

ORIGINAL ARTICLE

Supervising criminalised women in the community in England and Wales: A brief history of (un)changing attitudes

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Abstract

There has not been a specific history of supervising women in the community. This article, therefore, describes the early neglect of work with women and the period of change from the 1970s when women became more visible and the criminal justice system's response to them began to face scrutiny. It posits the story against the background of increased awareness of gender discrimination and efforts to reduce the use of imprisonment by addressing women's criminogenic and social needs through community-based supervision. It juxtaposes innovative work initiated by practitioners and managers to years of unfulfilled policy promises. An essential part of the story is the attempt to integrate feminist perspectives into policy and practice at a time of organisational and political turbulence. It concludes that our increased understanding of criminalised women presents the opportunity of breaking the frustrating cycle of governmental 'enthusiasm-disillusion-indifference' and making a genuine contribution to equality and social justice.

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1 | INTRODUCTION

Although two of the earliest substantive histories of the probation service were written by women (Bochel, 1976; King, 1969) and many commentators have focused on offending by, and punishment of, women, hitherto there has not been a *specific* history of supervising women in the community. This article is an attempt to fill that gap. It covers, first, the period from the beginnings of the probation service to the end of the 1960s when work with women was a relatively unreported and marginalised aspect of probation work. It then focuses on the period from the 1970s to the early 2020s, during which the growing visibility of women led to increased scrutiny of the criminal justice system's response to them. The tracing of the early history and its prolonged and pervasive influence reveals the largely atavistic explanations of women's offending, the impact of general attitudes towards women in society on the role of female probation officers,¹ and the nature of theoretical and practice models. Against the backdrop of innovative, and invariably 'factory floor', practice initiatives of subsequent years, increasing awareness of gender discrimination, and the challenges inherent in keeping women out of prison while responding to their criminogenic and social needs, the article critiques the unfulfilled policy promises, particularly subsequent to the *Corston Report of 2007* (Corston, 2007), that have led to the challenges and problems the probation service faces today.² Amid a number of often interrelating themes, an essential part of the story that evolves is the attempt to integrate feminist perspectives into policy and practice at a time of increased managerialism and accountability. In conclusion, the article draws out some of the lessons of the history for the future.

2 | MARGINALISATION, INVISIBILITY AND SOCIAL CONSTRUCTS

Inevitably, all histories are partial, open to differing interpretations and contestable: to an extent ours will be too. However, what the research for this particular history confirmed as undeniable is that during the late 19th century and most of the 20th century women who had offended and those who supervised them were viewed through a gender-distorted prism. Although it began with the Probation of Offenders Act 1907, a full and nuanced appreciation of the history of probation work with women who have offended is dependent on an understanding of the social and political construction of femininity in the late Victorian era as it applied, first, to women and girls sentenced by the courts and, second, to the professional women who supervised them. That understanding requires not only a recognition that evolving constructions of femininity shaped that work throughout the 20th century but also a clarification of why.

2.1 | 'Criminal' women

Historically, as Heidensohn (1989, pp.99–100) explains, women who appeared before the criminal courts were 'long invisible and silent in studies of crime' and, therefore, somewhat elusive. However, in the late 19th century, when visible, invariably their virtue or otherwise was measured

according to the notion of the ideal woman within that *revered* preserver of the moral and religious values predominant in society, the family (Zedner, 1991). Zedner's scrutiny of the way in which women's roles and nature were constructed is set against the background of the implementation of an effective apparatus of social control, focused primarily on the undeserving poor, to allay anxiety about threats to the fabric of society. In this context, the function of respectable women as moral bastions within the family was reinforced by the teachings of the Church of England. As a result, in order to attain respectability and avoid stigmatisation and ostracisation, working-class women needed to keep to prescribed standards of behaviour. Generally, women were seen as innately non-criminal: however, there were two stereotypes. The moral, asexual, middle-class wife contrasted to the fallen woman who was a threat to the general population but also a future threat because of her propensity to breed more degenerates and criminals. The few who did offend³ were judged by how far they had deviated from the ideal of femininity, and paradoxically, because 'women were seen to be closely bound to nature, the prisoners of their biology' (Ellis, 1900, p.87) they were also classified as helpless victims. These stereotypes would feature significantly in the formative years of the probation service and beyond.⁴

Even those who argued for the introduction of probation likened 'criminal' women to animals and advocated early leniency but detention for life for the recidivist (Howard Association, 1906). In ensuing years, young girls were characterised as sexually dangerous to boys (Clarke Hall, 1912), and in need of coercive control and medical treatment (Ayscough, 1923). Hidden beneath these crude theories and characterisations, however, lay poignant human stories, brought vividly to life in an account of one of the women in Turner & Johnston's (2015) study of female prisoners released from prison in late-19th-century England who, deemed a disgrace to her town because of 33 convictions, was, aged 50 years, confined to an asylum where she died a few years later. Her story is not unique, as poor women, whose offending was: 'a coping mechanism in an existence of limited opportunities and poverty' (Turner, 2011, p.508) and who became pregnant outside of marriage, were dismissed as irresponsible and feeble-minded. Indeed, the theory that female criminality had its roots in mental deficiency continued to hold currency even in the second half of the 20th century, a durability that Johnston (2019) attributes to: 'constructions of femininity [that] were underpinned and reinforced by the patriarchal system of reproduction and the capitalist mode of production' (p.219). Of course, class-ridden reprobation and classification included deviant men too, but women who flouted the law and societal norms experienced the double jeopardy of being criminal and female (Worrall, 1990). As Heidensohn (1989) puts it: 'the stigma involved in the loss of reputation to women is profound and damaging' (p.103) and adds an extra layer of punishment and control. Unsurprisingly, it was not until the late 20th century that the voices of Black and minority ethnic women who 'consider their race a more primary factor than gender in their dealings with the criminal justice agencies' began to be heard, thereby identifying what might be described as an additional jeopardy (Chigwada-Bailey, 2004, p.189). Whether those voices had impact is a moot point, because as late as 2017 custody was still being used disproportionately for these groups (Prison Reform Trust, 2017), and they were still experiencing the additional disadvantage through 'racial discrimination, stigma, cultural differences, language and lack of employment skills' (Petrillo, 2017, p.293).

2.2 | Early professional women

Including, as it does, 17 women in a group of 50, the photograph of the inaugural meeting of the National Association of Probation Officers (NAPO) shows that female officers with varying degrees of visibility and managerial power have been a significant presence in the probation

service since its inception.⁵ That said, the depiction of women in society described by Zedner (1991) above had an impact on those professional women who had responsibility for the oversight of 'fallen women' and appreciably fashioned the nature of their work and duties. Although there was an established recognition of the need for educated, well-trained and high calibre female and male probation officers in the nascent probation service (Cary, 1924), reference to the former in written accounts of aspects of probation work and other literature was largely obscured by the universally applied convention of using the male pronoun (see, e.g., Braithwaite, 1959). It prevailed until late into the 20th century when critical reflection on the use of language began to play a significant role in the struggle for equality and diversity within the service.

Even when female officers were visible they were castigated for the uniformity and formality of their appearance and dress, their remoteness from the life experience of the girls and women they supervised, and not being married with children (Worrall, 2008). As Anison (2009) verifies, historically the appropriate female officer was married and devoted to her work, and her role was welfare oriented and located within a defined domestic arrangement. Moreover, she was marginalised and worked in a 'masculinized service' (p.436) that continued to cast its shadow over the confident, able and university educated women being recruited in the 1960s who experienced a degree of invisibility into the late 20th century. Only then was attention paid to both the issues facing women and the language used to describe them. From the outset, the work of female officers was undervalued financially too. Clarke Hall (1932) discussed the fact that it was easier to recruit women because they did not expect to earn as much as their male counterparts. If true at that time, it was not until some 15 years later that an article arguing for equal pay revealed that women with up to 30 years' service were earning £15 per annum less than men although they had the same qualifications, undertook the same work but with 'female cases [that were] more difficult than male' (NAPO, 1947, p.110).

2.3 | Policy and practice

How women and their function in society were perceived had a direct impact on practice. As Anison (2009) reminds us, the principle that female probationers should be supervised by women was formalised in the 1922 *Report of the Departmental Committee on the training, appointment and payment of probation officers*. The actual wording of what became a statutory ruling until repealed by the Criminal Justice Act 1967 is interesting because it demonstrates how established this principle was:

Of existing Probation Officers about two-thirds are men and one third women. *It is hardly necessary* to point out that as a general rule a woman probationer should be under the care of a woman officer. This may not always be possible, especially in small towns and country districts, but no probation system can be regarded as *wholly satisfactory* which does not make such provision. (Great Britain Home Office, 1922, p.10, italics added)⁶

Subsequently, the first guidance to probation officers in the form of the *Handbook of probation and social work of the courts* (Le Mesurier, 1935, p.65) declared the need to recruit more female officers to be urgent, and cited the earlier Home Office Circular of 31 July 1930 as corroboration of the committee's concern.⁷ The same circular stipulated that the appropriate response to the Act's demand for specialist appointments to juvenile courts was for female officers to

supervise juveniles. Thus, from an early stage, gender constructions influenced practice, and more intractable and intensive work with males was deemed to be beyond the capabilities of women whose more appropriate function was the supervision of girls, some of whom were too sexually dangerous for men (Annison, 2009). As one female officer put it: 'it is unquestionable that [boys] should be placed under the supervision of men' and for older boys brought before juvenile court: 'it is hoped that men will be specially appointed as probation officers to these courts so that investigation, upon which it depends, may be carried out in an increasingly intensive manner' (Sander, 1932, pp.196, 194). In contrast, Cary (1915) who set up a twice-weekly social club for girls, while endorsing gender-determined allocation of cases, argued that the more difficult and challenging work with females should be the exclusive domain of female officers.

Cary's confidence in female officers' ability to have a positive influence on the social and personal problems of young women in group situations is mirrored in one of the earliest accounts of hostel work by Stead (1922) in which she argued that their resolution was contingent on a deeper understanding of the structural and hereditary factors underlying offending. In fact, the idea that association in clubs or other groups is in itself beneficial was an enduring one and in a journal article a decade later Doris Dyer (1934, p.283), the secretary of the Stepney Association of Girls' Clubs, cited a report from the Commissioners of Prisons that declared it was 'rare for boys and girls who have been involved in good clubs, or the Scouts or Girl Guides to end up in a prison'. According to the Commissioners and Dyer, it was self-evident that the female probation officer should be a friend to every club helping with difficult female 'delinquents', provide the facts of each case, and advise on how to respond. Although Dyer had in mind local clubs involving athletics, physical education, netball, hockey and tennis, she highlighted the importance of ensuring that the 'desire to possess pretty things is catered for in dressmaker and embroidery classes' (p.283).

Aspiration for professional status is implicit in the 'pseudo-scientific and medical tone' of several early officer accounts of their work (Vanstone, 2004, p.58). Ellison (1934), for example, describes practice underpinned by eclectic theories about the causes of crime encompassing poverty and unemployment, moral deficiency and laziness, hereditary and biological, some of which seems prescient of the notion of criminogenic need that evolved in the late 20th century (Hedderman, 2004). Her work included liaison with hospitals, life story telling, friendship and understanding, shock therapy, practical help with loans, personal challenging and encouraging self-reflection, and positive reinforcement. Although she does not say it, her description of the cause of middle-aged women's shoplifting as physical may be an early intimation of a perceived negative effect of the menopause. Professional status within the court is the clear implication of another female officer's argument that: 'in the case of women officers ... it is of the utmost importance that they should have access to lady members of the Bench' to ensure that 'when a girl is again before the court a lady member who has been interested in her or in others in similar circumstances is present' (Craig, 1945, p.103).

During the Second World War the shortage of men over the age of 30 years led to female officers assuming responsibility for the supervision of 'pre-adolescent boys to free the remaining men to supervise adult men' (Worrall, 2008, p.321). As Worrall points out, they also dealt with truancy, the supervision of girls in need of care and protection, and matrimonial conciliation, and the war 'provided women probation officers with the opportunity to support and be role models to women and girls who were struggling to cope with the social upheavals of the war' (p.330). It was at this pivotal moment in the history of probation that female officers, along with their male counterparts, were formally introduced to psychoanalytically informed casework (Worrall, 2008). Following an amended selection process devised by the National Institute of Industrial Psychology, candidates aged under 30 years had specialised training following a social science diploma and those aged

over 30 years undertook the Home Office course at Rainer House that included inputs by psychiatrists on human growth and development (Macrae, 1958). So, a post-war consolidation of the influence of psychological theory on practice, this time in a more specific psychoanalytical-based casework approach, is clear. Madeline Loring (1949, pp.289–290) a juvenile court probation officer, specified the purposes of this aspect of work as providing ‘definite action’ for the probationer, reinforcing ‘regular habits’, enhancing understanding of the probationer, building a relationship founded on trust and co-operation, and demonstrating to the probationer that they have consistent access to one person. While acknowledging that probation officers were not trained psychiatrists, she contended that they could bring to bear their understanding of the individual’s characteristics and behaviour and make supervision of ‘therapeutic value’ by obtaining the co-operation of parents, ensuring regular reporting, and making frequent home visits.

Perhaps as a result of 18 months’ involvement in a weekly self-learning study group run by a psychiatric worker and a doctor, which explored among other things the unconscious and relationship dynamics, in the 1950s and early 1960s some officers began revisiting and refining the groupwork approach of their predecessors (OEDIPUS, 1956). Specific knowledge of group dynamics is evident in McCullough’s (1962, 1963) accounts of how her groupwork with girls in a hostel was based on casework theory and focused on exploration of self-understanding, anti-authority feelings and non-verbal communication. Growing professional confidence in the therapeutic benefits of groupwork is manifest also in Freeguard’s (1964) description of the group she set up for five girls after their involvement in a spate of shoplifting:

Difficulties I had been sure existed in some of the girls, but which I had never been able to help them talk about, were in this very first meeting more than hinted about. (p.18)

She assumed a passive role which provoked some anger and frustration initially until the group produced its own leader, albeit still turning to her at moments of distress. Of particular interest is what she learned from the experience ‘in the way that one’s own deficiencies in skill seemed to be made up in the group’ and ‘the economy of it all’ (p.20). Freeguard concluded by arguing that she could not have met the considerable help needed by the girls through individual work.

Although the end of the 1960s witnessed an increased visibility of women in the probation service and a portent of the very significant impact that they would have on policy and practice during the next 50 years, control over policy and the direction of the service remained firmly in male hands. In 1970, all 66 principal probation officers (PPO) were male, as were the nine deputy principal probation officers (DPPO) and of 45 assistant principal probation officers (APPO) eleven were female.⁸ The ‘masculinized service’ still prevailed.

3 | VISIBILITY, VOICE, A ‘FEMINIZED’ SERVICE AND ... INERTIA

The 1970s saw the first generation of probation officers who were required to possess the new generic certificate of qualification in social work. Predominantly young and university trained, they were politically and socially aware, with a tendency towards radical ideas and critical of the status quo in social work and criminal justice (Beaumont & Walker, 1981). Feminist writings which highlighted societal inequalities percolated into probation practice and as the decade progressed, the received wisdom about the role of women in the criminal justice system and the nature of female offending was increasingly challenged.

In 1977, *Probation Journal* published a modest but watershed article by Mawby, who challenged the dual assumptions of the ‘chivalry’ thesis that women who commit offences are less likely than men to be detected and, when they are, they are treated more leniently. His controversial conclusion was that: ‘when previous record is taken into consideration, females are more likely to be imprisoned than males’ (Mawby, 1977, p.42). In the years that followed, Worrall (1981) suggested that women who commit offences were ‘out of place’ in the criminal justice system and Dominelli (1984) exposed sentencers’ discriminatory attitudes and practices in their use of community service as a disposal for women. In the same decade, *Probation Journal* published articles about the sentencing of sex workers (Davies & Stewart, 1987), the criminalisation and imprisonment of Black women (Chigwada, 1989), imprisoned mothers (White, 1989), empowering women (Buckley & Wilson, 1989) and women-wise penology (Carlen, 1989). In other words, women who committed offences were being rendered visible and the nature of their punishment – *as women* – was being questioned for the first time.

The following decade witnessed attempts to integrate feminist perspectives on criminal justice with probation practice with women in the context of the growing demands of managerialism and organisational accountability (Wright & Kemshall, 1994). The overarching ‘what works’ or evidence-based agenda in probation did not sit comfortably with the recognition that women who offend often do so for different reasons than do men and consequently have different needs in the ways they are treated. Groupwork programmes designed specifically for women were rare but there were at least two highly successful examples. The Miskin model of groupwork with women based in south Wales (Jones et al., 1993; Vanstone, 2004) and the West Mercia community-based programme for women were early adopters of the principle of ‘safe, women-only spaces’, the latter programme developing into the renowned Asha Centre (Roberts, 2002).

If the 1970s was the decade in which probation officers grappled with the emerging awareness of gender discrimination in criminal justice, then the 1980s and 1990s were increasingly optimistic years for working with women in the community. Probation can be justly proud of its track record, first in making women visible, highlighting the discriminatory impact of sentencing decisions and increasing awareness that formal equality often leads to inequality of impact. Second, many probation workers took up the challenge of making women ‘fit’ into the ‘what works’ agenda. It took a long time to persuade policymakers that women need more than a few minor adjustments to cognitive behavioural programmes designed for men and that provision for women requires a different approach. Third, probation worked hard to resist the backlash of gender-neutral approaches. A feature of 21st century criminal justice has been the amplification of female offending, not just by the media, but by policymakers and sentencers – the assertion that women are behaving more and more like men (perpetrating domestic violence and child sexual abuse, dealing in drugs and behaving in rowdy, disorderly ways), so there is less and less need to treat them differently. Challenging this version of events and demonstrating that the vast majority of women sent to prison still served very short sentences and for non-violent offences, against disproportionate backgrounds of racism, abuse, addiction and trauma, was a constant theme of probation work with women (Petrillo, 2017; Worrall & Gelsthorpe, 2009).

The government belatedly responded to these voices with the Women’s Offending Reduction Programme (WORP) in 2004, focusing on improving community-based services, one result being the Together Women Programme (TWP) funding one-stop-shops at five sites in the north of England, commencing in 2006/2007. This programme is one of those that has survived, being funded by a range of statutory and charitable organisations (see www.togetherwomen.org) and is now one of the recipients of the government’s 2023 funding boost (discussed below). The five original sites continue to offer comprehensive services to women in contact with the criminal justice system in

line with the Gelsthorpe, Sharpe & Roberts (2007) principles for provision that is women-centred, holistic, supportive, practical, integrated and linked to mainstream community agencies.

3.1 | Modern era professional women

In their exploration of identity and occupational cultures in probation work, and building on Annison's (2007) description of a 'masculinized service', Mawby & Worrall (2013) speculated that probation had been 'feminized' and asked what that might mean 'beyond the obvious point that the majority of probation workers are now female' (p.131). Noting Heidensohn's (1992) observation that 'women have always and everywhere played some part in the maintenance of order in society' (p.19), Mawby & Worrall (2013) argued that women's dominance of so-called 'caring' professions – including probation until the 1980s – had only ever been partly about caring. Among other things, it had also been about policing other women and their families, acting as 'symbolic mothers' and role models (p.131). Until the late 1990s, it should also be noted that probation workers were responsible for much family court welfare work, including guardian ad litem reports in adoption proceedings and post-divorce arrangements for children, including supervising child access sessions. Although this work was undertaken by male as well as female workers, it served to reinforce the 'welfare' image of probation work.

From the 1980s the probation service began to be seen explicitly as a punishment organisation (Haxby, 1978) and equal opportunities discourses gave women many more opportunities within the organisation. By the mid-1990s new recruits no longer required social work qualifications and the creation of CAFCASS (Children and Family Court Advisory and Support Service) in 2001 removed family court welfare work from the profession. Counter-intuitively, given the decline of the probation worker's 'caring' image, the 'toughening' of probation work attracted increasing numbers of women and by 1993, female qualified officers outnumbered males (Annison, 2007). Tidmarsh (2023) offers the additional insight that the devaluation of probation work as a 'profession', reflected in its pay and working conditions may also contribute to the imbalance in its gender recruitment – a variation of the historical theme of gender-related pay outlined above.

But it is debatable whether this new generation of female probation officers necessarily wanted to work with women and girls. Rather, the increasing emphasis on 'public protection' and the rights of victims (especially victims of domestic and sexual abuse) inspired young women to study psychology and criminology with a view to working with 'dangerous' men (Mawby & Worrall, 2013). It would be some time – and only with the assistance of voluntary sector services – before the probation service recognised that the women who *committed* crimes were very frequently also *victims* of neglectful and abusive backgrounds and current circumstances.

3.2 | Corston, Transforming Rehabilitation⁹ and Covid-19

The much-quoted opening of the *Corston Report* (Corston, 2007) summarised the situation thus:

There can be few topics that have been so exhaustively researched to such little practical effect as the plight of women in the criminal justice system. The volume of material might lead one to suppose that this is a highly controversial area, which might account in some way for the lack of progress and insight in the way women continue to be treated. This is not the case. (para. 2.1)

The *Corston Report* is often regarded as the ‘ground zero’ of understanding the needs of women in the criminal justice system but, as our quotation indicates, Corston herself understood only too well that much of what she said in her report had been said many times before and had met with initial enthusiasm followed quickly by indifference. Her report met ultimately with a similar fate, though it enjoyed a longer period of enthusiasm than her predecessors did.

In particular, her advocacy of the holistic one-stop-shop women’s centres, that had been developing slowly since the 1980s, stimulated their development into the key innovation in alternatives to imprisonment and partnership between public, private and voluntary sector provision in the following years. Corcoran & Fox (2013) undertook an evaluation of one such mixed economy centre, which they called the Chestnut Centre. Despite the undoubted ‘factory floor’ enthusiasm for this kind of innovative work, this case study exemplified all the opportunities and difficulties of multi-agency work across different sectors – divisions of labour, conflicting values, power and responsibilities and uncertain funding. Though successful for a few years, the Chestnut Centre eventually closed in 2017 (Arnold, 2019).

Player (2014) termed this lack of progress ‘the triumph of inertia’, outlining both the ideological and practical impediments to the implementation of Corston’s recommendations. Ideologically, there is a tension between the narrow managerialist goals of the criminal justice system to reduce offending and the goals of centres to ameliorate the welfare needs that have given rise to that offending. Practically, the era of austerity has meant constant budget cuts, short-term funding and organisational restructuring that has allowed provision for women who offend to slip down the priority lists of government departments.

In her analysis of the limitations of women’s centres in the early 21st century, Player was not in a position to consider the implications of Transforming Rehabilitation (TR) for women being supervised in the community. The allocation of men and women considered ‘low’ and ‘medium’ risk to privately-run Community Rehabilitation Companies (CRCs) initially promised ‘increased provision, collaboration and flexibility’ for women, giving them choice to attend women-only reporting sessions, have female supervisors and carry out unpaid work in women-only groups (Birkett, 2019). But Birkett’s research on three CRCs revealed numerous problems associated with this model. While some CRCs attempted to offer greater choice to women, others found this impractical or were unconvinced by the arguments for ‘women-only’ provision. Relationships between probation and centre staff were not always good with differences in ethos and tensions over CRC subcontracts. Difficulties existed in making adequate provision for Rehabilitation Activity Requirements and the concerns about adopting a Payment by Results approach expressed by Gelsthorpe & Hedderman (2012) proved to be well-founded.

Research by Goldhill (2019) both before and during TR revealed an even bleaker picture with women-only provision being reduced in preparation for TR and being replaced by standardised, gender-blind interventions in some CRCs. She found that some champions of gender initiatives were leaving the profession or retiring, to be replaced by younger men and/or less well-qualified and lower status workers. Ellis Devitt (2020) reported on the ‘cost of empathy’ and the emotional labour that characterised the experiences of female staff working with women in CRCs. Underpinning all provision was the anxiety associated with short-term funding and the demand for ‘results’.

Nevertheless, pockets of innovation and good practice did exist during the TR era, some of which have been reported in *Probation Quarterly*, the magazine of the Probation Institute. Examples include the Sussex Women’s Triage and Diversion Project which was evaluated by Russell Webster (Sanderson, 2019), Brighter Futures Women’s Programme in Staffordshire (Arnold, 2019), the work of the Kidmat Centres in resettling Muslim women (Buncy, 2021) and the Chang-

ing Lives arts and culture programme in partnership with Northumbria CRC (Harrison, 2019). Additionally, several articles articulated the importance of trauma-informed approaches to working with women (Baldwin, 2022; Bradley & Petrillo, 2022).

One important feature of this work has been an almost taken-for-granted involvement of the women who attend these centres and programmes in their development. Acknowledging the contribution of women with lived experience of imprisonment or supervision is not new. In 1983, the campaigning charity Women in Prison was co-founded by Chris Tchaikovsky (a former prisoner) and Pat Carlen (an academic researcher). In 1985, Carlen co-authored a book with four 'criminal' women, who told their stories (Carlen et al., 1985). From the outset, feminist criminology has sought to give a voice to women with lived experience of the criminal justice system and this has continued to the present day (see, e.g., Harding, 2023; Nadia, 2022).

Despite this very positive picture, however, there has been increasing concern about the rising numbers of women on supervision being recalled to prison for breaches of supervision rather than further offences. The 'overburdening' of women with numerous complex requirements attached to community sentences in the name of 'help' has been a long-term concern (Stanley, 2009) and every innovation risks being either underused (because resources are inadequate and sentencers are wary) or leading to net-widening and custody for non-compliance.

The Offender Rehabilitation Act (ORA) 2014 extended post-prison supervision (previously confined to sentences of over twelve months) to all prison sentences. This impacted disproportionately on women, the majority of whom served less than twelve months. While the stated intention was to provide post-release support for short sentence prisoners, the additional requirements of supervision (keeping appointments, notifying changes of address and so on) inevitably increased the likelihood of non-compliance and recall (Gelsthorpe & Russell, 2018; Prison Reform Trust, 2018). Lack of accommodation on release was seen to be one of the key factors leading to the 'revolving door' of recall for non-compliance rather than further offending. Dominey & Gelsthorpe (2020), researching a supported accommodation project led by a CRC in partnership with a voluntary organisation, concluded that accommodation such as this was a necessary but not sufficient part of resettlement and that women need 'accessible, flexible and well-resourced community services' (p.406).

What could not have been anticipated by anyone was the impact of the Covid-19 pandemic in 2020 on the criminal justice system. It is therefore to their credit that one CRC swiftly commissioned research into the remote supervision of women (Woolford, 2022). Woolford managed to interview eight women who were being remotely supervised and found that all (admittedly self-selected) participants could see positive benefits. All the women already knew their supervisors so welcomed their contact and the flexibility of the support they received, especially as they recognised that their supervisors were also contending with issues about working from home. Support appears to have been as much about coping with lockdown as with offending. All the women were enthusiastic to return to face-to-face supervision, especially groups and other activities. While acknowledging the inadequacies of telephone contact this was considered the safest and most suitable form of contact in the circumstances.

More recently, Woolford & McCarthy (2023) have published their complementary research into the experiences of probation practitioners working with women during the Extraordinary Delivery Model response to Covid-19. Interviewing 21 probation workers with a range of roles and experience, they identified four themes: obstacles to supervising women remotely; heightened concern for the welfare of supervised women; safeguarding women at risk of domestic abuse; and a sense that supervising women during this period was a difficult but rewarding role, of which they could feel proud. Despite the emotional labour required and what Shepherd (2022) has termed the

'vicarious trauma' experienced by women working with women, being key workers, supervising, supporting and safeguarding women felt like something important to be doing at this stressful time.

In 2023 the Ministry of Justice announced a funding boost of £15 million for services that work with women in the criminal justice system in England and Wales (Ministry of Justice, 2023). The money has been allocated to 40 women's centres and charities and four Police and Crime Commissioners to provide specialist help to women who commit 'lower-level offences'. Earlier in the year it also published the *Delivery Plan 2022-25* for the Female Offender Strategy which originated in 2018 (Ministry of Justice, 2018; Booth, Masson & Baldwin, 2018; Hine, 2019). This latest delivery plan committed itself, among other things, to reducing the number of women serving short custodial sentences and increasing the proportion being supervised in the community. Despite these laudable ambitions, the National Audit Office (2022) has been sceptical about the priority given to their delivery.

Increasing community sentences for women is not just about the *supply* of appropriate services; it is also about *demand* and that means gaining the confidence of courts – particularly magistrates – in the benefits of supervision in the community. Birkett (2016) identifies four obstacles to the greater use of community sentences for women: the adoption of a gender-blind approach to sentencing; a lack of knowledge of provision for women; a belief that community sentences are insufficiently robust to meet sentencing aims; and a lack of specific training in dealing with women who commit offences. The HM Inspectorate of Probation (2024) report on the quality of work with women confirms the importance of good, gender-informed court reports and commends the example of innovative women's problem-solving court work in Greater Manchester (p.40). This latter concept reflects the historical theme outlined above of the importance of magistrates being able to take a continuing interest in the women they have sentenced.

4 | CONCLUSION

In this brief history of the supervision of women in the community, we have found ourselves confronted, perhaps inevitably, with narratives that indicate both changing and unchanging attitudes. We have attempted to demonstrate that the experiences of women on probation supervision are inextricably bound up with the experiences of the women who work with them, and that both those experiences and the nature of the work undertaken have been determined by how women and their roles in society have been perceived. Historically, the justifications for women being supervised by women emanated from embedded attitudes to the abilities and limitations of professional women as much as the perceived needs of 'criminal' women. Following the repeal of this convention by the Criminal Justice Act 1967 men became more routinely involved in supervising women. Contemporary discourses about women-only spaces, women's rights to choose women as supervisors, the importance of lived experience and peer mentoring, therefore reflect very different social and political times, yet appear to remain controversial.

The concepts of visibility and voice have featured throughout our discussion but in our conclusion we draw on the distinction between 'surface' and 'deep' conceptualisations (Mawby & Worrall, 2013, p.139). At a 'surface' level, the probation service is committed to valuing the 'voice' of women practitioners and the women they supervise. Moreover, the 'visibility' of women in managerial positions is greater than ever. But at a 'deep' level the service is now well hidden within

a male-dominated, prison-dominated organisation and the 'voice' of women who both supervise and are supervised in the community continues to struggle to be heard.

Notwithstanding legitimate differences of interpretation, the wealth of research and reports support Corston's (2007) suggestion that the treatment of women who offend is not all that controversial. Calls to listen to women's voices and to adopt holistic women-centred approaches have been widespread for decades. There is no shortage of innovative and enthusiastic multi-agency, mixed economy practice, as the Women's Service Map (see <https://www.womensservicesmap.com>) produced by the National Women's Justice Coalition (see <https://wearenwjc.org.uk>) indicates. The Tavistock Institute (2019) provides ample evidence of 'Why women's centres work' and Morley & Rushton (2023) comprehensively set out what a 'whole systems approach' to working with women would look like (and to some extent already does) enshrining the principles of 'safety, trustworthiness, choice, collaboration and empowerment' (p.56). The recent HM Inspectorate of Probation (2024) report incorporates the views of 77 supervised women contacted by User Voice, the majority of whom recounted good experiences of: female practitioners; female-only reporting days, services and activities (under one roof); and, consideration being given to issues of childcare and feminine health. The preferred model is clear.

Our understanding of why a small number of women behave in ways that bring them into contact with the criminal justice system is now so well developed that supervising criminalised women in the community should, and could, be a good news story. If the recent unification of the probation service were to result in breaking the frustrating historical cycle of governmental 'enthusiasm-disillusion-indifference', by moving from 'surface' to 'deep' commitments to 'visibility' and 'voice', that would be a cause for celebration and a genuine contribution to equality and social justice.

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ENDNOTES

¹ In this first period, reference will be made to probation officers, but subsequently, because the introduction of ancillary workers in 1968 began the process of widening the range of staff in the Service, the terms 'probation worker' or 'practitioner' will be used.

² After the Children and Young Person's Act 1969 supervision orders were introduced for juveniles and the probation service and social services shared responsibility for their supervision, and after the introduction of youth offending teams in the Crime and Disorder Act 1998 the probation service worked only with adults. For a fuller history of working with girls, see Gelsthorpe & Worrall (2009).

³ Just one-fifth of the people convicted in the second half of the 19th century were women (a proportion that persists to the present day – see Ministry of Justice (2022)).

⁴ The requirement to be a 'good woman' is tenacious to the present day (see Rutter & Barr, 2021).

⁵ Featured in *Changing lives: an oral history of probation*, published by NAPO to commemorate the first 100 years of probation (Boroughs, Falcon & Fletcher, 2007).

⁶ The Committee, made up of five men, judged that the work of male officers justified higher remuneration, so men 'should receive not less than £200 a year, and he could look forward to reaching a salary of £350 at the age of 45 [and women] might begin at a salary of £150, and rise to a maximum of £250' (Great Britain Home Office, 1922, pp.15–16).

⁷ It 'stressed the grave objections to placing girls and women under the supervision of male officers' and pointed to the failure of courts to appoint women as intended by the Criminal Justice Act 1925.

⁸ According to the Home Office Probation and After-Care Directory of 1970.

⁹ In 2021, all probation services in England and Wales were reunified within the public sector. For a seminal discussion of this most recent challenge to probation work, see Annison et al. (2024).

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