

EDITORIAL

PROBATION, WHAT'S IN A NAME?

Paul Senior, Sheffield Hallam University

It is beyond the scope of this editorial to document the massive and unrelenting change to which the probation service has been subjected in the past decade. Not only has the role which probation traditionally performs - that of advising, assisting and befriending - been systematically removed from probation's remit and, increasingly, been transferred to and delivered by an expanding role for the voluntary and community sector, but also the nature and function of community supervision has altered beyond recognition in this period. Risk Management and Public Protection through enforcement and compliance mechanisms increasingly guide the service's *raison d'être*. It is in this climate that a further step change is being envisaged through the development of the National Offender Management Service. With the appointment of Martin Narey as its chief executive and launched, officially if only symbolically, in the summer of 2004 it has occupied criminal justice commentators such as David Faulkner in this issue though it remains, as yet, an underdeveloped and relatively unstructured phenomenon. When the first attempt at a structural diagram for the new service was released this rang some alarm bells. It sought to place the 'rump' of the probation service into a new role and into a new name, somewhat inelegantly, called the 'public sector intervention service'. Was this a bridge too far? Was the removal of the name probation, (already removed from community sentences when the probation order was somewhat clumsily re-branded a Community Rehabilitation Order), a significant and regrettable departure from the historical role which the probation mission had undertaken? This editorial looks at the question of whether the removal of the word probation is momentous and whether it is worth policing the barricades to dispute it.

In the modern era, brand loyalty and brand names have become an indisputable part of how organisations represent themselves. Whether you hate them or love them, you cannot mistake brands such as Coca-Cola, McDonalds, Greenpeace, Nike, and Starbucks Coffee amongst many others as you travel round the country and indeed the world. They powerfully signify what you can expect to receive in that environment. Does this apply to the probation brand? What underpins and signifies probation as a brand? We know how poor branding can have an inhibiting effect on the promotion of particular services. The debacle around the changing of the name of Royal Mail to Consignia illustrates this point perfectly. Would we find that an agency branded as the 'Public Sector Interventions Agency' would not have the cachet which the public would recognise and understand instantly when probation is mentioned? Could HM Public Sector Interventions Service become the Consignia of this decade?

We have to look first of all at the fact that probation as a brand has been around for more than a century. Indeed it is just three years away from the centenary of the first act - the

1907 Probation of Offenders Act - which first codified the work of the probation service. Brands which have existed for that length of time must have some value, must be seen as being successful, worthy, reputable, capable of replication, a stable and indeed credible product. Three interrelated issues support this contention. I want to look briefly at the historical and contextual argument in favour of maintaining probation as a brand and, secondly, the international resonance the term probation generates. The third element relates to the value base and ideological force within which the institutional construction of probation has been constructed. In this edition of the journal, Svensson, in her article, focuses on the distinction between organisations and institutions. She argues that organisations are 'rational and impersonal administrations with certain goals' (Svensson, 2004). She argues that organisations do what is required of them and, in that sense, organisations will continually change to meet the needs and demands of the controllers. In this sense the organisation of probation has changed markedly in the past decade. The human actions contained within those organisations are however determined by institutional values which have a greater longevity. Institutions, Svensson argues, represent the conditions, values and norms of that which it has come to represent over a longer period of time. Organisations are simply about the latest managerialist solution to the way in which an agency operates. It will be argued therefore that the institution of probation has resonance over a long period of time, and that this resonance still has currency and therefore the brand probation still has legs! How can one illustrate that?

The Probation Service has been characterised throughout most decades of the 20th century as an organisation in change. The constancy of change as a feature of the *organisation of probation* and its ability to adapt and refocus according to the vacillating demands of the criminal justice policy makers has been scrutinised by commentators. However, the other feature of the probation service is that the *institution of probation* has much continuity. That constancy has been concerned with occupying, what one might term, the 'zone of uncertainty'. That area of sentencing where magistrates and judges are unsure whether to deal with the matter by way of a protectionist sentence, prison and so on or whether there may be alternatives which might be more productive (and perhaps rehabilitative) in the medium and longer term. In this zone of uncertainty the institution of probation has prospered. It has sought to manage (and sometimes reform) troublesome populations for sentencers, for offenders themselves, for the public and the government. In order to do this in tune with organisational shifts it has periodically tilted the balance between care and control. As Maurice Vanstone writes in Probation Journal: 'the process of understanding the mixture of care and control, rehabilitation and enforcement.....have been at the core of the Service's theory and practice since its inception' (Vanstone, 2004). If you decontextualise the institution of probation from that historical mission you lose that expertise which then has to be re-created by other 'institutions'. If we can apply the distance travelled by previous generations of probation workers we can achieve the benefits of continuity. In this situation, individuals may be uncomfortable with the current organisation and may question its new manifestation under NOMS but as we know the institution and what it represents, we can argue the importance of its place in that zone of uncertainty.

In 1951, the United Nations defined probation as follows: 'Probation is a method of dealing with specially selected offenders and...consists of the conditional suspension of punishment while the offender is placed under personal supervision and is given individual guidance or 'treatment' (United Nations, 1951: 15). The four key features identified here are that those on probation are selected as suitable for such a sanction; it represents a conditional suspension of punishment; there is personal supervision to guide an offender through the process of probation; and guidance or treatment to help reduce offending. Internationally, there is much variation on how this mission is carried through. But it is arguable that amongst that variation, this definition still neatly describes the commonality to the institution of probation. Indeed, some of the more recent developments of the probation service in Eastern Europe, in Czechoslovakia and other jurisdictions have emphasised a tilt to a more positive balance between care and control than has been evident most recently in probation's work in the UK. However, even in the UK, the debate over the importance of case management that has emerged, particularly in the resettlement agendas and in drug treatment, indeed the primacy of the role of the Offender Manager under new arrangements, has emphasised the importance of a relationship with a supervisor to ensure that any programme of interventions is integrated and makes sense for an individual offender. The institution of probation surely dies when it only deals in the routine reporting mechanisms such as which might characterise conditional bail or electronic monitoring. This policing role has become an increasing part of probation's brief but to denude it of its personal supervision role and the role of guidance and treatment would be fundamentally to alter that institution and in the process lose some of its *raison être*.

At its root, then, the term probation represents an ideological standpoint and the values and norms which probation stands for are important even as the climate changes in the treatment of offenders. In the first edition of this journal, Sue Raikes set out what was called a propeller model of community safety which emphasised the relationship between the three propeller arms - the protective service, rehabilitative services and inclusive and integrated services. The balance that exists between those three arms has always been at the heart of probation's mission. As with the mechanics of the propeller, if one of those arms becomes overly dominant there is a real risk that that propeller will be destabilised. There are potential straws in the wind which could destabilise the institution of probation. I've characterised the probation mission as a balance between care and control. A balance implies the existence of both elements and where probation is shifted increasingly to a policing role, and the protective functions, important and necessary though they are, become the entire rationale for the work of the probation service, then destabilisation could be the result. The downplaying of key elements in the institution of probation would contribute further to this process. The importance of victim sensitivity, the importance of anti-discriminatory practice, the risk to the institution of probation that losing its more community oriented practices, its sense of the local, is disturbing. The push towards narrow technicism in training against the development of critical thinking practitioners and the potential from an historical and contextualised approach to the humanitarian values inculcated across a century of practices all risk a destabilisation of

probation. One of the greatest historians of the probation service, the late Bill McWilliams, contextualised the early police court missionaries as 'saving souls', as 'plucking brands from the burning'. Locally, nationally and internationally, the institution of probation, in its mission to work in the zone of uncertainty, has continued despite the past decade and certainly I would argue we need to continue to 'save the soul' of probation and stand up for what the institution not the organisation stands for. At the end of the day, the people are the brand. In the service industry, the provider of the service cannot be separated from the brand; they are one and the same. Probation's brand/institution is extraordinarily important and probation officers literally are that brand. This fusion is central - the partners of this brand must know who they are, what they believe and importantly what they have in common and what they share. This mutuality of beliefs, identity, purpose and vision is what creates and sustains the brand. Without this mutuality and a shared vision of the future, you don't have a business, and you don't have a brand. It appears that the rush to lose the probation service as a name may have receded for the moment and quite rightly so as the end product of introducing a new organisation devoid of that historical probation mission would not mean that the zone of uncertainty disappeared but would have to be recreated in other sorts of organisations.

In this edition, there are two reflections on institutional changes to the prison and probation service in Sweden and in Canada as well as a commentary on the unfolding of the National Offender Management Service by David Faulkner. In addition, the main theme of this volume looks at the role of research in evaluating practice. George Mair makes an important contribution about the role of research in 'what works' and two innovative approaches to research are outlined by Joe Yates looking at institutional ethnography and by Caroline O'Keeffe who describes and develops the concept of peer research in relation to a project with women offenders.

References

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