

# Can probation be re-born in England and Wales?



Maurice Vanstone and Philip Priestley introduce their book: 'Probation and Politics: Academic Reflections from Former Practitioners'

Public services never stand still. They come and grow, they fade and die - now and then with a little help from their 'friends,' and new ones take their place. Sometimes change is on the side of the angels; sometimes not. Perhaps the most egregious example of the latter, maybe of all time, has been the recent ideological assault on probation in England and Wales. In 2013, seven of us, all former probation officers who became academics, had a letter published in the Independent protesting the proposed sale of probation to the private sector, due for Parliamentary confirmation the following Monday:

“To remove up to 250,000 of its cases and auction them off to an untried consortium of commercial interests and voluntary bodies is in our view to take a reckless gamble with public safety and to put at risk the prospects for personal change and reform which lie at the heart of what Probation is and does.”

(Canton et al. 2013)

Following the passage of the Offender Rehabilitation Act (2014) into law we recruited further authors (making seventeen in all) and proposed a book of essays relating similarities in their shared career trajectories to public events within the criminal justice system.

Collectively their contributions sketch an informal oral history of probation for almost half its lifespan in England and Wales. In *Probation and Politics: Academic Reflections from Former Practitioners* (Vanstone & Priestley 2016) they cast a critical eye over the history of the service, its values, and the effectiveness or otherwise of its diverse practice. They raise important questions about: the probation service's identity, purpose, and methodology; its response to emerging research findings; its reaction to political pressure and an increasingly punitive criminal justice environment; its relationship with risk measurement; and, its adjustment to the needs of women and minority ethnic groups. These reflections reveal a deep level of uncertainty about the service's survival as a humanising factor in criminal justice within the context of ever increasing, ideological, politically-driven governance.

## A service receptive to change

Since its inception the probation service has held at its core the principle that positive change is possible for people on probation, and consistent with that principle has been its own adaptability to change. In response to social and political demands, the lessons of ineffective practice, and the lure of new, often untested methods, it has embraced transformations in its functions, duties, responsibilities, theoretical foundations and practice. It is, therefore, no stranger to change.

That change has encompassed practice methods and their rationale, the types of work undertaken and how they have been managed, as well as the organisational shape of the service, but it has not altered its fundamental values encompassing as they have the notion of offering people who have been convicted of crime the humanistic opportunity of rehabilitation. The latter point, perhaps, has ensured that for the greater part of its history the service has occupied a constant position within the criminal justice system and been valued and endorsed by governments of different political persuasions. The fact that successive governments have deemed the probation service useful in so far as it allowed some expression of compassion within the processes of criminal justice has, perhaps, led to a reciprocal adaptability by the service in relation to its purposes, work and governance that has contributed to its survival.

It is not overstating the case to say that the probation service has been suitably cooperative, constructive and flexible when faced with political demands and instructions. However, governance has intensified since the time chief officers were left to govern in their own way and probation officers allowed to do the job and make decisions largely unencumbered by bureaucracy, and in contrast, late twentieth and early twenty first century governance has been characterised by information systems and computer programmes, politically reordered objectives and priorities, National Standards, and new management systems. Much of this, it might be argued, introduced necessary improvements at both manager and practitioner level in the way the service was managed as well as in the practice of probation officers: those subject to intervention by probation workers need it to be skilful and informed by evidence as do the communities within which they live. There is no argument against change that demands professional accountability from managers and practitioners alike and raises expectations that practice should be informed by evidence of effectiveness.

Equally, it is not unreasonable to insist that changes made by government intervention should be driven by knowledge and evidence rather than ideology. What we have witnessed in the last few years are transformations emanating from a neo-liberal political philosophy that has led to the near extinction of a state agency with a hitherto distinguished history. Unsurprisingly, all of the contributions to the book coalesce around this sad reality.

### Language, values, and the restoration of probation

During the writing of *Probation and Politics* an umbrella debate between editors and authors addressed appropriate ways to refer to people who have broken the law, have been convicted, placed on probation, or served prison sentences. Latterly the view has grown that derogatory and pejorative labels for these groups are not only disrespectful in themselves but actually undermine the primary effort of probation to reduce rates of reoffending. The worst 'offender' in much of this 'shameful naming' has been the incorporation of probation into NOMS - the National Offender Management Service. Together with official encouragement (requirements) to routinely use the words 'offender' and 'punishment' in reports and other official communications, they have become embedded in official discourse to an extent difficult to avoid. Although the name of NOMS has itself been abolished, the odour of its punitive patois lingers on.

If probation is ever to be restored to its proper place as a non-punitive, constructive response to law-breaking in the community, its traditional language, together with the values that inform it, will play crucial roles in the process. One contributor to *Politics and Probation* calls for the total 're-moralisation' of probation along Kantian lines (Whitehead, 2016), echoing sentiments expressed elsewhere in the book and in the literature.

Equally vital to the restoration of probation will be the deployment of 'evidence-based' methods for reducing reoffending together with evaluation procedures automatically integrated into practice - as tracked vehicles carry their own road with them.

Authors in this collection share a common sense of outrage at what has become of their former profession, and a conviction that it must be born again, but none of them is sanguine about it happening imminently. However, some of them in their lifetimes of academic work have discerned what might be called a 'probation underground,' an enduring repository of traditional values, roles and practices attested in numerous interviews with serving practitioners, where a less censorious working language may have survived.

The values include a bedrock belief in positive personal change, which Shadd Maruna identifies as a 'key factor' when communicated by significant others of individuals desisting from offending (Sinclair-Jones, 2014). Could this counter-culture also be construed as a probation-service-in-waiting ready to step forward when the present pandaemonium of failing privatisations finally collapses under the weight of its own contradictions?

Fingers crossed.

# PROBATION *and* POLITICS

*Academic Reflections  
from Former Practitioners*

EDITED BY

MAURICE VANSTONE AND PHILIP PRIESTLEY

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Contributors to Probation and Politics: Jill Annison, Lol Burke, Rob Canton, Malcolm Cowburn, John Deering, David Denney, Mark Drakeford, Wendy Fitzgibbon, Marilyn Gregory, Hazel Kemshall, Philip Priestley, Peter Raynor, Paul Senior, David Smith, Maurice Vanstone, Philip Whitehead, Anne Worrall

