so that she could prompt them if they were not providing all the information necessary, or just be there to provide support. In terms of helping offenders to surmount practical obstacles, quite a number of which may be challenging or linked to other obstacles, we can see a continuum of potential approaches for the probation supervisor, from solving the problem themselves, through referral to a more specialist source of advice or agency, to signposting the offender to another agency, to simply offering general advice of the kind of way the offender might go. The continuum is one which embodies who controls the solution, what part the offender plays, and how much support is given.

There are separate literatures on each type of practical problem likely to be faced by those trying to desist, including drug problems, accommodation, employment, skills deficits, alcohol problems etc. Given the OASys analysis of what problems offenders in England and Wales seem currently to be facing (Table 2 above) and the presence of good reviews of substance abuse programmes, we have focused below on two main problem areas, housing and homelessness, and employment, training and skills deficits.

3.4.2 Helping with homelessness and inappropriate housing

Though homelessness and inappropriate housing figure highly as correlates of offending in adult offenders, there has been relatively little research on how to help offenders find suitable housing. Much of the existing research stems from the US, where there has been major investment in resettlement programmes ('reentry programs') from custodial institutions, given the extent of the custodial population and the burden on deprived local communities of dealing with a high rate of release into those communities. There is some research from Australia and a small amount from England and Ireland. What is very clear from all the research, however, is that different offenders tend to have different housing needs in terms of support and the presence of mental health and other health issues – and that the combination, in all countries, of state supported, voluntary sector and private housing/hostels makes for a very complicated housing market, one which is complex for both offenders and probation staff to navigate.

In the US, the major studies by the Urban Institute show that released prisoners tend to return to disadvantaged communities (Gouvis Roman and Travis 2004), with most recidivism occurring in the first year after release (Langan and Levin 2002). Many released prisoners looked to family members to accommodate them in the early days after release, but this was not an option for all and many soon moved out. An evaluation of the SVORI re-entry

programme found that in prison, prisoners were not necessarily provided with much help early enough before release to make sure that deposits were found etc., even though 13% had been homeless or staying in a shelter prior to incarceration (Lattimore et al. 2009).

The absence of much help with accommodation before release seems to be a finding common to several parts of the US and different countries (Lattimore et al. 2009; Bucklen and Zajac 2009 re Pennsylvania; Baldry et al. 2002 re Australia; Lewis et al. 2007 re England and Wales). The evaluation by Lewis et al. (2007) of the Pathfinder programmes in England and Wales, for example, indicated that, though accommodation was a criminogenic need for 40% of the sample and prison workers saw accommodation as the highest need for intervention for 32%, it seemed difficult to make the prison-community links required to sort these practical issues. The assessment of problems also tended to vary with the priorities of the workers making the assessment, with voluntary schemes giving priority to accommodation, whilst probation staff also saw drugs misuse, thinking skills, employment, and education and training as major needs. Offenders themselves saw benefit in practical assistance coupled with support and someone to talk to about problems and progress and welcomed working with project staff or volunteer mentors on this.

The findings from different countries are not necessarily what one might expect in terms of accommodation. Though strong correlations between homelessness and offending occur in all homeless populations studied (together with a high rate of victimisation) (Australian Institute of Criminology 2008; Social Exclusion Task Force 2002), finding accommodation does not always seem to lead to better compliance with supervision for the bulk of those released. So, for example, Bucklen and Zajac (2009) in a major evaluation of resettlement in Pennsylvania found that those who violated parole did not seem to have more housing problems than those who did not. Those who succeeded on parole were more likely to have social support (lived with a partner with whom they had a good relationship), but finding a place to live per se was not predictive of success. However, they also found that finding a place to live was not difficult for those released from prison – the local housing market seemed to have elasticity in both publicly funded and private sectors. Clearly, if the housing market is less tolerant and more releasees are forced into shelters or the streets, the position may be different.

So, for example, in Australia, Baldry et al. (2002) found that though most releasees expected to live with family after release, three months afterwards they tended to be living alone, staying on friends' floors, in hostels or be homeless. The family option did not work out for most after a few days. Gouvis Roman and Travis (2004) found a similar pattern in the US, with releasees spending the first night or a few nights with family, but then ending up within shelters in the large cities. This suggests that it may be important not only to address accommodation issues within prison before release, but to ensure that support is available to deal with expectations not working out in the first few days after release.

This is compatible with an analysis of unpublished data from OASys for England and Wales in 2001, covering one year after release, which suggests those with severe accommodation problems were 20% more likely to be reconvicted compared to those in stable accommodation (Social Exclusion Unit 2002 - though of course this is not a causal connection and both reoffending and homelessness may have been due to a third factor). What is clear from the same report is that imprisonment can have major negative effects on the likelihood of finding suitable accommodation on release: being sent to prison means people are likely not to be able to afford to keep up payments for accommodation or give landlords the notice required to prevent eviction and, sometimes, destruction of their belongings. The Home Office Resettlement Survey 2001 (cited in Social Exclusion Unit 2002) found that about a third of prisoners leaving prison said they had nowhere to stay.

The literature on supervision and accommodation is even more patchy than that on housing difficulties per se. The US evaluation by Bucklen and Zajac (2009), however, pointed up a major characteristic of parole violators compared to those who succeeded on parole: the parole violators failed to use resources to aid them in solving the problems they did encounter. They were not good at solving problems and, if things became difficult, they were likely impulsively to return to old habits and acquaintances – and to offending. So, half the

parole violators said that they did not consider alternatives to the sequence of events that led to their parole violation and 40% said that they reached a point before their violation where they felt they were not in control any more.

A failure to ask for help from official sources was also noted in the Sheffield Desistance Study (Shapland and Bottoms 2010). The young adult male offenders in that study did not, in general, see their probation supervisor as someone to ask for help if they did have practical difficulties in relation to accommodation (or debt or employment). Only 2% mentioned that they would take such matters to their supervisor. Those that did mention practical problems were in fact pleasantly astonished that supervisors managed to achieve a positive result in half the cases in which they were told of practical problems.

Seymour and Costello (2005), looking at progression routes for homeless persons in Dublin, suggest that both offenders and supervisors found it very hard to carry out supervision whilst offenders were homeless. Probation and Welfare Officers found it difficult simply to track homeless offenders; found case supervision being dominated by crisis intervention work with little or no opportunity to focus on offending; and themselves found it difficult to access accommodation for homeless clients and to maintain clients in such placements. Officers felt that homeless offenders wanted to engage with them and with supervision, but were being prevented by the issues surrounding their homelessness and difficulties in contacting them (such as appointment cards needing to be sent out many days in advance in the hope that offenders would receive them or go by a hostel and collect mail). Offenders themselves echoed many of the same themes. Partly all these difficulties were because of the complicated nexus of problems many homeless offenders had, including drug abuse and mental and physical health issues. Partly, it was to do with the difficult housing market and the substandard nature of housing available. Partly, however, they reflected the need for specialist skills both to find accommodation in difficult housing markets and to maintain offenders in it. Officers saw themselves as needing to be intermediaries between the housing services and their clients, explaining the client to the service, and interpreting the service for the client, saying what they had to do to access a place and why they had to do it.

The FOR-HOME study in London, Nottingham and Yorkshire has looked at the difficulties in stabilising the homeless in accommodation, with their population including a considerable number of offenders and with 63% having suffered from mental health problems, 33% from alcohol problems and 56% having used illegal drugs in the last five years (Warnes et al. 2010a). The study looked longitudinally at single homeless people aged 16 or over moving to independent accommodation where the person would be responsible for their own finances. The study is still ongoing, with data from the 18 month stage available. 86% were settled into social housing (mostly local authority outside London, housing association in London) – those who went to privately owned accommodation reported more problems. Six months after being rehoused, 87% still remained in the resettlement accommodation, despite having low and extremely variable incomes. Almost three-fifths experienced problems with budgeting and managing financially, with significant associations with having had previous problems and anticipating having such problems. The researchers conclude that it is possible to rehouse single homeless people and that the emerging consensus in Europe and North America is that it is best to do so into mainstream accommodation with security of tenure, rather than into extended stays in hostels and shelters. However, the adjustment to living independently rather than in supported accommodation is far from easy and support from homelessness organisations to find accommodation, set up tenancies and arrange utilities is essential. Under half received advice or training about managing money – and many did not think they would need it – but they subsequently discovered that they needed help on debt and management of money. Few homelessness organisations appear to offer financial advice to clients.

The kind of support received by the FOR-HOME clients varied considerably, with homelessness sector organisations and social housing providers providing most support, but resources being very stretched and caseloads high (Crane et al. 2010). Tenancy support workers assessed client needs and provided individualised advice, help and support to around half the resettled homeless, primarily in relation to social security claims and sorting

out rent and utility payments and arrears[27]. This is specialised work, which probably could not be done by probation staff, and clients perceived that it was advisors' specialised expertise which helped – clients themselves felt utilities particularly would not listen to them. Tenancy support workers, however, also often provided support I relation to personal problems and also helped a quarter with employment – both of which were much appreciated by clients (echoing the US experience reported above). Other help was acquired from key workers or staff from previous hostels or housing projects, again appreciated. Probation staff were rarely mentioned.

The rather diverse literature on housing difficulties suggests a number of elements in relation to offending and accommodation:

- Finding some accommodation is not a major problem for most offenders, nor even most releasees from prison (except for those in prison for a considerable time). Those who have taken a decision to desist from persistent offending, though, may need to move away from where they have lived before (and their previous associates) and this is likely to require assistance

- There seems to be a lack of suitable pre-release discussion and help with accommodation and difficulty in making prison-community links with some parts of the housing market, exacerbated if it is not clear when release will take place

- Prisoners are likely to have over-optimistic views of their accommodation possibilities on release and how long they may be able to stay there, so support is important not only pre-release but for some weeks after release

- Though only a minority of offenders are homeless and living on the streets or in shelters, for them homelessness is a major problem and is linked to difficulties in supervision, inability to access other practical resources (medical help), and lack of energy and time to address other criminogenic needs. For the homeless, sorting accommodation during supervision is a major priority, almost certainly *the* priority, given that access to medical and social support depends largely on having a settled address. Those who are rehoused from homelessness are likely to need specialist help setting up home and with financial matters particularly over the initial period, but for some on a continuing basis

- Offenders are not necessarily accustomed to seeking help from outside agencies for their practical problems, nor are they usually well-equipped with problem-solving skills. Those who are likely to fail to comply with supervision are equally likely to fail to cope with accommodation difficulties or other sudden practical difficulties. Ongoing supervision/mentoring is important for supervisors to be aware of practical problems arising and to intervene to ensure they do not lead to a return to offending

- Advice on housing availability, debts and financial management requires specialist knowledge, given the complex housing markets and social security systems in England and Wales. Probation staff cannot achieve this themselves, but they do need to be aware of local homelessness, tenancy support and financial advice agencies and may need to take proactive action to put offenders into touch with such agencies

- If local housing markets are difficult, with shortage of good, short-term accommodation, then supervisors are likely to have both to 'sell' the offender to providers and to 'sell' the housing to the offender.

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[27] A higher proportion of those rehoused expected such help (69% in London and 74% outside London), similar to the findings about expecting help with accommodation when about to be released amongst those in prison in other studies.

3.4.3 Helping with education, training and employment (ETE) deficits

As with homelessness and housing needs, unemployment (in many cases related to learning and skills deficits) is identified in many studies as being related to offending. It has also been found that it is not just those who have been released from prison who face problems when seeking employment, rather it is a problem for most people with unspent convictions (Metcalf et al. 2001). Work on this topic has been carried out in both the UK and the US, but with the exception of Australia, there is little from elsewhere. Findings from both sides of the Atlantic have some similarities, in that in all cases employment is seen as an important route away from offending, which has impacts for the life of the individual and those close to them (Needles 1996; Department for Education and Skills 2005; Graffam et al. 2008). In the US however, there are also seen to be wider economic implications of offender unemployment for the country as a whole - in 1997, 1.2% of the country's potential labour force was incarcerated, and this percentage has grown since then (Solomon et al. 2004). It is therefore suggested that in the US there is an economic benefit for the country as a whole (above and beyond reductions to the welfare bill), in improving the employment of prisoners.

Whilst there have been many studies which theorise or examine the relationships between employment and offending, there are few reports which empirically evaluate the success of particular initiatives and approaches and could be taken as pointers to how probation staff might facilitate service users obtaining employment. In the UK context the Department for Work and Pensions (DWP) have attempted to undertake this, as will be outlined below, but rapidly rising unemployment figures within the general population have led to the failure of some programmes (Atkinson et al. 2010).

As outlined previously by Crow (2006), in the UK offenders have high levels of unemployment (particularly long term unemployment) compared to the general population, and in many cases this is linked to learning and skills deficits. As shown in Table 2 (in section 1.2 above), 53.9% of offenders in the 2008 OASys sample were assessed as having employment needs. In Nottinghamshire based research completed in 1999/2000, in 63% of cases employment was identified as a need by probation staff, however, the percentage of probationers themselves identifying this as a need was much lower (4% in PSR interviews, 11% in initial assessments: Beaumont et al. 2001). This study describes an important distinction which is sometimes missed when looking at the importance of ETE in a probation context: that between problems and needs and whether it is the probationer or the officer who describes unemployment as either.

To illustrate this in a little more detail, Beaumont et al.'s study was commissioned to examine how well Nottinghamshire Probation Service met offenders' needs. There were four main elements: a qualitative survey of offenders (n=105); a small survey of partnership staff (13 from 8 agencies) an interview survey of probation staff; and quantitative analysis of ACE data[28]. Respondents were asked what extra help and services the probation service could give them, including closer links to training courses, more skills training (e.g. driving skills) and more help with securing jobs, rather than generic employment training. Working could be seen as a need or as a problem. Needs, to Beaumont et al., are things that people require to help them get on with life, such as an increased income, access to education, training and employment. Problems are things 'which offenders need some assistance with (such as substance misuse; difficulties in personal and family relationships; emotional difficulties ...) … the need in such cases is for some change which helps to alleviate the problem' (Beaumont, et al. 2001:17).

When viewed this way, employment can be seen as a need which if fulfilled will help the offender solve some potential problems of other kinds. Offenders may not identify unemployment as a problem, in the same way as they may identify homelessness, but may well define it as a need, so as a means to an end – that end being a more stable life where they have an income and a stable social situation. Viewing employment as a need rather than unemployment as a problem is something which is evident in earlier reviews of offending and employment, including Crow (2006), Robinson and Crow (2009), and Harper and Chitty

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[28] ACE is an Assessment, Case management and Evaluation tool and was a precursor to OASys.

(2004). As the desistance literature also suggests (e.g. Laub and Sampson 2003; Uggen 1999), ETE does not exist in isolation, but instead having work brings about stability in life in general as long as the work itself is stable and rewarding. In a study for the Urban Institute in the US Solomon et al. (2004) suggest that as well as providing the individual with stability and financial rewards employment also is symbolic of change within a person towards a more prosocial lifestyle, which sends out a powerful message to the wider world.

Crow (2006) examines learning and skills separately to employment, and notes that in recent years there has been an increase in the skills needed to do most jobs and that 'good' (i.e. stable and rewarding) jobs are increasingly likely to require some kind of training and qualifications (see also Farrall et al. 2010). This is echoed across the Atlantic, where, in a rather different political context, it is suggested that many of the blue collar unskilled labouring jobs that were undertaken by released prisoners are now undertaken by migrant workers (Solomon et al. 2004).

As well as being understood as a problem, or a need, (un)employment is also currently conceptualised as an 'obstacle to desistance' including by Farrall (2002: 161) who noted that 'reports of having overcome employment and family obstacles were associated with desistance'[29]. He examined whether it was the offender or the probation officer who identified the solutions to the obstacle, and how much assistance the probation officer had given the offender. He found that solutions were far more likely to be suggested by the offender than the officer (although small numbers meant results were not statistically significant). However, when the amount of help given by the officer was examined, when some/a lot of help was given the obstacle was overcome in 72% (n=21) cases as opposed to 58 % (n=26) when the offender had been offered little / no help. This suggests that probation's main role in these cases was to support offenders in overcoming obstacles that they had decided to tackle. No mention is made of any changes in intentions and motivation which may have been made during the process of probation which may have led the probationer to make positive decisions regarding employment and family.

Offender attitude and motivation has been cited as an obstacle to offenders gaining employment. In work done in Australia it is suggested there is a tendency to focus on getting a job as being a singular entity, and hence that not having a job is seen by offenders as a complete failure (Graffam et al. 2008). Instead the authors argue that there needs to be more recognition that, as with overcoming addiction, gaining a 'good' job should be seen as a series of small steps. They suggest that 'Progress must be understood and managed in terms of small steps. In general training should begin with short courses that should provide tangible outcomes such as certificate and licenses ... Employment too should be approached with an expectation of gradual progress' (2008: 683). It is therefore important for probation staff to work with offenders to help them understand that gaining employment is a process rather than a singular event. This finding is echoed by Hartfree et al (2008: 88) who conclude that:

> 'To improve the employability of ex-prisoners, it is clear that more support is needed to help them understand the reality of their position in the labour market – in particular how to cope with or avoid multiple moves in and out of work during a relatively short period of time, how to accept that they may need to take jobs that they do not wish to do as part of a return to work plan, how to disclose criminal records to potential employers and how to seek support from relevant agencies'.

A recent PhD study by Grommon (2010) in the US examined how housing and employment dimensions influenced drug treatment and criminal behaviour in a sample of 511 male substance misusers serving 2 year supervision orders, with a high risk of recidivism. He examined the effect of employment stability (number of months employed) and discovered a negative correlation between this and relapse and re-incarceration. In other words, someone in stable employment is less likely to relapse, or be re-incarcerated.

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[29] In this study, employment and family obstacles were amalgamated as one variable, because of the low numbers of problems of each type of problem uncovered, given a large cohort of offenders were interviewed on multiple occasions.

One reason why attaining employment is difficult for ex-offenders is that companies are often unwilling to employ offenders: 'institutions appear to take a narrower, more pessimistic view of the connections between...past actions and longer term potential' (Caddick 1994:458, see also Varghese et al. 2009; Gurmu and Smith 2006; Graffam et al. 2008; Shinkfield and Graffam 2009). The following section examines ways in which this can be overcome.

First, it is suggested in both the US and the UK that the way that job application forms are currently structured leads to *de facto* discrimination of people with criminal records and thus a marginalisation of this group (Metcalf et al. 2001; Kellard et al. 2004; Henry and Jacobs 2007; Henry 2008). Henry and Jacobs (2007) suggest that this leads to the wholesale removal of a group from the labour market, and that whilst there are specific roles that specific offenders should be excluded from, this is not a desirable outcome. In their short paper they report on the 'ban the box' campaign in America, which removes the legal need to disclose offences on initial job applications. In 2007 when this report was written, some cities, including Boston, San Francisco and Minneapolis had agreed to this rule. More recently, this has been made law for public employers in Connecticut and New Mexico and public and private employers in Massachusetts. Initial results are promising with the states having recidivism rates lower than the national average. However this should be treated with caution, as it is unclear how high these states' recidivism rates were before the law was enacted (Cooper 2010). The need for changes to be made to disclosure practices has also been highlighted by the DWP in the UK where Metcalf et al (2001:4) investigate the 'widespread and indiscriminate rejection' of those with criminal records. They suggest that in the UK criminal record disclosure should come after the short-listing process, as this would remove initial discrimination of those seeking to return to the labour market.

It might be thought that self-employment might be a relevant option for those with a criminal record – and of course this does obviate the more formal checks by employers. However, self-employment requires skills and abilities in managing budgets and finding orders/work, which offenders and particularly ex-prisoners seldom have without training. It usually also requires a network of contacts, for plant, customers and services (printing etc.). Again, probation officers may be able to facilitate some of this by pointing service users in the right direction, though family connections, together sometimes with faith or community connections, are often the most helpful (Calverley 2011).

Most research which has examined the work of the probation service in improving the employment prospects for offenders has been in the form of evaluations of specific projects. The only study to evaluate the work of the service as a whole in this field is Bridges (1998), who examined 739 case files, to see whether Employment Interventions (EIs) had been carried out, either by probation staff or commissioned providers. He discovered that those who had EIs were twice as likely to be employed at the end of their licence than those who had not (40% vs 20 %), and this was true of interventions delievered in and out of house. He suggested that whilst there were some barriers to employment encountered, such as high unemployment, poor offender motivation, and other factors related to the offender's lifestyle, these should not be viewed as a reason not to carry out an EI. For all those offenders with barriers, in all categories of barriers, their end employment rates were double for those who had participated in an EI compared to those in similar situations who had not. He instead suggests that the main barrier to the probation service tackling employment needs is the attitudes and motivation of probation staff.

The following section summarises initiatives that have taken place in order to improve offenders' entry into the labour market. It should be noted that many of these focus particularly on released prisoners rather than offenders on community sentences – and their outcomes depend considerably on the overall economic situation of the country at the time.

The 'New Careers' experiment was run in Southwest England from the 1970s until 1992 and started with the aim of keeping young male offenders from Borstal (Caddick 1994). The approach taken was to steer offenders into a particular line of work, 'human services' and therefore assist others from troubled backgrounds. It contrasted with the 'exclusively menial and arduous' labour of community service in that it had the 'aim of providing practical experiences which were humanitarian in kind and affirmative in purpose' (Caddick 1994:450-

451). Of the first cohort reconviction rates were lower than those of Borstal leavers and a number started to work in social care positions including care assistants, play leaders and resident worker posts. However, in the longer term it was only 5% of participants who obtained jobs in the social care professions, and reconviction rates are not available.

Exit to Work was undertaken with the support of the DWP and was aimed at providing job opportunities through more effective engagement with employers (Atkinson et al. 2010). In six urban areas in England 'Job Developers' were hired to work in partnership with key agencies such as prison and probation services, Jobcentre Plus and OLASS (Offender Learning and Skills Service) to match individual offenders with jobs and work with employers who were willing to employ offenders. The workers provided employers with pre and post placement support in order to do this. Unfortunately, this pilot was started at a time of economic boom, and ended in recession, so no evaluation was able to be made in terms of how effective this scheme would have been at a time of economic stability.

The Centre for Employment Opportunities Prisoner Re-entry Program is run in New York and an evaluation was undertaken which focussed on ex-prisoners who were referred to the programme by parole officers (Bloom et al. 2007). On this programme the CEO runs a four day 'job readiness' course and then the individuals have temporary placements in minimum wage jobs contracted to state agencies. After this they are helped to find permanent jobs and given help towards retraining. Some 1,000 participants were included in the evaluation, with half following the CEO programme and the other half being just given assistance searching for work. In year 1 of the evaluation it was found that the CEO group were more likely to be in UI (Unemployment Insured) employment than those who were not, but by the end of year 1 this was similar for both groups. Also by the end of year 1 there were small but statistically significant decreases in recidivism for CEO participants compared to the control sample. Those prisoners who entered the programme within 3 months of release were significantly less likely to be recalled, convicted or reincarcerated, compared to those who entered more than 3 months post release. This therefore suggests that it is important to engage participants as soon as possible on programmes which commence post release from prison, although in an earlier review Bloom (2006) suggests that the most promising re-entry models provide co-ordinated services both before and after inmates are released.

In the context of co-ordinated services Bloom (2006) makes mention of work release, where inmates are released to a work placement, and found that, in a Washington based programme, arrests during this time were rare, although later reoffending rates were no different to other programmes. More positively, however, he describes a Texas based initiative, Project RIO (Re-Integration of Offenders), which provided pre and post release support. Prior to release prisoners are helped with official documents; learn interview and life skills and made an employment plan. Post-release they received employment help. It was found that RIO participants were more likely than non-participants to work, and there was a decline in rearrest and reincarceration levels amongst high risk offenders on the programme compared to non-participants.

Keeping Young People Engaged (KYPE) was run in 2002 in the UK to provide ETE services for all young offenders (Cooper et al. 2007). It was evaluated to examine the effectiveness of the resource in placing young offenders in ETE, assessing key approaches and practices to determine 'what works'. 81 interviews were carried out with staff members from partnership areas: their key priorities were setting up inter-agency working structures, recruiting and training staff, and establishing clear roles and practices within organisations. The short timeframe and a lack of resources (such as space) were seen as the main barriers to setting up a good programme(s). Managers of YOTs and YOIs were also interviewed (N=22). One thing that was described as particularly helpful was the development of 'transition documents' which could be accessed and updated both by custody and community staff. This helped with a joined-up approach to working with young people and ensuring that everyone was up to date regarding their current situation. Managers also noted that the flexibility of funding of KYPE was beneficial as it enabled them to deal with whichever needs were particular to their areas. This meant that the limited resource could be specifically targeted.

In 1997, two ETE schemes were initiated to work with probationers, funded for 3 years with the aims of increasing the employability of offenders, and reducing the rate and severity of reoffending (Sarno et al 2000). The ASSET (Advice and Support Services for Education and Training) was based in Lambeth and Southwark and concentrated on 16-25 year olds. It had the particular aim of providing ethnic minority offenders (especially black offenders) with skills and work experience. The project provided 1-1 for offenders through project staff, who complemented the work of probation officers. Vocational training was offered in 'hotel and catering', 'construction', 'office skills' and 'retail': success in these was mixed, with office skills and catering only providing 5 NVQ starts. Mentoring was also trialled, however there was low take-up from clients, perhaps as they already had so many authority figures involved in their lives by this point. Evaluation revealed that this programme only had limited success in aiding participants to find employment, and only 17 of the 748 participants left the scheme with a qualification. There was a difference in reconviction rates after one year between participants (43%) and those who were referred but did not attend (56%) and participants were also slower to reoffend. As well as examining quantitative measures of success, evaluators also interviewed offenders and workers on the scheme. The majority of offenders had found the scheme very helpful, and felt supported by the workers of the scheme. This is in contrast to staff who felt that the scheme had been poorly managed, particularly during the early stages of the project. Indeed one important lesson from this scheme is that it is important to have a clear strategy at the start or else the success of the scheme is compromised for the duration.

The Surrey Springboard project worked with offenders of all ages. It aimed to address the employability of offenders, focussing particularly on using social businesses, and empowering individuals. As well as working with individuals who had been referred by the probation service it also worked with those who had 'lifestyles which may lead them into offending' (Sarno et al 2000:6). Participants were assessed by 'Development Officers', who either referred them to external services or those provided by Springboard. Practical help was also offered in the form of things like bicycles for attending work – these were reconditioned as part of a re-cycling scheme operated by the project which also provided work experience for participants. After one year 32% of Springboard participants were reconvicted, but no control group was available, so it is difficult to judge this in terms of 'success'. It is also hard to gain a picture of how many participants gained a job as a direct result of Springboard, however, when soft targets such as help with cv writing, training and increased confidence were examined, it appeared that there was a lot of success. Interviews with both staff and participants suggested that the programme started to work better in later years as it became more established. It was remarked by the evaluators that schemes like the Surrey Springboard and the ASSET are more likely to produce good outcomes if they are allowed to run interrupted for a few years, rather than working with the threat of funding cuts and programmes ending.

PS Plus was another programme, run between 2002 and 2008 in the UK, which focussed on bridging the gap between prison and employment and working to provide offenders with the necessary skills for (re)entering the labour market (Cole et al. 2007). It aimed to help offenders find suitable housing and employment. As well as the 'hard outcome' of employment, PS plus also worked with 'hard to help' individuals to offer 'softer' outcomes such as improved confidence, motivation and qualifications. In later phases of the project an 'employment brokerage' centre was used to link up offenders with possible employers. In total 77,408 people participated in this scheme, of these 4,960 gained employment as a direct result of the scheme and almost 7,000 qualifications were gained. Softer outcomes such as receiving CV assistance, advice being given on disclosure, accommodation being secured and attending interviews were also measured (PSPLUS 2008).

It has been suggested in several schemes that the role of a probation officer (or similar official) as an advocate for the offender is potentially important. This was undertaken in the Exit to Work programme described above. Pleace and Minton (2009) looked at delivery of PSA 16 for offenders on probation in six probation areas in England and Wales. They recommend that sometimes it is necessary for someone to explain to potential employers the personal qualities of a client which make them employable for that particular job and that this, coupled with managed disclosure of the record can lead to better outcomes for the offender.

The work undertaken by the DWP on getting offenders into employment in England and Wales suggests that the pathway to employment is made easier when agencies are able to share data on individuals facing multiple barriers to work (Pleace and Breatherton 2006). Although potential problems (such as inaccuracy, oversimplification and labelling of individuals across agencies) are outlined, it is felt that a detailed longitudinal dataset would allow for better targeting of services.

Key messages from this section are:

- When offenders are asked what problems they may face, unemployment may be under reported, however, when reconceptualised as a need, it is apparent that stable employment is key to individuals being able to lead stable lives.

- Gaining employment should not be seen as a single event, instead it should be seen as a process – a series of small steps towards an eventual goal of having a good job. This should be presented to offenders as such, in order to create and maintain motivation. Probation staff can assist in encouraging both those released from prison and those on community sentences to be realistic about these small steps. It is also important to take this into account when evaluating the success of a programme, especially during times of high unemployment nationally.

- The most successful programmes for getting prisoners back into employment are those which co-ordinate work in and out of prison. This may require information to be shared between agencies.

- When programmes only start post release from prison, it is important that the individual is engaged as soon as possible post release.

- Probation staff can act as advocates to employers for their supervisees, explaining how they would be particularly suitable for specific jobs, as well as putting others in touch with relevant employment schemes and self-employment training.

3.5 Creating social support

Overcoming practical obstacles in relation to employment, accommodation, debt etc. often requires the person to seek out and acquire help. In some of these fields, as we have seen, it may mean specialised help from agencies who provide debt counselling, accommodation support etc. Offenders, particularly more persistent offenders who have spent time in prison, however, rarely have either the social capital or human capital to undertake all this entirely by themselves. The question is then whether probation staff can act as agents to improve offenders' social capital and so help them to access the people and community resources they require to surmount criminogenic obstacles – whether quality probation work includes acting as that social bridge.

Here, we are taking human capital to refer to the skills and knowledge the offender possesses which will enable him or her both to access these agencies and communicate effectively with them, and also the skills and knowledge which will facilitate acquiring a job/accommodation/training (Coleman 1988). The Sheffield Desistance Study, for example, found that most of the offenders followed in that longitudinal research had few qualifications from school and almost all had been excluded from school for periods (Bottoms and Shapland 2011). A majority of the offenders who undertook an OASys assessment nationally in 2008 (OASys Data Evaluation and Analysis Team 2009) showed Employment, Training and Education criminogenic needs (Table 2 above). We have described above how probation staff may facilitate the acquisition of human capital by service users through referral in relation to training.

Social capital refers to the network of contacts, friendships, family, acquaintances and community people whom the individual can access and which facilitate social action by generating a 'knowledge and sense of obligation, expectations, trustworthiness, information

channels, norms and sanctions' (Hagan and McCarthy 1997: 229) – in other words which facilitates offenders being able to make things happen. Again, similarly to human capital, offenders tend to have more impoverished social capital. Different ethnic groups clearly vary in this. Calverley (2011) shows how Bangladeshi offenders in prison both wanted to re-establish contacts with their families and others in the community and that this was reciprocal. Families were prepared to forgive and provide emotional and practical support. Offenders when in prison realised the family support they had was of real value and these elements facilitated desistance. However, other groups are less forgiving and may be less available. Calverley's (2009) comparative research suggests that, for example, offenders of Caribbean descent may not have such networks and may have lost touch with their families. The general prison literature indicates that offenders are often isolated and lose family ties.

Restorative justice facilitators trying to find out from offenders in prison who might be prepared to be their supporters at restorative justice conferences found that some prisoners had almost completely lost touch with anyone on the outside who could perform that role (Shapland et al. 2011). They had to get offenders to think whether there were relatives whom they had not spoken to for a while, but who were not completely estranged and who might be prepared for the facilitator to contact them. Often this did succeed: offenders might not be able to speak to parents, but there might still be a bond which could be activated with grandparents, or aunts or uncles. The subsequent restorative justice conference (pre-sentence or pre-release) often then helped to re-establish these bonds and strengthen them, with all participants in the process potentially contributing toward problem solving. This initial search for supporters was, however, a proactive act by the facilitator, entailing sometimes quite a lot of searching and setting up communication.

Such family-oriented work, essential for restorative justice conferencing, but we would argue also helpful in promoting desistance, does not seem, however, to be currently mainstream probation practice in England and Wales (Shapland and Bottoms 2010), nor in France (Herzog-Evans 2010) – probation practice is to meet with the offender, not their family – and certainly not to go chasing after other members of their family. Yet we would argue that it is precisely this building up and thickening of social capital ties with prosocial members of families which encourages desistance (Laub and Sampson 2003). We would also argue that increasing social capital (if of the prosocial type) encourages those who are already on the desistance path or who have stopped offending to stay desisting. Those who have significant ties to others have more to lose by starting offending again, whatever the temptations, and so risking a prison sentence. As Farrall (2004a) has argued, good family relationships, employment and 'respect' from the community should be thought of as both the precursors and the outcomes of social capital – and both resonate with desistance.

Its enabling of social capital is also one of the elements which lead us to suggest that restorative justice conferencing encourages desistance (Robinson and Shapland 2008). Indeed, we would argue that restorative justice conferencing, with supporters (normally family or close friends) present provides an opportunity for intending desisters to state their intention to lead a changed life to those close to them and the victim - and be affirmed in it. Conferencing which includes problem solving for the future in the form of a jointly agreed outcome agreement also provides concrete, practical steps to solve the practical obstacles in the way of that new life and can bring in support (social capital) to achieve each item in the outcome agreement (Shapland forthcoming). One of the ways in which conferencing seems to reduce reoffending (Shapland et al. 2008) is precisely the potential for growth in social capital it embodies. A similar idea of thickening and creating ties to the community is present in US 'reentry courts', for which Maruna and LeBel have argued the community is as important an element as the court, because on release the licensee needs to negotiate social re-entry into the community in a prosocial way. Raynor and Robinson (2009, ch. 7) have emphasised the very similar elements of the social context which are pivotal to the literatures on reintegration, resettlement, re-entry and restorative justice.

Farrall (2002; 2004a), in his longitudinal study of probationers, illustrates several times how desistance was facilitated for probationers through probation staff linking them to families, medical services, housing agencies and employment. In particular, he suggests that in relation to acquiring possibilities for employment: 'Probation Officers were sometimes better

placed than probationers to actively call upon or activate this form of social capital, and that this was best achieved not through 'traditional' counselling techniques but via direct appeals to family members' (2004a). The Sheffield Desistance Study also has several such examples – the case study in Bottoms and Shapland (2011: 67-8), for example, illustrates how 'John''s path to desistance was significantly affected through probation staff managing to get him onto a drugs programme which weaned him off hard drugs (though he then acquired a substantial cannabis habit), and to obtain suitable accommodation on release from prison, so that he was not living rough. Further progress was largely due to his meeting a girlfriend and having a son – but the intervention by probation was key to the initial faltering steps to desistance. There were other instances in the study – but it is notable that, as we have indicated above, probationers did not normally think to tell probation staff about their practical problems and probation staff did not normally ask them in any depth, so that interaction during the course of supervision rarely included elements which would allow probation staff to improve offenders' social capital by putting them in touch with others who could help them.

Farrall's (2004b) study of probationers suggests that probationers' own motivation, intervention by probation staff and social context are all important in achieving desistance – but the relative contributions of each are perhaps not as one would predict. Essentially, probationers needed to take the lead 'in addressing the employment and family-related obstacles they faced (itself indicative of possessing the motivation to confront and resolve problems) [and these] were also those most likely to have solved such obstacles by the time the order had been completed'. This is of course, the agency or decisions to desist which we have noted throughout this review is important in the initial steps towards desistance. However, it was an interactional effect. As probationers were reunited with (prosocial) family members or developed attachment to (prosocial) partners, so they refrained from being in social contexts which were likely to lead to offending. In Farrall's study, if probation supervisors used 'interventions', then whatever intervention was used did not seem to affect whether an obstacle was resolved – though it may have had some effect on motivation. However, the kinds of interventions which were being used were largely cognitive behavioural ones – whereas the kinds of obstacles probationers were facing were not necessarily amenable to this. In other words, probation staff seemed not to be directly addressing social context obstacles or facilitating what probationers themselves were doing about them. In contrast, where probation staff did give the probationer help with practical problems related to employment or family, then such circumstances were more frequently solved. Of course, what probation staff can do and can achieve is dependent upon their own time, the constraints on their work and, most of all, the overall economic and social circumstances in that area at that time. Laub and Sampson (2003), in the US context, see work as the key area to aid desistance. In the current UK climate, it may be necessary to provide activity and respect in contexts other than paid employment for offenders.

Nor is it necessarily supervisors who need to undertake all activities in relation to increasing social capital for their supervisees. It is highly likely that, as discussed above in relation to referral and signposting, probation supervisors will need to take the lead in referring offenders to other agencies – because a highly respected source of social capital may be needed to get past resource barriers. However, accompanying probationers to appointments and helping strengthen family ties could potentially be undertaken by mentors, acting not so much in their traditional role as buddies but in an advocacy and support role. Mentoring has primarily been undertaken with young people (see Robinson and Crow 2009, chapter 9 for a review), but it can be seen to be underpinning the work by police and probation staff in the Diamond project in relation to release from short term prison sentences (Dawson and Stanko 2010) and can be undertaken by volunteers. Other local projects which have deployed mentors to work with offenders include a 'restorative mentoring' project run in partnership between a voluntary organisation (REMEDI) and South Yorkshire Probation Trust, which targets prolific and priority offenders (Beard and Marshall 2009). Conclusive evidence of the effectiveness of mentoring schemes is not yet available, because few studies have looked at outcomes, particularly for adults.

A rather different stage on which social capital can be created in relation to offenders is work by probation staff and Trusts with local communities. As we have discussed earlier in this review, 'generativity' is a two-way process. It is helpful for (ex-) offenders for there to be

means for them to contribute towards communities (including by community payback). Similarly, it is helpful for communities to feel that those who have offended are being well managed and productively managed within their own community (McNeill and Whyte 2007; Bottoms 2008). This kind of possibility is conceptually nearer the court reintegration rituals in the United States ('judicial reintegration') or Maruna's (2001) ideas about desisting offenders wishing to pay back to their communities, than it is to the 'keeping quiet' culture of France (Herzog-Evans 2010). It is interesting, but a little dispiriting, that we simply do not know where English and Welsh communities would stand on the idea of desisting offenders working actively or giving their labour to their communities. The reaction of English victims to desisting offenders in restorative justice (Shapland et al. 2007), however, suggest it may be a possibility to try, at least cautiously. That, though, would require probation staff to be routinely visible in local community areas, as well as in multi-agency fora.

The key messages from social capital work are:

- Offenders tend, on average, to have low human and social capital, so cannot be expected to have an active network of contacts to enable them, unaided, to tackle practical problems. This is particularly true for offenders who have spent periods in prison. Offenders need themselves to have the motivation to desist and to address problems, but then require assistance as to where to go and what to do.

- Re-establishing prosocial contacts with family members is important in achieving desistance. This may require help from others, such as probation staff or other workers, particularly if offenders are in prison. Some family groups will themselves seek to help offenders; with others relevant family members may need to be sought out, particularly if the offender is estranged from near family members.

- Restorative justice conferencing seems to be a process which can aid addressing criminogenic needs, with the help of those close to the offender and the victim (obviously all need to be voluntary attenders)

- Probation practice in some countries has turned away from work with service users' families, which does not help with increasing offenders' social capital.

- Putting offenders in touch with other social agencies itself increases social capital. Some of this work, as discussed earlier, may need to be done by probation supervisors, though mentors may be able to assist.

- Probation may also have a key role to play in developing new ideas about community engagement (not just 'payback') in which offenders could participate and in helping local communities to work with ex-offenders.

4. The implications for probation supervision

We saw at the beginning of this review that ideas of quality will vary according to the purposes of probation and probation supervision in a particular country and at a particular time. Though most European countries would subscribe to the purposes of reducing reoffending (desistance), public protection and the resocialisation of offenders into the community (Table 1), some purposes in the list would, in England and Wales, probably be seen as more the task of sentencers (promoting community sanctions, punishment, reparation) or less important for probation (meeting victims' interests). However, this may be a time of change for probation in England and Wales, with the greater emphasis on rehabilitation and desistance in the Green Paper (Ministry of Justice 2010) and a recognition that there may in recent years have been too much emphasis on meeting targets which have emphasised the speed and timeliness of processes at the expense of addressing outcomes or the quality of processes and interactions. If so, then it is likely that views about what is quality may change in the next few years.

Judgments of quality outcomes have recently been linked to 'objective' measures, such as the extent of reconviction. These, though, as we discussed in section 1.3.6, have their own measurement problems and also take time to evaluate. They also only provide a somewhat 'black box' view of what is quality and how it can be attained: they indicate what kind of initiative is likely to succeed, but not how to make it happen or how to ensure that staff (or service users) value it. In other words, outcome evaluation needs to be accompanied by exploring what staff and service users see as quality and will strive towards. In the terms of section 1.2, achieving a quality service means as much increasing the proportion of staff who are delivering really good work as ensuring that the overall work of the service matches its desired outcomes.

In thinking about quality, one also needs to move away from the idea that quality supervision work is something which is solely produced by the practitioner and delivered to the user, where the user takes on a passive role. Instead, throughout this review, it is has been clear that it is the interaction between staff and users which can produce a quality product. Even when the emphasis has been on the delivery by staff of quality supervision (as for example in STICS: Bourgon et al. 2008), there are still constant reminders that what is delivered must match the criminogenic needs of users and engage users. Where theorists and evaluators have taken a more desistance-focused stance, there has been more emphasis on the active role which needs to be played by the user in supervision (e.g. Farrall 2002; Healy 2010). It is the offender who needs to make (at least provisional) decisions to change lifestyles and desist. Users will engage with staff who make some effort to find out and match with what users see as their own priorities – though they will expect staff to have their own priorities and views as well. In order to help offenders move down the desistance path, it is really important to ascertain where that offender is at in their journey, and also to find out about and consider the particular practical obstacles which are apparent and which then crop up as the supervision order progresses.

We made the distinction in section 1.3.5 in relation to views of quality between utilitarian views (linked to desired outcomes), commonly agreed good/fair processes of interaction with service users (including human rights elements and views about legitimacy), and virtue-based ideas, linked to the excellence of the quality of the supervisor. These are not just academic distinctions. If we consider the main themes in the research about official, staff and service users' perceptions of quality, we can see that they too include these three elements. Quality is not reduceable to one single element. At different times, each of these three has been given different priority. Most recently, in relation to probation supervision, utilitarian views have tended to be seen as more important, with virtue-based ideas tending to be downplayed. Processes of interaction have tended to receive less emphasis in probation than, for example, in prison (where the Measuring the Quality of Prison Life (MQPL) initiative has shown the importance of legitimacy and feelings of safety) or in prosecution/court processes (where procedural justice is clearly a vital component in compliance: Tyler and Huo 2002). Simply because interaction processes and their perceived legitimacy and moral quality have received

little research attention in probation, it may be that their importance is being downplayed in official views of quality. This is a research area that needs more attention in the future.

We found, in undertaking the review, that there was surprisingly little research directly on what was perceived as quality or on what led to desired outcomes – even though we widened our definition of quality to encompass effectiveness and expressions of values and ethics. It was clear that there are considerable overlaps between notions of quality, effectiveness and values/ethics. It was also clear that thinking about quality demands attention to both processes and outcomes.

Considering quality requires looking at people's judgments of quality – whether they be official statements, staff views or service user views. Comparing these judgments, there seemed to be a significant mismatch between what aspects of probation practice are currently officially measured/counted (as direct or indirect indicators of quality) and what participants in the process (offenders and supervisors) say they value. In other words, instruments such as National Standards are not encompassing all the elements which staff and users see as important to quality supervision and, as a result, they may be shifting priorities in the work of supervisors away from quality work.

The review of the literature has shown that the following seem to be important to good experiences of supervision and are seen by supervisors and service users as demonstrating 'quality'. One also needs to be aware that their converse may not just be neutral but may harm desistance:

- Building genuine relationships that demonstrate 'care' about the person being supervised, their desistance and their future, and not just control/monitoring/surveillance

- Engaging offenders in identifying needs and setting goals for supervision, including a supervisory relationship which shows listening by supervisors, who keep on trying to steer supervisees in a desisting direction, through motivating them, encouraging them to solve problems and talking about problems

- An understanding of how desistance may occur, with thoughtful consideration of how relapses or breaches should be dealt with (given these are likely for the more persistent)

- Attention to relevant practical obstacles to desistance, not just psychological issues

- Knowledge of and access to the resources of local services/provision, in order to help the supervisee deal with these practical obstacles

- Advocacy, tailored to individual needs and capabilities, which may involve work by the supervisor, referral to others, or signposting to others, depending on the supervisee's self-confidence and social capital.

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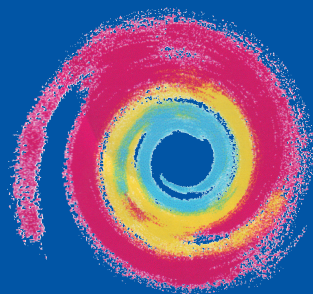
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