

EDITORIAL: THE FUTURE OF PROBATION

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Abstract

This Special Issue is themed around the Future of Probation - post 2020. Contributors were invited to take as their starting point (but not exclusively) the special issue of this journal which we published in March 2016 (Vol 14 Issue 1). The landscape of probation provision in England and Wales looked very different then. The Transforming Rehabilitation (TR) changes (MoJ 2013) had just seen the part privatisation of the public probation service. The papers in that issue – in part a response to that significant structural change - were based on the theme of: “Imagining Probation in 2020: hopes, fears and insights”. It drew on discussions which occurred at a retreat hosted by Paul Senior the then Co-Editor of the journal, with a small group of probation academic colleagues.

Dedication

This Special Issue is dedicated to Paul. He co-founded this journal in 2002 with his friend and colleague Dave Ward – our editorial board’s longest serving member. Paul was Co-Editor from 2002 till his retirement in 2016. Throughout his professional life, he was a passionate advocate for probation as a practitioner, policy commentator, trainer and academic. In his last editorial for that 2016 special issue, he commented:

“The death knell has been sounding for probation for some years now and this group was gathering to imagine what probation might look like in 2020, if indeed it had a future!” (Senior, 2016).

Arguably the newly expanded National Probation Service for England and Wales provides an affirmative answer to that question, although doubtless the shape and form of this unified service will take some time to fully emerge.

Paul sadly passed away in 2019 but his legacy – of which this journal is part – continues. As part of this tribute our first paper is an edited transcript of a lecture that Paul gave to mark his retirement in April 2016. Perhaps fittingly, it was the last lecture in the Community Justice Portal series which he originated. The lecture was based very much around the special issue of March 2016: unsurprising given the amount of intellectual thinking and effort which had been undertaken by Paul and his ten colleagues to produce

the journal a few weeks earlier. Just five years later the service is again in the throes of change and it is timely to reflect on Paul's thoughts for this future. Some of his fears came to pass, others did not. His hopes however have all to some extent born fruit: the politics of paradox within criminal justice have once again emerged; the institution of probation seems stronger with reunification; and the Probation Institute has cemented its role in professional development. The key insight from the 2016 workshop is arguably the group's discussions about the essence of probation, something which can substantially inform and guide the current changes.

The papers in this issue

One of the certainties of life is that change is inevitable, and policy has come full circle. The reunification of probation in England and Wales occurred in June this year, with the private Community Rehabilitation Company (CRC) staff joining the public National Probation Service. An event which Paul perhaps hoped for but didn't expect to happen. The papers in this issue reflect Paul's belief in looking to history to help us think through the present for a better future.

We are pleased to present eight new papers which are future looking but which also draw on learning from the TR era in England and Wales, and also from further afield internationally.

Responding to the "essence of probation" posited by Senior et al (2016), Matt Tidmarsh considers the future of professionalism in English and Welsh probation after TR. Observing that the service is at a crossroads, he argues for "a strategic and evidence-based professionalism in probation practice that emphasises relational co-production." He proposes that a restorative practice model can support relationship building in client facing and multi-agency contexts, rebuild relationships within the service and offset the worst excesses of other agendas.

Sam Cooper's paper examines the impact of the last five years of TR on staff at a CRC company which reported low staff resilience and difficult working experiences. She uses narrative inquiry to allow staff to tell their own stories, augmented by semi-structured interviews. Themes which emerged included loss of professional discretion, resistance to financial driven decision making and diminished self-efficacy arising from inconsistent management oversight, some of the fears raised in Paul's lecture. These issues impacted staff's belief in their capacity to carry out their duties effectively. Helpfully, she makes recommendations to assist new managers to ease the transition following unification and to support staff resilience.

A related challenge which may arise within the unified National Probation Service is set out in Nicola Roberts and Katy Rohan's paper. They present the findings from an empirical study exploring the perceptions and experiences of CRC staff - long standing probation practitioners in the probation service, who subsequently found themselves working in a CRC. This paper raises similar issues to Sam Cooper's work, and similarly highlights the importance of the role of managers in supporting staff to a successful reunification.

Taking a strategic overview, Matt Cracknell examines the “intermittent attentiveness” which policy makers (in England and Wales) have given to resettlement policies over the last thirty years (Paul’s political paradox). His paper outlines the key principles that should be central to these policies and why they have failed to be realised in practice. He considers the next possible iteration of resettlement policy, ‘offender management in custody’ (OMiC) and concludes that despite key changes, this latest policy is likely to repeat the errors of the past and questions the efficacy of responsabilising prison officers with core rehabilitative work.

Turning to emerging concerns around neurodiversity within criminal justice, Jane Wood examined the challenges in supporting CRC service users with Attention Deficit Hyperactivity Disorder (ADHD), in relation to two areas of communication difficulty: pragmatic language and dysfluency. Her study identifies challenges - in resourcing staff to respond appropriately through training, as well as maintaining expertise due to the loss of experienced staff. Wood concludes that as recognition of a more neurodiverse population increases, accommodating this within the new unified probation services becomes a pressing issue. The importance of communication is paramount in any relationship, but fundamental in terms of probation practice.

Examining another issue receiving prominence over the last few years - and set to continue - Nichola Cadet explores how the increase of older people (i.e., aged 50 and over) on probation caseloads across community orders, suspended sentences and supervision on licence can be successfully managed. She notes that increases in the ageing probation caseload is taking place against a backdrop of an ageing society which also includes probation staff. She considers the extent to which reducing re-offending pathways can support this user group through individualised sentence planning and engagement – something which will require national, and local responses including training and support for probation staff. There must be commitment to both top-down and bottom-up approaches.

Looking further afield, Rathna Koman and Matthew Soo examine the development of Probation in Singapore since independence including its philosophical underpinnings and how these principles have been operationalized. They use the recidivism rate to consider whether its evolution has been effective but highlight a lack of data in the public domain. Drawing on the experience of Canada and the UK, they suggest improvements to the training of Probation Officers and propose adopting Randomized Controlled Tests to better measure the effectiveness of Probation. Evidence-based policy making requires evidence from the get-go.

We conclude this Special Issue with a thought piece by Dave Nicholson and Mick McKeown. They return to Senior et al’s (2016) essence of probation and argue that it can be re-captured in contemporary rehabilitation services by integrating probation practice more with the community. They illustrate this by reporting on an initiative pioneered in Preston in the North West of England where the ‘Preston Model’ offers a co-operative development approach designed co-productively to better support the resettlement of people with convictions. They argue that it has great potential for wider application in the quest for successful community re-entry and a positive impact upon desistance.

